

ELECTION ETHICS UPDATE AND Q & A

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TJC
OCTOBER 20, 2021



ELECTION CODE REQUIREMENTS

2022 ELECTION DATES

PRIMARY ELECTION – MAY 3, 2022

GENERAL ELECTION – AUGUST 4,
2022

QUALIFYING DEADLINES

Appellate Judges: Noon on **January 6, 2022**

Trial Judges:

- If primary election – noon the third Thursday in February – **FEBRUARY 17, 2022**
- If no primary election – noon the first Thursday in April – **APRIL 7, 2022**

QUALIFYING – APPELLATE JUDGES

Written declaration of candidacy
is filed with State Election
Commission.

QUALIFYING PETITION – TRIAL JUDGES

- Issued by county election commission – not more than 60 days before qualifying deadline (approx. Dec. 20, 2021)
- Signed by candidate and 25 or more registered voters
- MUST include name, signature and address of each registered voter
- Must sign certifying that you are licensed to practice law
- Filed in county where candidate is a resident; if multi-county district, original is filed in county of residence and certified copies filed in other counties.



WITHDRAWAL DEADLINES

- Appellate Judges: Noon on January 13, 2022
- Trial Judge:
 - If primary: Noon on February 24, 2022
 - If no primary: Noon on April 14, 2022



WRITE-IN CANDIDATES

- Must file notice in each county of the district no later than noon 50 days before election to have any write-in votes counted
- To receive party nomination – must receive write-in votes equal to or greater than 5% of total number of registered voters of district – unless there are candidates listed on the official ballot
- Candidate defeated in primary election cannot run as a write-in candidate in general election

Q: WHEN CAN I START CAMPAIGNING AND FUNDRAISING?

- A: No earlier than **365** days before the first applicable election which is the May primary election. RJC 4.2 (B)

NOTE: No Judge or judicial candidate can direct campaign committee to solicit or accept contributions more than **90** days after last election in which candidate participated. RJC 4.4 (B)(2) -



CAMPAIGN FINANCE:

Disclosures and Limitations

Appointment of Political Treasurer

For State and Local Candidates and Single-Candidate Committees

INSTRUCTIONS

The Appointment of Political Treasurer statement must be used to appoint a political treasurer as required by the Campaign Financial Disclosure Act (T.C.A. § 2-10-105) for state and local candidates and single-candidate political campaign committees. A state candidate may not receive or expend funds for an election until a political treasurer has been appointed for that election. A local candidate pursuant to T.C.A. 2-10-101, may be exempt from completing this form, please check with county election commission for more information. A candidate may appoint himself or herself as political treasurer. A new form must be filed if the treasurer is changed.

Candidates for state public office must file their original Appointment of Political Treasurer statement ONLY with the Registry of Election Finance, 404 James Robertson Parkway, Suite 104, Nashville, TN 37243-1360.

Candidates for local public office must file their original Appointment of Political Treasurer statement ONLY with their county election commission.

1. Date:	2. Name of Candidate or Committee:	3. Candidate e-mail address:			
4. Campaign Address and Phone:		City	State	Zip Code	Phone
5. Home Address and Phone (if different than item 4 above):		City	State	Zip Code	Phone
6. Office Sought (include district number, if applicable)	7. Party Affiliation	8. Election Year			
9. Treasurer Name:	10. Treasurer e-mail address:				
11. Treasurer Address and Phone:		City	State	Zip Code	Phone
12. Candidate and Treasurer Signature (both signatures must be witnessed. Treasurer can not witness candidate's signature):					
I certify under the penalty of perjury that the information given on this form is true and accurate. In addition, I understand that the Registry of Election Finance/County Election Commission must be notified of any change in this information.					
_____ Signature of Candidate			_____ Signature of Treasurer		
_____ Signature of Witness			_____ Signature of Witness		

CAMPAIGN DISCLOSURE REPORTS

- Reports due in 2021:
 - Mid-year Supplemental – was due **July 15, 2021**
– covers date of first contribution or first expenditure, whichever occurred first, through June 30, 2021
 - Year-End Supplemental – due **January 31, 2022**
– covers period of July 1, 2021 through January 15, 2022

REPORTS DUE IN 2022 – ELECTION YEAR

- **1st Quarter** – due **April 11, 2022** – covers period of January 16 through March 31, 2022
- **Pre-Primary** – due **April 26, 2022** – covers period of April 1 through April 23, 2022
- **2nd Quarter** – due **July 11, 2022** – covers period of April 24 through June 30, 2022
- **Pre-General** – due **July 28, 2022** – covers period of July 1 through July 25, 2022 –only required if candidate in August General Election
- **3rd Quarter** – due **October 11, 2022** – covers period of July 26 through September 30, 2022 if candidate in August election; otherwise covers period of July 1 through September 30, 2022
- **4th Quarter** – due **January 25, 2023** – covers period of October 1 through December 31, 2022

CIVIL PENALTIES

- Class 1 offense – late filing of report (not including 5-day grace period) – civil penalty of \$25.00 per day up to maximum of \$750
- Class 2 offense – failure to file report within 35 days of assessment letter – civil penalty of not more than \$10,000

ADDITIONAL "PENALTY"

- Failure to pay civil penalty after it becomes final – candidate is ineligible to qualify for election to any state or local public office until penalty is paid. Tenn. Code Ann. § 2-10-110(c)(2).
- Failure to file report – ineligible to qualify for election to any state or local public office until report is filed. Tenn. Code Ann. § 2-10-110(d).

CAMPAIGN DISCLOSURE REPORTS

CAMPAIGN FINANCIAL DISCLOSURE STATEMENT For State and Local Judicial Single - Candidate Committees

1. DATE OF REPORT		2.a. NAME OF CANDIDATE			
2.b. NAME OF CANDIDATE'S COMMITTEE				3. ELECTION DATE	
4.a. CAMPAIGN ADDRESS AND PHONE Street or Rural Route		City	State	Zip Code	Phone
4.b. CANDIDATE'S HOME ADDRESS (if different than 4.a.) Street or Rural Route		City	State	Zip Code	Phone
5. JUDICIAL OFFICE SOUGHT (include district number, if applicable)			6. NAME OF POLITICAL TREASURER		
7. CATEGORY OR REPORT (Check one)					
<input type="checkbox"/> FIRST QUARTER	<input type="checkbox"/> SECOND QUARTER	<input type="checkbox"/> THIRD QUARTER	<input type="checkbox"/> FOURTH QUARTER	<input type="checkbox"/> PRE-PRIMARY	<input type="checkbox"/> PRE-GENERAL
				<input type="checkbox"/> MID-YEAR SUPPLEMENTAL	<input type="checkbox"/> YEAR-END SUPPLEMENTAL
8.a. BEGINNING DATE OF REPORTING PERIOD			8.b. ENDING DATE OF REPORTING PERIOD		
9. (Check one)					
a. <input type="checkbox"/> This campaign is exempt from detailed disclosures because contributions (including in-kind) received total \$1,000 or less AND expenditures total \$1,000 or less for this reporting period. (Complete items 12d., 12e., and 12f.)					
b. <input type="checkbox"/> This campaign is required to file a detailed financial disclosure because contributions (including in-kind) received total more than \$1,000 and/or expenditures total more than \$1,000 for this reporting period.					
10. SIGNATURE OF CANDIDATE			11. SIGNATURE OF POLITICAL TREASURER		
Signature of Candidate _____ Date _____			I do solemnly swear or affirm that the information contained in this campaign financial disclosure report is true and accurate. Additionally, I swear or affirm that no campaign contributions have been expended for the personal financial benefit of the candidate or for any other nonpolitical purpose as defined by the federal internal revenue code.		
Signature of Witness _____ Date _____			Signature of Political Treasurer _____ Date _____		
			Signature of Witness _____ Date _____		
12. SUMMARY					
a. BALANCE ON HAND LAST REPORT \$ _____					
b. TOTAL RECEIPTS THIS PERIOD \$ _____					
c. TOTAL DISBURSEMENTS THIS PERIOD \$ _____					
d. BALANCE ON HAND (12.a. plus 12.b. minus 12.c.) \$ _____					
e. TOTAL LOANS OUTSTANDING \$ _____					
f. TOTAL OBLIGATIONS OUTSTANDING \$ _____					

**SAMPLE
SUMMARY PAGE - CANDIDATE**

13. NAME OF CANDIDATE OR COMMITTEE (In Full) Terri George	14. REPORT COVERING THE PERIOD FROM: 4/01/06 TO: 6/30/06
RECEIPTS	
15. CONTRIBUTIONS (other than loans and interest)	
a. Unitemized Contributions (\$100 or less from each source this period)	\$ <u>3,000.00</u>
b. Itemized Contributions (over \$100 from each source this period).....	\$ <u>2,875.00</u>
c. TOTAL CONTRIBUTIONS (other than loans and interest)(add 15.a. and 15.b.)	\$ <u>5,875.00</u>
16. LOANS RECEIVED THIS REPORTING PERIOD	\$ <u>20,000.00</u>
17. INTEREST RECEIVED THIS REPORTING PERIOD	\$ <u>52.00</u>
18. TOTAL RECEIPTS (add 15.c., 16., and 17.) (must be shown in item 12.b.)	\$ <u>25,927.00</u>
DISBURSEMENTS	
19. EXPENDITURES (other than loan payments)	
a. Expenditures (\$100 or less each payee this period) (must be listed by category - e.g., printing, postage, gasoline)	
Postage	\$ <u>32.00</u>
Gas	\$ <u>120.00</u>
Office Supplies	\$ <u>50.00</u>
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
Total of Expenditures (\$100 or less each payee)	\$ <u>202.00</u>
b. Itemized Expenditures (Over \$100 each payee this period)	\$ <u>7,933.14</u>
c. TOTAL EXPENDITURES (other than loan repayments)(add 19.a. and 19.b.)	\$ <u>8,135.14</u>
20. LOAN REPAYMENTS MADE THIS PERIOD	\$ <u>1,000.00</u>
21. TOTAL DISBURSEMENTS (add 19.c. and 20.) (must be shown in item 12.c.)	\$ <u>9,135.14</u>
22. IN-KIND CONTRIBUTIONS	
a. Unitemized in-kind contributions (\$100 or less from each source this period).....	\$ <u>130.00</u>
b. Itemized in-kind contributions (over \$100 from each source this period).....	\$ <u>1,160.00</u>
c. TOTAL IN-KIND CONTRIBUTIONS RECEIVED THIS PERIOD (add 22.a. and 22.b.)	\$ <u>1,290.00</u>
23. OBLIGATIONS	
a. Unitemized Obligations Outstanding (\$100 or less each)	\$ <u>0.00</u>
b. Itemized Obligations Outstanding (Over \$100 each)	\$ <u>2,460.00</u>
c. TOTAL OBLIGATIONS OUTSTANDING (add 23.a. and 23.b.) (must be shown in item 12.f.)	\$ <u>2,460.00</u>

SAMPLE

ITEMIZED STATEMENT OF CONTRIBUTIONS - CANDIDATE

1. NAME OF CANDIDATE OR COMMITTEE Terri George				2. REPORT COVERING THE PERIOD FROM: 4/01/06 TO: 6/30/06	
				Amount - 0 -	
3. TOTAL ITEMIZED CAMPAIGN CONTRIBUTIONS FROM PRECEDING PAGE (enter \$0 if first itemized page)					
4. COMPLETE THE APPROPRIATE ITEMS FOR EACH ITEMIZED CONTRIBUTION (contributions totaling more than \$100 from any contributor)					
First Name Don	Middle Name B.	Contribution Received For: <input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)		Amount of Contribution 600.00	
Last Name/Organization Name George		Date of Contribution 4/30/2006		Aggregate This Election 600.00	
Address 1502 No. Woods Drive		City Nashville		State TN	
		Zip Code 37205			
Occupation Attorney		Employer George and Bates			
First Name	Middle Name	Contribution Received For: <input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)		Amount of Contribution 1,000.00	
Last Name/Organization Name ABC PAC		Date of Contribution 6/12/2006		Aggregate This Election 1,000.00	
Address 210 15th Ave.		City Nashville		State TN	
		Zip Code 37219			
Occupation		Employer			
First Name Mary	Middle Name	Contribution Received For: <input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)		Amount of Contribution 275.00	
Last Name/Organization Name Hill		Date of Contribution 5/19/2006		Aggregate This Election 595.00	
Address 2510 Sunset Circle		City Nashville		State TN	
		Zip Code 37221			
Occupation Vice President		Employer Express Inc			
First Name Don	Middle Name B.	Contribution Received For: <input type="checkbox"/> Primary Election <input checked="" type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)		Amount of Contribution 1,000.00	
Last Name/Organization Name George		Date of Contribution 5/22/2006		Aggregate This Election 1,000.00	
Address 1502 No. Woods Drive		City Nashville		State TN	
		Zip Code 37205			
Occupation Attorney		Employer George and Bates			
5. TOTAL ITEMIZED CONTRIBUTIONS <small>(Carry forward to Item 3, of next page if additional pages of this form are used.) (If this is the last page of contributions, this amount must be shown in Item 15c, of summary.)</small>				2,875.00	

SAMPLE

ITEMIZED STATEMENT OF IN-KIND CONTRIBUTIONS - CANDIDATE

1. NAME OF CANDIDATE OR COMMITTEE Terri George		2. REPORT COVERING THE PERIOD FROM: 4/01/06 TO: 6/30/06	
3. TOTAL ITEMIZED IN-KIND CONTRIBUTIONS FROM PRECEDING PAGE (enter \$0 if first itemized page)			Amount 0.00
4. COMPLETE THE APPROPRIATE ITEMS FOR EACH ITEMIZED IN-KIND CONTRIBUTION (in-kind contributions totaling more than \$100 from any contributor during the period)			
First Name Howard		Middle Name	
Last Name/Organization Name Knox		In-Kind Contribution Received For: <input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)	
Address 351 West Meade Drive		Date of In-Kind Contribution 4/29/2006	
City Nashville State TN Zip Code 37205		Value of In-Kind Contribution 200.00	
Occupation Controller Employer ABC Corp		Aggregate this Election 200.00	
Description of In-Kind Contribution Yard Signs			
First Name Mary		Middle Name	
Last Name/Organization Name Hill		In-Kind Contribution Received For: <input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)	
Address 2510 Sunset Circle		Date of In-Kind Contribution 5/02/2006	
City Nashville State TN Zip Code 37221		Value of In-Kind Contribution 320.00	
Occupation Vice President Employer Express Inc		Aggregate this Election 595.00	
Description of In-Kind Contribution Postage			
First Name Bob		Middle Name	
Last Name/Organization Name Williams		In-Kind Contribution Received For: <input type="checkbox"/> Primary Election <input checked="" type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)	
Address 9260 Hillwood Blvd.		Date of In-Kind Contribution 5/06/2006	
City Nashville State TN Zip Code 37205		Value of In-Kind Contribution 640.00	
Occupation Retired Employer NA		Aggregate this Election 640.00	
Description of In-Kind Contribution Postage			
First Name		Middle Name	
Last Name/Organization Name		In-Kind Contribution Received For: <input type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)	
Address		Date of In-Kind Contribution	
City State Zip Code		Value of In-Kind Contribution	
Occupation Employer		Aggregate this Election	
Description of In-Kind Contribution			
First Name		Middle Name	
Last Name/Organization Name		In-Kind Contribution Received For: <input type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)	
Address		Date of In-Kind Contribution	
City State Zip Code		Value of In-Kind Contribution	
Occupation Employer		Aggregate this Election	
Description of In-Kind Contribution			
5. TOTAL ITEMIZED IN-KIND CONTRIBUTIONS (Carry forward to item 3. of next page if additional pages of this form are used.) (If this is the last page of in-kind contributions, this amount must be shown in item 22b. of summary)			1,160.00

**SAMPLE
ITEMIZED STATEMENT OF EXPENDITURES - CANDIDATE**

1. NAME OF CANDIDATE OR COMMITTEE Terri George				2. REPORT COVERING THE PERIOD FROM: 4/01/06 TO: 6/30/06	
3. TOTAL ITEMIZED EXPENDITURES FROM PRECEDING PAGE (enter \$0 if first itemized page)				Amount 0.00	
4. COMPLETE THE APPROPRIATE ITEMS FOR EACH ITEMIZED EXPENDITURE. (expenditures totaling more than \$100 to any payee during the period)					
First Name		Middle Name		Purpose of Expenditure	Amount of Expenditure
Last Name/Business Name First Media					
Address 2573 Broadway				Advertising	1,740.38
City Nashville		State TN	Zip Code 37203		
First Name		Middle Name			
Last Name/Business Name Fast Print				Purpose of Expenditure	Amount of Expenditure
Address 129 3rd Ave. So.					
City Nashville		State TN	Zip Code 37219	Printing	1,242.76
First Name		Middle Name		Purpose of Expenditure	Amount of Expenditure
Last Name/Business Name Bellevue Hotel					
Address 5100 Hwy. 70 So.				Reception	2,850.00
City Nashville		State TN	Zip Code 37221		
First Name		Middle Name			
Last Name/Business Name Janet's Catering				Purpose of Expenditure	Amount of Expenditure
Address 139 Old Hickory Blvd.					
City Nashville		State TN	Zip Code 37221	Food for Reception	1,300.00
First Name Cheryl		Middle Name Ann		Purpose of Expenditure	Amount of Expenditure
Last Name/Business Name Crockett					
Address 157 Cavalcade Circle				Labor	300.00
City Franklin		State TN	Zip Code 37064		
First Name		Middle Name			
Last Name/Business Name Williams, Irvin & Norris, Inc.				Purpose of Expenditure	Amount of Expenditure
Address 135 2nd Ave. South					
City Nashville		State TN	Zip Code 37219	Campaign Consulting	500.00
5. TOTAL ITEMIZED EXPENDITURES (Carry forward to Item 3. of next page if additional pages of this form are used.) (If this is the last page of expenditures, this amount must be shown in Item 5b. of summary.)					7,933.14

SAMPLE

ITEMIZED STATEMENT OF LOANS - CANDIDATE

1. NAME OF CANDIDATE OR COMMITTEE					2. REPORT COVERING THE PERIOD				
Terri George					FROM:	4/01/06	TO:	6/30/06	
3. COMPLETE THE APPROPRIATE ITEMS FOR EACH ITEMIZED LOAN (loans totaling more than \$100 from any source during the period)									
Complete the Following for the Source of the Loan									
First Name		Middle Name		Outstanding Loan Balance (Beginning of Period)	Loans Received	Loan Payments	Outstanding Loan Balance (End of Period)		
				- 0 -	20,000	1,000	align="center"> 19,000		
Last Name/Organization Name				Address		City		State	
Third American Bank				400 2nd Ave.		Nashville		TN	
Zip Code		State		Zip Code		Date of Loan			
37219		TN		37219		6/1/2006			
List All Endorsers or Guarantors for Above Loan (If more space is needed please attach a page)									
First Name		Middle Name		First Name		Middle Name			
Terri				Page					
Last Name/Organization Name				Address		City		State	
George				284 Oak Street		Nashville		TN	
Zip Code		State		Zip Code		State		Zip Code	
37221		TN		37221		TN		37221	
Amount Guaranteed Outstanding					Amount Guaranteed Outstanding				
17,000					1,000				
First Name		Middle Name		First Name		Middle Name			
Phillip									
Last Name/Organization Name				Address		City		State	
Thompson				2916 Warner Drive		Nashville		TN	
Zip Code		State		Zip Code		State		Zip Code	
37205		TN		37205		TN		37205	
Amount Guaranteed Outstanding					Amount Guaranteed Outstanding				
1,000									
First Name		Middle Name		First Name		Middle Name			
Last Name/Organization Name				Address		City		State	
Zip Code		State		Zip Code		State		Zip Code	
Amount Guaranteed Outstanding					Amount Guaranteed Outstanding				
First Name		Middle Name		First Name		Middle Name			
Last Name/Organization Name				Address		City		State	
Zip Code		State		Zip Code		State		Zip Code	
Amount Guaranteed Outstanding					Amount Guaranteed Outstanding				
4. Totals for all Loans (complete on last page of itemized loans)									
(Total loans received should also be shown in item 16, on summary page.)				Outstanding Loan Balance (Beginning of Period)	Loans Received	Loan Payments	Outstanding Loan Balance (End of Period)		
(Total loan payments should also be shown in item 20, on summary page.)				- 0 -	20,000	1,000	align="center"> 19,000		
(Total outstanding loan balance should also be shown in item 12a, on front page.)									

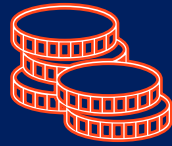
SAMPLE

ITEMIZED STATEMENT OF OBLIGATIONS - CANDIDATE

1. NAME OF CANDIDATE OR COMMITTEE				2. REPORT COVERING THE PERIOD			
Terri George				FROM: 4/01/06		TO: 6/30/06	
3. COMPLETE THE APPROPRIATE ITEMS FOR EACH ITEMIZED OBLIGATION (obligations totaling more than \$100 owed to any person/vendor at the end of the reporting period)				Outstanding Balance (Beginning of Period)	Debt Incurred This Period	Payments This Period	Outstanding Balance (End of Period)
First Name	Middle Name			1,000.00	1,200.00	500.00	1,700.00
Last Name/Business Name							
Williams, Irvin & Norris, Inc.							
Address							
135 2nd Avenue South							
City	State	Zip Code					
Nashville,	TN	37219					
Description of Obligation							
Campaign Consulting							
First Name	Middle Name			- 0 -	760.00	- 0 -	760.00
Last Name/Business Name							
Posters, Inc.							
Address							
2571 Thompson Lane							
City	State	Zip Code					
Nashville,	TN	37211					
Description of Obligation							
Printing							
First Name	Middle Name						
Last Name/Business Name							
Address							
City							
State	Zip Code						
Description of Obligation							
First Name	Middle Name						
Last Name/Business Name							
Address							
City							
State	Zip Code						
Description of Obligation							
4. TOTALS (Total from Outstanding Balance - (End of Period) column must also be shown in item 23b. on summary page.)				1,000.00	1,960.00	500.00	2,460.00

REPORTS DUE AFTER ELECTION

- **Supplemental Semi-annual statement** – required to file a supplemental semi-annual statement until campaign account shows no unexpended balance, continuing debts and obligation, expenditures or deficit.
- **Closing statement** – can close account by filing statement as long as statement on its face shows that there is no unexpended balance, continuing debts or obligations or deficit.



DIGITAL CURRENCY

- Allowed to accept digital currency as a contribution – considered to be a monetary contribution with value being the market value at the time the contribution is received.
- Any increase in value must be reported as interest on statements.
- Must sell digital currency and deposit proceeds into campaign account before spending funds.

USE OF CAMPAIGN FUNDS

Tenn. Code Ann. § 2-10-114(b)(1): “Except as otherwise provided in subsection (a), no candidate for public office shall use any campaign funds for any other purpose other than a contribution or expenditure as defined by this part.”

“Personal use” is specifically prohibited – defined as “any use by which the candidate for public office or elected public official would be required to treat the amount of the expenditure as gross income under 26 USC § 361.

USE OF CAMPAIGN FUNDS CONTINUED . . .

- **Contribution:**

Any advance, . . . or like thing of value, and any contract, agreement, promise or other obligation, whether or not legally enforceable, made for the purpose of . . . nomination for election or the election of any person for public office or for the purpose of defraying any expenses of an officeholder incurred in connection with the performance of the officeholder's duties, responsibilities, or constituent services.

- **Expenditure:**

A purchase, . . . or anything of value made for the purpose of . . . the nomination for election of election of any person to public office; also include the use of campaign funds by an officeholder for the furtherance of the office of the officeholder.

Examples of prohibited expenditures are listed in Tenn. Code Ann. § 2-10-114(b)(2).

USE OF UNEXPENDED CAMPAIGN FUNDS

- Can be retained or transferred to any campaign fund
- Can be returned to contributors in accordance with a formulate or plan
- Can be distributed to executive committee of candidate's political party
- Can be deposited in volunteer public education trust fund established under title 49, chapter 3, part 4
- Can be distributed to 501(c)(3) or (c)(4) organization
- Can be used to defray an ordinary and necessary expenses incurred in connection with office of officeholder
- Can be distributed to any public or private education institution in state to any existing scholarship trust or program



INVESTMENT OF CAMPAIGN FUNDS

- Must be deposited and maintained in FDIC insured institution or NCUA accredited credit union
- Any interest, dividends or income earned must be reported on disclosure reports
- Any contribution received in non-monetary form may be held in that form until contribution is to be used to pay expenditures – funds then must be deposited in accordance with the statute
- Any other investment of campaign funds is prohibited – violation is subject to maximum civil penalty of \$10,000 or 115% of the amount invested, whichever is greater.

CONTRIBUTION LIMITS

Appellate Judges

- Individual: \$4,300
- Multicandidate PAC: \$12,700
- Political Party PAC: \$422,100
- Cannot accept in aggregate more than 50% of total contributions from PACs

Trial Judges

- Individual: \$1,600
- Multicandidate PAC: \$8,300
- Political PAC: \$33,900
- Cannot accept in aggregate more than \$126,600 from PACs

INDIRECT CONTRIBUTIONS

- Contributions made to PAC authorized by candidate to accept contributions or to make expenditures on candidate's behalf considered to be contributions to candidate.
- Contributions made by a person, directly or indirectly, on behalf of particular candidate, including any earmarked or directed through intermediary or conduit, shall be treated as contributions to candidate.
- All contributions made by affiliated PACs considered to have been made by single PAC.
- Expenditures made in cooperation, consultation or concern with, or at request or suggestion of candidate, candidate's committee or their agents, shall be considered contribution to conduct.



CASH CONTRIBUTIONS

- Individuals – no more than \$50
- PACs are prohibited from making cash contributions

SAFE HARBOR PROVISIONS

Contribution made or accepted in excess of limits shall not be a violation if candidate or PAC returns or refunds contribution within 60 days of candidate's or committee's receipt of contribution.

CAMPAIGN FINANCE QUESTIONS

Registry of Election Finance: authority to issue written advisory opinion concerning compliance with campaign disclosure and limitations requirements which may be relied upon without threat of sanction **if** candidate or committee conforms conduct to requirements of advisory opinion.