

City Of Columbus

Campaign Finance – FAQs

[Effective March 1, 2019]

What are the significant changes to the City Of Columbus's new Campaign Finance laws?

- **Contribution Limits** — Annual contributions to municipal campaign committees now generally mirror those in state law and will be updated biannually in accordance with Ohio Revised Code §3517.104. For example, individual contributions to municipal campaign committees are limited to \$13,292.35 for 2019-2020. [Columbus City Code Section 107.02(B)(1)]
- **Municipal Tax Credit** — Maximum non-refundable municipal tax credit of \$50 per individual or \$100 per joint filing if filing a City of Columbus tax return. [Columbus City Code Section 107.02(G)]
- **Auditing Process and Hearing Procedures** — All campaign finance filings will be audited for compliance with the City of Columbus Campaign Finance laws, and new procedural structures for reviewing alleged violations, along with hearings and appeals, will be put in place as well as corresponding fines and penalties (where applicable). [Columbus City Code Section 107.04(A)(2)(3)]

What has changed with regard to existing reporting requirements?

- **No Minimum Contribution Threshold for Disclosure of Contributors and Employers of Contributors** — All municipal campaign committees and municipal ballot issue committees must now include in their campaign finance reports the name, address, employer and occupation of each contributor, **regardless of the amount of the contribution**. [Columbus City Code Section 107.02(C)]
- **Designation of Treasurer Filing for Municipal Ballot Issue Committees** — All municipal ballot issue committees must file a Designation of Treasurer form **prior to receiving contributions or making expenditures**. [Columbus City Code Section 107.02(E)(3)]

Which new reports are required?

- **Notice of Exemption from Filing** — If total contributions, expenditures, or debt are not equal to or more than one thousand (\$1000) dollars, a Notice of Exemption from Filing report (CCF-01) must be filed certifying that the campaign is not required to file a 60 Day Report, 5 Day Report, April/October Quarterly Report, Semiannual or Annual report. [Columbus City Code Section 107.02(D)(7)]

Example 1: A municipal campaign committee has raised \$2,000 in contributions (including in-kind contributions from individuals) and has made \$700 in expenditures during the most recent reporting period. This committee is required to file a report.

Example 2: A municipal campaign committee has raised \$900 in contributions (including in-kind contributions from individuals) and has made \$500 in expenditures during the most recent reporting period. This committee is not required to file a report and can instead file a Campaign Finance Exemption Report certifying that it has not met the \$1,000 threshold.

- **Semiannual Report** — Must be filed, except in a year in which the municipal campaign committee or municipal ballot issue committee was required to file a post-primary election report under Ohio Revised Code §3517.10(A)(2). This report must reflect contributions made or received and expenditures made since the last previously-filed statement through the last day of June of that year. [Columbus City Code Section 107.02(D)(5)]

Example 1: It's an election year. Candidate X appears on the primary ballot. However, Candidate X's campaign committee only raised \$900 during the Pre-Primary and 5 Day reporting periods. As such, Candidate X was eligible to file a Form CCF-01 Notice of Exemption from Filing and thus did not have to file reports for the Pre-Primary (City and State) or 5 Day periods (City).

However, since then, Candidate X's campaign committee has raised a further \$1300 in contributions. Because Candidate X's campaign committee was exempt from filing a Pre-Primary report, and has now raised more than \$1,000 in total contributions for the period, it must file a Semiannual Report.

Example 2: It's a non-election year. Candidate X's campaign committee's has \$1200 in its campaign bank account. Candidate X's campaign committee has to file a Semiannual Report.

- **Disclosure of Election Period Communications** — Any individual or entity that issues an Election Period Communication during the ninety (90) days prior to and including Election Day must file an Election Period Communication Report that discloses all contributors, expenditures and debt by 11:59 p.m. on the day the Election Period Communication is first issued. [Columbus City Code Section 107.03(B)]

Each time a payment is made towards a reported debt on an Election Period Communication, it must be reported with the City Clerk in the form of a Contributions for Debt Retirement Report (Form 31-P) **each time a payment has been made on the debt**. Each report shall be filed no later than the day following the payment.

Who Must File Campaign Finance Reports?

- **Municipal campaign committees and municipal ballot issue committees** — City of Columbus Campaign Finance Laws only require municipal campaign committees and municipal ballot issue committees to file regular, calendar-based campaign finance reports. The making of a contribution (direct or in-kind) or loan to a municipal campaign committee or municipal ballot issue committee does not give rise to a reporting requirement with the City by the contributing individual or entity (however, there may be a requirement to register as a Federal, State or Local PAC with the Ohio Secretary of State).
- City of Columbus Campaign Finance Laws require **all entities** to file an **Election Period Communication Report** if and when they issue an Election Period Communication.

What are the most commonly used forms used in a municipal campaign?

- **Form 30D: Designation of Treasurer** — A campaign committee must designate a campaign treasurer prior to receiving contributions or making expenditures. The candidate **must**, and the treasurer should, sign this form.
- **Form 31A: Statement of Contributions Received** — All municipal campaign committees and municipal ballot issue committees must disclose the name, address, employer and occupation of each contributor to the campaign, **regardless of the amount of the contribution**.
- **Form 31B: Statement of Expenditures** — All municipal campaign committees and municipal ballot issue committees must disclose all campaign expenditures, the purpose for which the funds were used, the name and address of the entities to which the expenditure were made, and the amount and date of each expenditure.
- **Form 31C: Statement of Loans Received** — All municipal campaign committees and municipal ballot issue committees must file this report whenever money is loaned to the committee that is to be repaid.
- **Form 31J-1: In-Kind Contributions Received** — All municipal campaign committees and municipal ballot issue committees must file this form to disclose all items and services received as in-kind donations.
- **Form CCF-01: Notice of Exemption from Filing** — A committee may be eligible to file a Notice of Exemption from Filing (Form CCF-01) if it does not have any of the following for the relevant reporting period:
 - Contributions made or received equal to or exceeding one thousand dollars (\$1000.00);
 - Expenditures made equal to or exceeding one thousand dollars (\$1000.00); or
 - Debt equal to or exceeding one thousand dollars (\$1000.00).
- **Form CCF-02: Election Period Communication Report** — This form is filed when an Election Period Communication is issued within the 90 days up to and including election day. It must disclose information about the issuer of the communication, and the amount and source of any funds or credit that were used to pay any costs associated with the production and/or dissemination of the communication.

How/where should I file campaign finance reports?

- Campaign finance reports should be filed electronically with the Columbus City Clerk's campaign finance database by the required deadline. The campaign finance database can be located at: <https://campaignfinance.columbus.gov/default>.

What if a campaign finance report has been audited and needs to be corrected?

- If a campaign finance report is found to be incomplete or inaccurate, the campaign committee is required to file an addendum, correction, or amendment. [Columbus City Code Section 107.02(F)]

Do I still need to file campaign finance reports if there isn't a primary?

- Yes, municipal campaign committees of candidates certified by the Franklin County Board of Elections must file all campaign finance reports even when no primary election is held. [Columbus City Code Section 107.02(E)(2)]

Can municipal campaign committees accept political contributions from City of Columbus employees?

- No, municipal campaign committees must not knowingly solicit or accept a contribution from a city employee who currently works, or will work, for the candidate elected to the office for which the committee was established. [Columbus City Code Section 107.02(B)(4)]

How should a candidate or ballot issue committee handle excess or prohibited contributions?

- A candidate or ballot issue committee must dispose of excess or prohibited funds within five (5) days of the initial receipt of the funds or of becoming aware of a prohibited source to prevent any violation or penalty. [Columbus City Code Section 107.05(B)]
- A committee can dispose of the excess or prohibited funds in one of three ways:
 - Refund the contribution or excess amount of contribution to the contributor;
 - Donate the amount of the contribution or excess amount of contribution to a tax-exempt non-profit organization (and then file as an expenditure); or
 - Pay the contribution or excess amount of contribution to the Columbus Elections Fund that is designated for administrative campaign finance purposes.

Example: A municipal campaign committee receives a contribution of \$14,292.35 from Donor X (\$13,292.35 within limits, \$1000 excess) and a contribution of \$15,292.35 from Donor Y. On or before November 5, 2019, The committee must either refund to these contributors, donate the funds to a tax-exempt non-profit, or pay \$3,000 to the Columbus Elections Fund (\$1000 excess from Donor X + \$2000 excess from Donor Y) to prevent being in violation of the city's campaign finance laws.

What constitutes a campaign finance violation?

- Actions that can lead to administrative penalties and/or fines include:
 - Failure to file a campaign finance report or election period communications report. Failure to timely file a report required by the Columbus City Code shall result in a fine of one hundred (\$100.00) dollars per day for each day that a report is not timely filed. [Columbus City Code Section 107.05(C)(2)(c)]
 - Knowingly filing a false campaign finance report or election period communication report.
 - Knowingly soliciting or accepting a campaign contribution from a prohibited source or in an amount that exceeds the contribution limits. A person found to have knowingly accepted a contribution or contributions in excess of the contribution limits shall be fined five hundred (\$500.00) dollars or an amount equal to three (3)

times the amount contributed in excess of the amount permitted, whichever is greater. [Columbus City Code Section 107.05(C)(2)(b)]

- Purposeful failure to comply with the reporting requirements of an issuer of an election period communication.
- Unlawful interference with the city's administration of campaign finance laws.

A violation of any of these prohibitions is a misdemeanor of the first degree. [Columbus City Code Section 107.05(C)(1)]

Where can I find more campaign finance information?

- If you would like to learn more about how to electronically file a campaign finance report, please visit the Campaign Finance website at:
<https://www.columbus.gov/campaignfinance/>

Who can I contact for assistance or if I have any questions?

- Tracy Retchin, campaignfinance@columbus.gov or (614) 645-7673