



Campaign Finance Compliance for the Local Campaign

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Why should I care about campaign finance compliance?

- ▶ *You may not be planning to raise much money, but failure to comply with the very simple requirements laid out by the Election Law Enforcement Commission (ELEC) can result in needless hassles and potential fines. It also gives your opponent ammunition against you – “they can’t file basic forms, how can they run our town?”*



So what should I do?

- ▶ The basic requirements for a local campaign are straightforward.
 - ▶ File form A-series form (A1/A2) - “sworn statement”
 - ▶ File form D-series form (D1/D2)– Designation of Depository
 - ▶ These two forms will be sufficient for the vast majority of local campaigns.
 - ▶ File other forms as needed – C-Series, R-Series and (very rarely) (E-series)

What is ELEC?

- ▶ The Election Law Enforcement Commission is New Jersey's primary campaign finance regulator.
- ▶ “Established in 1973, ELEC monitors the campaign financing of all elections in the State. Whether the election is for Governor or Mayor, member of the Legislature or a City Council, candidates and campaign organizations are required to file with the Commission contribution and expenditure reports.”
- ▶ “A major part of New Jersey's system of elections, the Election Law Enforcement Commission has upheld a tradition of fair, but energetic, administration of the State's financial disclosure laws. That tradition is strong today and will remain so in the future.”



Contribution Limits


Entities Making Contributions	Candidate Committee*	Political Committee**	Continuing Political Committee	Legislative Leadership Committee	State Political Party Committee	County Political Party Committee	Municipal Political Party Committee
Individual	\$2,600 per election	\$7,200 per election	\$7,200 per year	\$25,000 per year	\$25,000 per year	\$37,000 per year	\$7,200 per year
Corporation or Union	\$2,600 per election	\$7,200 per election	\$7,200 per year	\$25,000 per year	\$25,000 per year	\$37,000 per year	\$7,200 per year
Association or Group	\$2,600 per election	\$7,200 per election	\$7,200 per year	\$25,000 per year	\$25,000 per year	\$37,000 per year	\$7,200 per year
Candidate Committee	\$8,200 per election	\$7,200 per election	\$7,200 per year	\$25,000 per year	\$25,000 per year	\$37,000 per year	\$7,200 per year
Political Committee	\$8,200 per election	\$7,200 per election	\$7,200 per year	\$25,000 per year	\$25,000 per year	\$37,000 per year	\$7,200 per year
Continuing Political Committee	\$8,200 per election	\$7,200 per election	\$7,200 per year	\$25,000 per year	\$25,000 per year	\$37,000 per year	\$7,200 per year
Legislative Leadership Committee	-	-	-	NO LIMITS	-	-	-
State Political Party Committee	-	-	-	NO LIMITS	-	-	-
County Political Party Committee	No limits, but from January 1 st through June 30 th of each year, a county political party committee is prohibited from making a contribution to another county political party committee and a county political party committee is prohibited from accepting a contribution from another county political party committee. A county political party committee is subject to other restrictions; see N.J.A.C. 19:25-11.7 .						
Municipal Political Party Committee	-	-	-	NO LIMITS	-	-	-

A-Series Forms – The First Form Every Candidate Must File

The A-Series forms are also called “Sworn Statements.” By signing one and filing it with ELEC, you certify that you will spend no more than \$5,100 on your campaign. You also certify that if you accept a reportable contribution, i.e., a contribution more than \$300, you will report in via form C-1.

If you spend more than \$5,100, you certify that you will file form R-1 (more on that later).

That’s it. Simple, right?

CANDIDATE – SWORN STATEMENT		FORM A-1
 NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION P.O. Box 185, Trenton, NJ 08625-0185 (609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532) www.elec.nj.gov		FOR STATE USE ONLY
PLEASE TYPE OR PRINT		
Candidate Name		
Candidate Committee Name		
Address (Number and Street, City, State, Zip Code)		
*(Area) Day Telephone		*(Area) Evening Telephone
County	Legal Name of Election District or Municipality	
Election Date	Political Party, if any	Office Sought
Election Type: (CHECK ONE)		
<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> May Municipal <input type="checkbox"/> Run-Off <input type="checkbox"/> Fire District <input type="checkbox"/> Special		
		Amendment <input type="checkbox"/> Yes <input type="checkbox"/> No
I, the undersigned, do hereby certify as follows:		
<ol style="list-style-type: none"> The total amount expended or to be expended on behalf of my candidacy by me or by any other candidate, person, or committee shall be zero, or shall not, in the aggregate, exceed \$5,100 for this election. I am aware that in the event the total amount expended or to be expended on behalf of my candidacy by me or by any other candidate, person or committee shall, in the aggregate, exceed \$5,100, I am required to file a "Report of Contributions and Expenditures," Form R-1, on each subsequent reporting date. I am aware that if I receive a contribution in excess of \$300 in the aggregate from one source in an election or a currency (cash) contribution in any amount, I am required to report the contribution to the Commission on "Supplemental Contributor Information," Form C-1, including the identity of the source and the aggregate total of contributions therefrom, and, if the contributor is an individual, his/her occupation and the name and address of his/her employer. I am aware that if I receive a contribution in excess of \$1,600 in the aggregate from one source starting with the 13th day before the election up to, and including, the day of the election, I am required to notify the Commission in writing on the "Supplemental Contributor Information," Form C-1, within 48 hours of receipt of the contribution and to identify the source and the aggregate amount received therefrom during the period, and, if the contributor is an individual, his/her occupation and the name and address of his/her employer. I am aware that if I make, incur, or authorize an expenditure of money or other thing of value in excess of \$1,600 in the aggregate to support or defeat a candidate or public question, starting with the 13th day before the election up to and including the day of the election, I am required to notify the Commission in writing within 48 hours of the expenditure on the Form E-1, "Supplemental Expenditure Information." I am aware that I, as a candidate, am required to designate a campaign treasurer and a campaign depository and that I am required to file with the Commission a "Certificate of Organization and Designation of Campaign Treasurer and Depository," Form D-1, no later than 10 days after receipt of any contribution on behalf of my candidacy or 10 days after making any expenditure on behalf of my candidacy, whichever comes first. 		
I certify that the statements on this document are true. I am aware that if any of the statements are willfully false, I may be subject to punishment.		
Candidate Signature		Date

New Jersey Election Law Enforcement Commission Form A-1 Revised: 11/07/2018
*Leave this field blank if your telephone number is unlisted. Pursuant to N.J.S.A. 47:1A-1.1, an unlisted telephone number is not a public record and must not be provided on this form.

D-Series Forms – If you're going to spend money, you need to file one.

D-Series forms are for designating a treasurer and a depository. If you intend to spend no money on your campaign and not have a depository, then there is no need to file one. An A-series form will be sufficient.

If you do intend to spend money, however, this form must be filed with ELEC. It will state the basic information about your campaign finance game – where you're banking, who your treasurer is, the name of your committee, things like that.

You will also be asked to designate a campaign chairperson. This is a nice title, but it has no real power or responsibility as far as ELEC is concerned.

This form is more in depth than the A-Series form, but still, not very difficult to fill out.

NEW JERSEY Election Law Enforcement Commission ELEC		SINGLE CANDIDATE COMMITTEE - CERTIFICATE OF ORGANIZATION AND DESIGNATION OF CAMPAIGN TREASURER AND DEPOSITORY		FORM D-1 FOR STATE USE ONLY
NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION P.O. Box 185, Trenton, NJ 08625-0185 (800) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532) www.elec.state.nj.us/				
PLEASE TYPE OR PRINT				
Candidate Name				
Candidate Committee Name				
Address (Number and Street, City, State, Zip Code)				
*(Area) Day Telephone			*(Area) Evening Telephone	
County	Legal Name of Election District or Municipality			
Election Date	Political Party, if any		Office Sought	
Election Type: (CHECK ONE)				
<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> May Municipal <input type="checkbox"/> Run-Off <input type="checkbox"/> School <input type="checkbox"/> Fire District <input type="checkbox"/> Special <input type="checkbox"/> Yes <input type="checkbox"/> No				
CHAIRPERSON				
Name				
Mailing Address				
City			State	Zip Code
*(Area) Day Telephone			*(Area) Evening Telephone	
TREASURER				
Name				
Mailing Address				
City			State	Zip Code
*(Area) Day Telephone			*(Area) Evening Telephone	
Resident Address				
City			State	Zip Code
DEPOSITORY INFORMATION				
Name of Bank or Depository				
Mailing Address				
City			State	Zip Code
(Area) Day Telephone				
Account Name			Account Number	

New Jersey Election Law Enforcement Commission Form D-1 Revised 12/2001
*Leave this field blank if your telephone number is unlisted. Pursuant to N.J.S.A. 47:1A-1.5, an unlisted telephone number is not a public record and must not be provided on this form.
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For the vast majority of local races, your journey ends here. As long as you do not spend more than \$5,100 and do not receive an aggregate donation higher than \$300, you're done.



But what if that's not the case?

- ▶ If you receive a contribution in excess of \$300, you must file a C-Series form.
- ▶ If you intend to spend more than \$5,100, you must file R-Series forms for the next reporting period after the triggering expense.
- ▶ In the unlikely event you make a contribution over \$1,600 to another candidate, you must file an E-Series form declaring the contribution.

Series-C: The Forgotten Form

R-Series filing requirements are triggered by expenditures, not donations. So the C-Series forms fill the reporting gap on the contribution side. You must use this form if:

- You receive a contribution of more than \$300 dollars. Anything under this is unreportable on any form (i.e. it need not be disclosed). Keep in mind, this is an aggregate number. If you take \$150 from a person on May 1st and another \$200 from the on June 1st, that is a reportable contribution. The form must be filed on the R-1 schedule (29 and 11 days before and election and 20 days after).
 - If you receive more than \$1,600 from any one source within 13 days of the election, you must file within 48 hours of receipt. This is targeted more at R-Series filers, but would apply to A-Series filers in some instances.
- I call this the “forgotten form” since a lot of people thing their obligation ends with A- and D-Series forms. It does not.

This form can be electronically filed at: www.elec.nj.gov

SUPPLEMENTAL CONTRIBUTOR INFORMATION		FORM C-1
NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION		FOR STATE USE ONLY
P.O. Box 185, Trenton, NJ 08625-0185 (609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532) www.elec.nj.gov		
CONTRIBUTIONS REPORT TYPE (CHECK ONE) <input type="checkbox"/> Committee spending under the R-1 reporting threshold (A-1 or A-2 filers etc.) who received a contribution in excess of \$300 in the aggregate from one source in the election, or any currency (cash) contributions. <input type="checkbox"/> Committee receiving a contribution in excess of \$1,600 in the aggregate from one source starting with the 13 th day before the election up to, and including the day of the election (48-Hour Notice).		Amendment? <input type="checkbox"/> Yes <input type="checkbox"/> No
SECTION I. CANDIDATE, JOINT CANDIDATES, OR POLITICAL COMMITTEE INFORMATION		
Candidate(s) Name		Election Date
Committee Name		Election District/Municipality
Candidate or Committee Address (Number and Street, City, State, Zip Code)		
Office Sought	County	*(Area) Day Telephone
Political Party		*(Area) Evening Telephone
SECTION II. CONTRIBUTION INFORMATION (Receipt Types: A = Currency or Check; B = In-Kind; C = Loan)		
Date Received	Contributor Name	
Address (Number and Street, City, State, Zip Code)		Aggregate Amount \$ Amount \$
Occupation (if Individual)	Receipt Type	Check if Currency <input type="checkbox"/> Description, if In-Kind Contribution
Employer Name (if Individual)	Employer Mailing Address (if Individual)	
Date Received	Contributor Name	
Address (Number and Street, City, State, Zip Code)		Aggregate Amount \$ Amount \$
Occupation (if Individual)	Receipt Type	Check if Currency <input type="checkbox"/> Description, if In-Kind Contribution
Employer Name (if Individual)	Employer Mailing Address (if Individual)	
Date Received	Contributor Name	
Address (Number and Street, City, State, Zip Code)		Aggregate Amount \$ Amount \$
Occupation (if Individual)	Receipt Type	Check if Currency <input type="checkbox"/> Description, if In-Kind Contribution
Employer Name (if Individual)	Employer Mailing Address (if Individual)	
Date Received	Contributor Name	
Address (Number and Street, City, State, Zip Code)		Aggregate Amount \$ Amount \$
Occupation (if Individual)	Receipt Type	Check if Currency <input type="checkbox"/> Description, if In-Kind Contribution
Employer Name (if Individual)	Employer Mailing Address (if Individual)	
(COMPLETE THIS LINE FOR EVERY PAGE USED)		TOTAL, THIS PAGE \$
(COMPLETE THIS LINE FOR LAST PAGE USED)		GRAND TOTAL \$
Candidate or Treasurer Signature		Date

New Jersey Election Law Enforcement Commission Form C-1 Revised: 1/07/2016
 *Area Day/Evening Telephone numbers are optional. Pursuant to N.J.S.A. 47:1A-1.1, an unlisted telephone number is not a public record and must not be printed on this form.

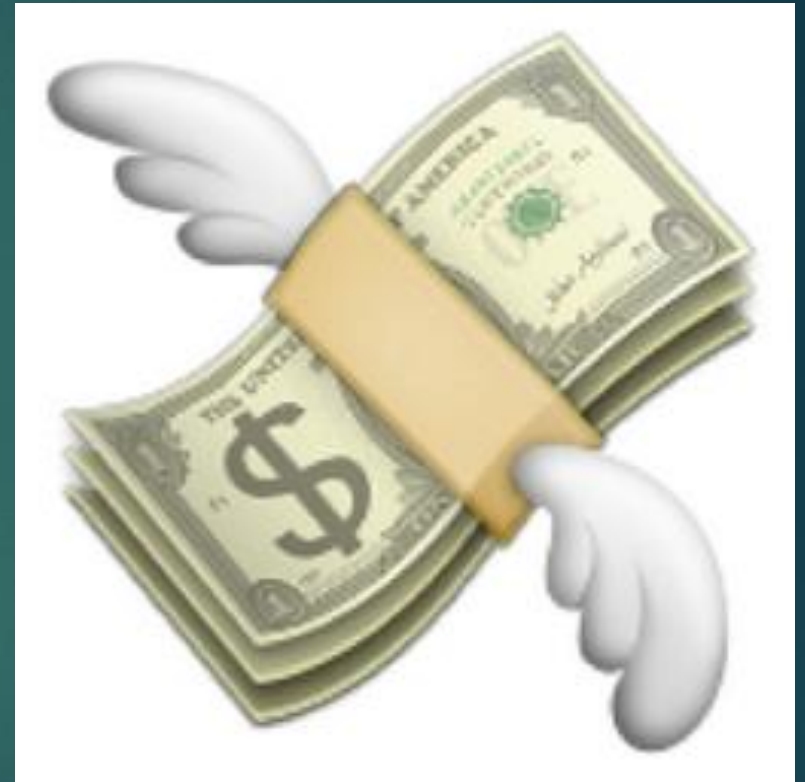
So When Would I Have To File An R-1?

Only if you vault the threshold as described on Form A-1. R-Series forms resemble an accountant's ledger and are for campaigns with lots of cash outflow and also lots of different characteristics that a small, local campaign might not have. A filer will typically file three of these forms – 29 days before the election, 11 days before the election, and 20 days after the election. If you vault the A-Series threshold, however, you need not go back and file forms whose deadlines have already passed. Sometimes, this will mean you would only file an 11-day post.

FORM R-1		REPORT OF CONTRIBUTIONS AND EXPENDITURES		REPORT (CHECK ONE):	
NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION P.O. Box 185, Trenton, NJ 08625-0185 (609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532) www.elec.state.nj.us				<input type="checkbox"/> 29 - DAY PRE-ELECTION	
CANDIDATE OR COMMITTEE NAME				<input type="checkbox"/> 11 - DAY PRE-ELECTION	
STREET ADDRESS				<input type="checkbox"/> 20 - DAY POST-ELECTION	
CITY	STATE	ZIP CODE		<input type="checkbox"/> Apr. 15, _____	
COUNTY	ELECTION DISTRICT OR MUNICIPALITY			<input type="checkbox"/> July 15, _____	
POLITICAL PARTY, IF ANY	OFFICE SOUGHT			<input type="checkbox"/> Oct. 15, _____	
ELECTION DATE	ELECTION TYPE (CHECK ONE)	<input type="checkbox"/> PRIMARY GENERAL	<input type="checkbox"/> MAY MUNICIPAL RUN-OFF	<input type="checkbox"/> SCHOOL FIRE DISTRICT	<input type="checkbox"/> SPECIAL
DO NOT ATTEMPT TO COMPLETE TABLES I AND II UNTIL APPROPRIATE SCHEDULES HAVE BEEN COMPLETED					
SUMMARY TABLES					
TABLE I. RECEIPTS				THIS REPORT	
				CUMULATIVE TO DATE	
1. MONETARY CONTRIBUTIONS / LOANS OF \$300 OR LESS				\$	\$
2. MONETARY CONTRIBUTIONS IN EXCESS OF \$300 AND ALL CURRENCY CONTRIBUTIONS [Schedule A]				\$	\$
3. IN-KIND CONTRIBUTIONS OF \$300 OR LESS				\$	\$
4. IN-KIND CONTRIBUTIONS IN EXCESS OF \$300 [Schedule B]				\$	\$
5. LOANS RECEIVED IN EXCESS OF \$300 AND ALL CURRENCY LOANS [Schedule C]				\$	\$
6. SUB TOTAL (ADD LINES 1 THRU 5)				\$	\$
7. REFUND OF CONTRIBUTIONS [Adjustment Schedule]				(-)	\$
8. TOTAL CONTRIBUTIONS				\$	\$
9. ADD FUNDS TRANSFERRED FROM PRIOR CAMPAIGN				(+)	\$
10. TOTAL RECEIPTS (ADD LINE 8 + LINE 9)				\$	\$
TABLE II. EXPENDITURES					
1. DISBURSEMENTS - CAMPAIGN EXPENSES [Schedule 1(D)]				\$	\$
2. DISBURSEMENTS - OTHER [Schedule 2(D)]				\$	\$
3. DISBURSEMENTS - CONTRIBUTIONS MADE TO OTHER CANDIDATES/COMMITTEES [Schedule 3(D)]				\$	\$
4. CONTRIBUTIONS MADE ON BEHALF OF OTHERS [Pro Rata Amount Schedules 1(D) and 2(D)]				\$	\$
5. IN-KIND CONTRIBUTIONS OF \$300 OR LESS (TABLE I, LINE 3)				\$	\$
6. IN-KIND CONTRIBUTIONS IN EXCESS OF \$300 (TABLE I, LINE 4)				\$	\$
7. SUB TOTAL (ADD LINES 1 THRU 6)				\$	\$
8. REFUNDED DISBURSEMENTS [Schedule F]				(-)	\$
9. TOTAL EXPENDITURES (LINE 7 MINUS LINE 8)				\$	\$

What's An R-1 All About?

R-1s are just a more in-depth reporting device. They have separate schedules for each type of contribution, most of which are self explanatory, and some of which will not be relevant to even the highest spending municipal campaign. For local campaign purposes, it is sufficient to know that R-1 represents a balance sheet that discloses the source of contributions, the type of contributions, the outflow of expenditures broken down by type, and theoretical cash balances in accounts (theoretically because there are legal ways of delaying reporting to inflate or deflate these numbers).




And Form E-1? Should I care about that?

Short answer: No, you should not. Form E-1 is a form for reporting supplemental contributions to another campaign. So, if you're in the mood to give more than \$1,600 from your campaign account to your friend who's running for office in the town next door, this is your form. Since this is not likely to happen, it is a form that is generally ignored.

In 17 years in politics, I've never filed an E-1. I tell you about it only because it rounds out the Series forms.

This form can be electronically filed at: www.elec.nj.gov

SUPPLEMENTAL EXPENDITURE INFORMATION				FORM E-1	
NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION				FOR STATE USE ONLY	
					
P.O. Box 185, Trenton, NJ 08625-0185 (609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532) www.elec.nj.gov					
To be filed within 48 hours of expenditure by a candidate, joint candidates committee, or a political committee expending in excess of \$1,600 starting with the 13 th day prior to the election up to, and including, the day of the election.					
Candidate or Committee Name		Election Date	Amendment? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Address (Number and Street, City, State, Zip Code)					
County	Election District/Municipality	*(Area) Day Telephone			
Committee Treasurer Name		*(Area) Evening Telephone			
EXPENDITURE INFORMATION PLEASE PRINT OR TYPE					
Payment Date	Check No.	Purpose	Amount Incurred/Not Paid \$	Amount Disbursed \$	
Full Name of Payee					
Full Mailing Address					
Expenditures on Behalf of Candidate(s)/Committee(s) (Identify Recipient)					
Candidate/Committee Full Name		Election Date	Election District or Municipality	Prorated Amount \$	
Payment Date	Check No.	Purpose	Amount Incurred/Not Paid \$	Amount Disbursed \$	
Full Name of Payee					
Full Mailing Address					
Expenditures on Behalf of Candidate(s)/Committee(s) (Identify Recipient)					
Candidate/Committee Full Name		Election Date	Election District or Municipality	Prorated Amount \$	
Payment Date	Check No.	Purpose	Amount Incurred/Not Paid \$	Amount Disbursed \$	
Full Name of Payee					
Full Mailing Address					
Expenditures on Behalf of Candidate(s)/Committee(s) (Identify Recipient)					
Candidate/Committee Full Name		Election Date	Election District or Municipality	Prorated Amount \$	
(COMPLETE THIS LINE FOR EVERY PAGE USED)		TOTAL, THIS PAGE		\$	
(COMPLETE THIS LINE FOR LAST PAGE USED)		GRAND TOTAL		\$	
Candidate or Treasurer Signature			Date		

New Jersey Election Law Enforcement Commission Form E-1, Revised: 11/07/2016
*Leave this field blank if your telephone number is unlisted. Pursuant to N.J.S.A. 47:1A-1.1, an unlisted telephone number is not a public record and must not be provided on this form.

**That does it for the form series
and basic reporting
requirements. What else do I
need to know?**



Basic ELEC Ground Rules; Or, Staying Out of Trouble

- ▶ Checks must be deposited within 10 days of receipt.
- ▶ There is no limit to personal funds that can be contributed to a candidate's own campaign, but disclosure is required.
- ▶ Currency contributions, in-kind contributions, and loans are all contributions and must be reported as contributions. From a disclosure standpoint, there is no difference.
 - ▶ In-kind expenditures are when someone provides a service of value to your campaign. For example, if someone provides you a hall free of charge, that is an in-kind contribution.
 - ▶ Loans are what they sounds like. If you expect to be paid back from money you contribute, treat it as a loan, not a contribution. If someone else loans you money, be aware there are special rules for attribution and special limits that come into play.
- ▶ Debit card swipes drawn directly from the campaign account are just expenditures; Credit card swipes from your personal account are loans that must be reported as such. I strongly recommend against relying on personal credit cards.

Basic ELEC Ground Rules; Or, Staying Out of Trouble

- ▶ Do not take cash. There is simply no reason. ELEC allows it if it is less than \$200 per contributor in aggregate, but it must always be reported. It is more of a hassle than it is worth.
- ▶ Do not spend campaign funds on personal items. This includes things like clothing or haircuts. ELEC has a list in their candidate compliance manual on what is and what is not allowed, but a lot of it is common sense.
- ▶ “Paid for By” statements are required for most campaign communications. There are some exceptions (most notably, small, de minimis items like pens). The statement should read as follows:
“Paid for By Kipnis for Assembly, 123 Smith Street, Piscataway, NJ 08854.”

Basic ELEC Ground Rules; Or, Staying Out of Trouble

- ▶ “Street Money,” which is used for things like paid walkers or callers, must be reported as an expenditure like any other. You can issue checks the day of, but keep the worker’s information because it will need to be reported as a expenditure in the normal way.
- ▶ You can file all reports except R-Series forms online, and I highly suggest you do. (R-Series online filing requires a special certification.)
- ▶ Keep accurate records of everything. This is a requirement of the law, even in circumstances where a contribution or expenditure is not reportable. If ELEC comes calling one day, you’ll want to have what they are asking for.
- ▶ Do not leave blanks on forms if you can avoid it. Blanks are red flags for ELEC compliance officers.

Questions?



Thank you for your attention.

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