





**CUYAHOGA COUNTY
BOARD OF ELECTIONS**

Candidate & Petition Services

Brent E. Lawler, Manager


7/17/2010



What is Campaign Finance?

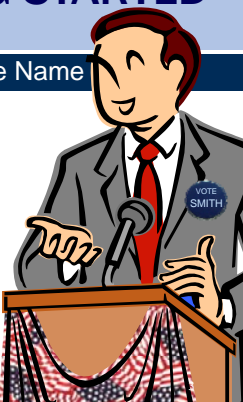
It is the process by which all candidates and Political Action Committees (PACs) disclose contributions received and expenditures made through reports that are filed on a regular basis.

This filing process complies with the Campaign Finance Laws of the Ohio Revised Code and Administrative Rules of Ohio Secretary of State.



GETTING STARTED

Choose Committee Name



- Must include Candidate's last name
- Use terms like "Re-Elect" or "Retain" only if true
- Be careful not to mislead

R.C. 3517.10 & 3517.21 (B)(1); OAC 111 - 1 - 04



GETTING STARTED

Pick a Treasurer



Someone who can be trusted to:

- ✓ Deposit Committee Funds
- ✓ Monitor all Contributions and Expenditures
- ✓ File Reports
- ✓ Retain Records for 6 Years
- ✓ Understand the Liability

R.C. 3517.081 & 3517.10 (D); OAC 111 - 5 - 14



TYPES OF CANDIDATES

- No Contributions AND No Expenditures**
Filing Fee Only OAC 111 - 5 - 01
- Small dollar activity**
Short Form Filing Option
R.C. 3517.10 (H); OAC 111 - 5 - 10
- Out of Pocket**

OUT OF POCKET CANDIDATE

- DOT and reporting required
- Separate bank account not required, Cannot accept cash from others (then no longer an out of pocket candidate)
- All transactions reported as
 - In-kind Received 31-J-1
 - Debt 31-N (Paid in 60 days)
- May be eligible for the Short Form

REPORTING

	January	February	March
Pre-primary	X		
Post-primary		April	May
Semiannual	X		X
Pre-general		July	August
Post-general	X		September
Annual		October	November
	X		X

R.C. 3517.10 (A)

REPORTING

Candidate Campaign Committees

2010 OHIO CAMPAIGN FINANCE REPORTING CALENDAR

SEE OHIO REVENUE CODE 5.812 FOR COMPLETE DETAILS ON THE TIMING AND REQUIREMENTS FOR MOST CAMPAIGN FINANCE REPORTING.

2009 ANNUAL	Jan. 29, 2010 to disclose activity through Dec. 31, 2009
PRE-PRIMARY	April 22, 2010 to disclose activity through April 24, 2010
POST-PRIMARY	June 15, 2010 to disclose activity through June 4, 2010
SEMIANNUAL	July 30, 2010 to disclose activity through June 30, 2010
PRE-GENERAL	Oct. 31, 2010 to disclose activity through Oct. 13, 2010
POST-GENERAL	Dec. 16, 2010 to disclose activity through Dec. 3, 2010
2010 ANNUAL	Jan. 22, 2011 to disclose activity through Dec. 31, 2010

The above deadlines are based on the primary and general election dates of May 4, 2010 and May 19, 2010, respectively. Campaign finance activity related to special election dates or municipal primary elections on different dates may require reporting on other dates. Filing entities which submit reports to a county board of elections (CBE) are encouraged to contact the CBE for special election dates and campaign finance deadlines not included on this calendar.

ADDITIONAL FILING REQUIREMENTS FOR STATEWIDE CANDIDATES
Candidates running for state or federal offices, including campaign committees to support candidates running during the months of July, August and September, 2010 must report to the Ohio Secretary of State. Reporting dates are due on the 15th day of the month following the reporting period. For more information, visit www.sos.state.oh.us.

PLEASE VISIT THE OHIO SECRETARY OF STATE'S WEB SITE FOR ADDITIONAL COMPLIANCE REQUIREMENTS, INCLUDING ALL REPORTING FORMS & INSTRUCTIONS, AND RELEVANT CAMPAIGN FINANCE STATUTES AND RULES.

WWW.SOS.STATE.OH.US

OFFICE OF THE SECRETARY OF STATE
CAMPAIGN FINANCE UNIT
10040 and 10111, via: OFFICIALS@OHIOSTATE.GOV

- Candidate on ballot**
 - Pre-Election Reports
 - \$1,000 threshold** contributions/expenditures
- Post-Election Reports**

Candidate not on ballot

- Annual report due and the Semiannual report may be due -

R.C. 3517.10; OAC 111 - 5 - 04



IN-KIND CONTRIBUTIONS





Item or service
e.g. stamps, printing, etc.

Beneficiary has knowledge
coordination or consultation

Report on form 31 - J - 1

In-Kind Contributions Received

R. C. 3517.01 (B) (16)

FUND RAISING REPORTING

Auctions and Bake Sales


Two transactions to disclose: Item Donor and Buyer

1. When an item is donated, the fair market value of the item is an in-kind contribution.
2. When the item is purchased, the full value of the purchase is a monetary contribution.

Remember:

- ✓ In-kind contributions count toward any applicable limit, and;
- ✓ Corporations may not contribute – even in-kind.

AUCTION ITEM 18



PARTNERSHIP CONTRIBUTIONS

- ☛ May use checking account to transmit contribution
- ☛ Contribution must be itemized by partner or owner
- ☛ The issuing entity must provide detailed allocation information
- ☛ If contribution does not include attribution information, it cannot be accepted, deposited or otherwise used
- ☛ Judicial candidates may accept partnership contributions
(Canon 4, administered and enforced by the Ohio Supreme Court)

Smith, Brown & Jones LLC
15 June 2006

Citizens for Smith
Fifteen Thousand even

Tommy Baker

Smith, Brown & Jones LLC

Citizens for Smith -
ALLOCATE ENCLOSED CHECK AS FOLLOWS

James Smith	\$3,000.00
Robert Brown	\$7,000.00
Elizabeth Jones	\$5,000.00

R. C. 3517.01 (B) (16) & 3517.092 7/17/2010

PUBLIC EMPLOYEE SOLICITATION



Officeholders and their employees, as well as candidates and their campaigns are prohibited from soliciting a contribution from a public employee who:

- ☛ is or will be appointed by the official or candidate
- ☛ functions in or is employed by the same department as the official

Applies to all levels of government – Statewide AND Political Subdivision

Additionally, no person can solicit a contribution from a public employee while the employee is:

- ☛ On the job, or
- ☛ In a public building where business is conducted.

R. C. 3517.01 (B) (16) & 3517.092 7/17/2010



LOANS & DEBTS

Loan – A *monetary* contribution put into the bank account that is expected to be repaid sometime in future

(Form 31 – C)



Debt – Assumed for *Items or services* purchased that will be repaid in future

(Form 31 – N)



R.C. 3517.01; OAC 111 – 5 – 03

CORPORATE ACTIVITY

- ⊘ Cannot use money OR property for candidate support or opposition
- ⊘ No support of Party accounts used to support or oppose candidates
- ⊘ The use of a corporate logo is a prohibited contribution [97ELC-05]

- ✓ May establish and sponsor a PAC for employee involvement
- ✓ Can use money or property to support or oppose any ballot issue
- ✓ Permitted to use money or property to communicate with certain people



R.C. 3599.03; 3517.082; OAC 111 – 4 – 06 & 111 – 4 – 09

PERMITTED EXPENDITURES

CANDIDATE CAMPAIGN COMMITTEES

- ✓ Consultants, fundraisers & other staff
- ✓ Mileage reimbursement; car or bus rental/lease
- ✓ Office supplies, telephone, computer, office space



- ✓ Influencing an election
- ✓ Charitable donation
- ✓ Duties of public office

R.C. 3517.01 & various OEC opinions

REPORTING EXPENDITURES

Each expenditure entry must include:

- Complete name
- Address
(except for banks & post offices)
- Date
- Amount

Reimbursements

- Require receipts



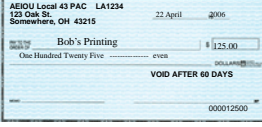


R.C. 3517.10

24

EXPENSE VERIFICATION





Every expenditure in excess of \$25.00 must be verified by one of the following:


- Copy of Canceled check or, Paid In Full receipt (showing zero balance) or, Debit Card Statement or Bank Statement so long as it provides all of the following information:**
 1. Name of the Payee, and;
 2. Date of expenditure, and;
 3. Amount of expenditure.

R.C. 3517.10 (D); OAC 111 - 5 - 14; OEC Advs. 87ELC - 03 & 87ELC - 12

ELECTION DAY Get Out The Vote Workers

-  **Paid Poll Watchers or GOTV Workers**
 -  **Should Pay By Check**
 - Or if by Cash - Have Workers Sign Receipt Book**
-  **Report Each Expenditure**
-  **Each Name and Address**



7/17/2010 OAC 111-5-12²⁶(B)

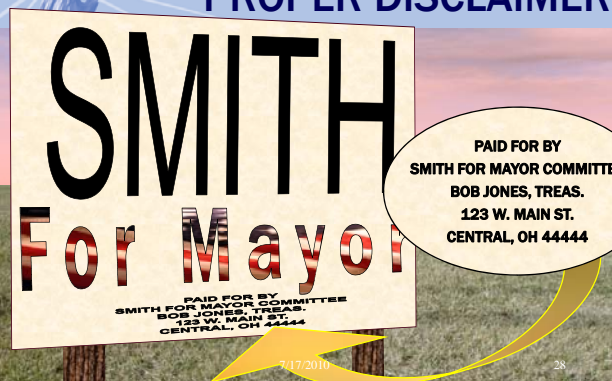
DISCLAIMERS

- ★ Exempted Items
- ★ Conspicuous Placement
- ★ Candidate Magic Words
 - ★ Paid for by ...
- ★ In-Kind
- ★ Multi-piece Mail
- ★ Internet & Email
- ★ Telephone Banks
 - ★ 500 calls in a 30 day period



R.C. 3517.20; OEC 96ELC-10; OAC 111-5-19

EXAMPLE OF A PROPER DISCLAIMER



PAID FOR BY
SMITH FOR MAYOR COMMITTEE
BOB JONES, TREAS.
123 W. MAIN ST.
CENTRAL, OH 44444

7/17/2010 28



AUDIT PROCESS

- 📄 Filings are examined for compliance with laws & rules
- 📄 Authority will communicate in writing via certified mail
- 📄 Statute gives 21 days to respond
- 📄 Failure to respond prompts automatic referral to OEC

The image shows an 'AUDIT CHECKLIST' form with columns for 'ISSUE', 'DATE RESP', 'DATE REC'D', 'RESPONSE RECEIVED', and 'COMPLETE DATE'. Below it is a 'CERTIFIED MAIL RECEIPT' from the U.S. Postal Service, dated 07/17/2010, addressed to the Board of Elections in Cuyahoga County, Ohio.

R.C. 3517.11

OHIO ELECTIONS COMMISSION

As a Respondent

- 📄 Respond to OEC with a notarized affidavit
- 📄 Contact local BOE or SOS to get in compliance
- 📄 OEC hearing - your appearance may or may not be necessary



OHIO ELECTIONS COMMISSION

As a Complainant

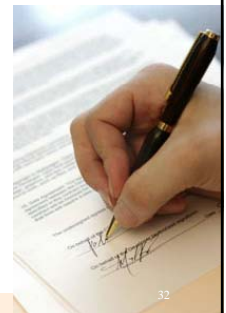
- 📄 Detailed allegations of specific statute violations
- 📄 Based on personal knowledge
- 📄 File a notarized complaint
- 📄 Attach relevant exhibits
- 📄 No fee to file
- 📄 Timing



R.C. 3517.152 - 3517.157

OHIO ELECTIONS COMMISSION

- 📄 William Green Building
- 📄 30 West Spring Street
- 📄 Columbus, OH 43215-2256
- 📄 (614) 466-7090
- 📄 www.ethics.ohio.gov

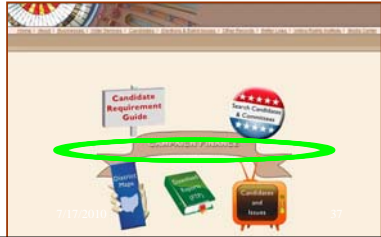


R.C. 3517.152 - 3517.157

RESOURCES

Compliance & Disclosure Guide

- Available online <http://www.sos.state.oh.us/>
- Relevant sections of Revised & Administrative Codes
- All forms and instructions
- Topical chapters



Top 10 Common Errors

1. Blank fields – addresses, dates, etc.
2. No canceled checks provided for expenditures greater than \$25
3. Received contributions from corporations
4. Cover page not calculated correctly or does not reflect contributions or expenditures reported
5. Received cash contribution greater than \$100

Top 10 Common Errors

6. Improper use of fund-raiser itemization exemption
7. Vague purpose given for expenditure
8. Reporting contributions and expenditures dates from previous reporting periods
9. Failure to use correct balance forward
10. Failure to update DOT

CLOSING WORD

BALANCE YOUR CHECKBOOK

At report filing deadline, the balance on hand -

(Line 6 of Cover Page)

should equal the balance in the checkbook!





Candidate & Petition Resources

2nd Floor

- 📄 Candidate Petitions
- 📄 Filed petitions for review and/or copying
- 📄 Campaign finance forms
- 📄 Filed Candidate/Political Action Committee campaign finance reports for review and/or copying
- 📄 Local Option petitions to wet/dry a specific precinct or wet a specific business location
- 📄 Initiative and Referendum petitions and information
- 📄 Registration Cards
- 📄 Absentee Applications

Cashier Resources

Located on the 2nd Floor
216-443-3231

- 📄 Absentee Lists
- 📄 CD-ROMs of registered voters
- 📄 Labels of registered voters
- 📄 Poll Books
- 📄 Polling Locations
- 📄 Street Guides
- 📄 Voter Registration Information

Website Resources

<http://boe.cuyahogacounty.us/>

- 📄 Election Calendar
- 📄 Candidate Lists
- 📄 Elected Officials List (includes Party Committees)
- 📄 Campaign Finance Reports
- 📄 Absentee Voter Labels (November 2004 – Present)
- 📄 Absentee Voter Returns (November 2004 – Present)
- 📄 Maps
- 📄 Polling Locations
- 📄 Sample Ballots
- 📄 Election Results (2000 – Present)
 - 📄 Summary Report
 - 📄 Canvass Report

Candidate & Petition Services Contact Information

Brent E. Lawler, Manager
(216) 443-6509

Matt Jaffe, Assistant Manager
(216) 443-6416

Rosemarie Amato, Campaign Finance Supervisor
(216) 443-3226

Sharon Keane, Petitions Supervisor
(216) 443-3232 x4604

Steve Doell, Vote by Mail Supervisor
(216) 443-3232 x4138

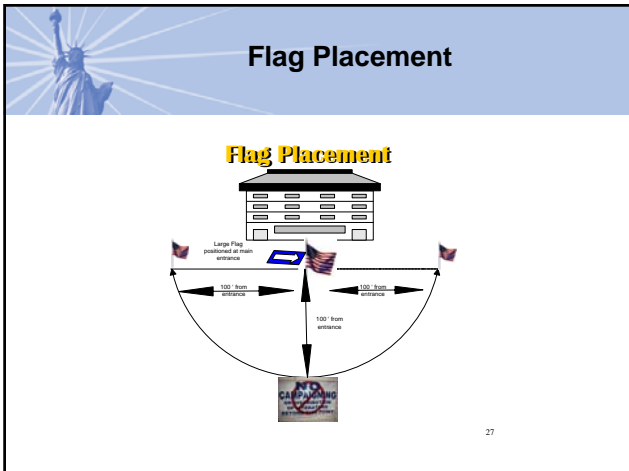
Board General Email Address: ElectionInfo@cuyahogacounty.us



Voting Location & Campaigners

Flag Placement


- Flags must be posted 100' from the voting entrance
- All campaigning must take place 100' from the entrance of the polling location
- Campaign literature is not permitted on any vehicle within 100' of the flags



- ### Helpful Hints
- Stay outside the 100 foot boundaries of no campaigning
 - Candidates are permitted to enter the polling place at 11 AM and 4 PM during the election for the purpose of checking the electors worksheets of who voted.
 - Don't move other candidates signs.
 - Be courteous to voters and campaign workers.
 - If you have a concern notify the polling location coordinator or election response line at 216.443.3277.
 - Follow the instructions given by a polling official.




Observers



Observers

- 🚩 Observers are individuals who are appointed to “watch and inspect” election proceedings.
- 🚩 They play an important role in assuring the public that the election processes are open and transparent.



Observers

- 🚩 **Appointed by:**
 - Executive/Central Committee of a Political party
 - 5 or more candidates
 - Candidate can not be an observer
- 🚩 **Deadline: 11 days before the election by 4 PM.**
 - September 7th Primary Election – August 27th
 - November 2nd General Election – October 22nd
- 🚩 **File with: Linda Steimle, Clerk to the Board**
- 🚩 **Amendments:**
 - Filed until 4 PM the day before the Election
 - Only in the precincts of the original filing