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**Judicial Candidate Seminar
2023-2024**

Shanda Behrens - Campaign Finance Administrator & Public Integrity Counsel
Heather Moore-Kester – Deputy Campaign Finance Administrator

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GETTING STARTED

- Pick a Treasurer and File a Designation of Treasurer
 - Accept and deposit contributions
 - Monitor and record all activity
 - File reports and gather/retain records (6 years)
 - Understand the liability



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GETTING STARTED

- Open a Bank Account
 - Separate from any personal or business account
 - Checking with debit card is acceptable
 - Interest reported as Other Income
 - Restrict signing authority
 - IRS Tax ID number – sometimes required
 - Retain all statements (6 years)

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REPORTING: WHEN TO FILE FILING DATES & COVERAGE

- Election Related Filings (Primary, General, Special)
 - Pre-Election Report
 - Filed 12th day before, covers activity through the 20th day before
 - Post-Election Report
 - Filed 38th day after, covers activity through the 31st day after
- Non-Election Related Filings
 - Semiannual – Judicial Candidates do NOT need to file this
 - Filed the last business day of July, covers activity through the end of June
 - Annual – filed for years when the candidate was not on the ballot
 - Filed the last business day of January, covers activity through the end of December

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OHIO CAMPAIGN FINANCE REPORTING CALENDAR 2023

See Ohio Revised Code §3517.10 for complete details of the timing and requirements for most campaign finance reporting.

- 2022 Annual** Jan. 31, 2023 to disclose activity through Dec. 31, 2022.
- Pre-Primary** April 20, 2023 to disclose activity through April 12, 2023.
- Post-Primary** June 9, 2023 to disclose activity through June 2, 2023.
- Semiannual** July 31, 2023 to disclose activity through June 30, 2023.
- Pre-General** Oct. 26, 2023 to disclose activity through Oct. 18, 2023.
- Post-General** Dec. 15, 2023 to disclose activity through Dec. 8, 2023.
- 2023 Annual** Jan. 31, 2024 to disclose activity through Dec. 31, 2023.

This is based on the following 2023 election dates: 2023 Primary – May 2, 2023 | 2023 General – November 7, 2023
Activity related to special elections may require reporting on different dates. Filing entities submitting reports to a county board of elections should contact the board for special election dates and filing deadlines not included on this calendar.

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REPORTING: WHERE TO FILE

- Filing location varies based on office being sought
 - File at Secretary of State for:
 - Supreme Court
 - Court of Appeals
 - File at Local Board of Elections for:
 - County Office – Common Pleas
 - Municipal Office – Municipal Court

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REPORTING: HOW TO FILE

- Filers with a Board of Elections
 - **Permissive** electronic filing for all local filing entities
 - See BOefile.OhioSoS.gov
- Filers with the Secretary of State
 - **Required*** electronic filing if total contributions or expenditures exceed \$10,000 during a reporting period
 - See www.OhioSoS.gov

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REPORTING: WHAT TO FILE

- Money in
 - Contributions, Other Income, Loan Activity
- Money out
 - Expenditures related to:
 - Influencing the results of an election, charitable donations, and duties of public office
- Non-monetary activity
 - In-kind contributions and debt activity

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CONTRIBUTIONS -

- Individuals 7 years and older – cannot be anonymous
- Political Action Committees and Political Contributing Entities
- Business entities
 - Corporations are NOT permitted to give directly
 - LLCs, LPs, LLPs, LPAs, PAs
 - Attribution not required for judicial candidates
- Fundraising Events use separate forms (Form 31-E & 31-F)
- Contribution Limits & Cash Contributions
 - Only \$100 in cash per contributor per election

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JUDICIAL CONTRIBUTION LIMITS

CONTRIBUTION LIMITS
Effective for 2021 Election Cycle and Subsequent Election Cycles

CANDIDATE FOR:	INDIVIDUAL		ORGANIZATION		POLITICAL PARTY	
	Primary	General	Primary	General	Primary	General
Supreme Court Chief Justice and Justice	\$4,100	\$4,100	\$7,500	\$7,500	\$203,900	\$373,900
Court of Appeals	\$1,400	\$1,400	\$4,100	\$4,100	\$40,800	\$81,700
Common Pleas, Municipal and County Court more than 750,000	\$650	\$650	\$4,100	\$4,100	\$40,800	\$81,700
750,000 or less	\$650	\$650	\$4,100	\$4,100	\$34,000	\$67,900

*Primary limits apply only if the judicial candidate has a contested primary. If there is no contested primary, the general election limits apply throughout the permissible fundraising period.

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REPORTING CONTRIBUTIONS

- Each Contribution Entry must have the following details:
 - Complete name of Contributor
 - Address
 - Date Received
 - Amount Received
 - Employer (or if self-employed, Occupation & Business Name)
 - For Supreme Court candidates, required for contributions over \$100 by individual
 - Form (cash, check, credit card)
- Loans are reported on a separate form that is filed with each report until the loan is forgiven or paid off

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EXPENDITURES

- Verification required for any expenditure over \$25
 - Cancelled checks, paid receipts/invoices, or bank statements showing vendor, date, and amount paid
- Reimbursements are allowable for candidates and any volunteers for permissible prior expenses incurred
 - Submit mileage log and copy of reimbursed receipts along with the cancelled check

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REPORTING EXPENDITURES

- Each expenditure entry must include:
 - Complete Name of Payee
 - Street Address (except for banks & post offices)
 - Date
 - Amount
 - Detailed Purpose

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NON-MONETARY ACTIVITY: IN-KIND CONTRIBUTIONS

- An In-Kind Contribution is a non-monetary contribution of goods or services
- Made in coordination or cooperation with the candidate committee
- Reported on Form 31-J-1 (In-Kind Contributions Received)
- Value of item or service should be fair market value
- Counts toward Contribution Limits

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AFTER FILING A REPORT

- Examined by Secretary of State or Board of Elections
 - Examined for compliance
 - Any issues are communicated in writing – 21 days to respond
- Responding to an Examination
 - Providing additional documentation
 - Amending original report
 - When incomplete or inaccurate
 - Reporting in current period
 - Voided expenditures, NSF returned contributions, refunds for contributions that should not have been accepted

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TOP 10 REPORTING ERRORS

- Missing Data – addresses, dates, other empty fields
- Missing Expenditure verification – canceled checks or paid receipts
- Direct corporate contributions
- Cover page balances not calculated correctly
- Cash Contributions over \$100
- Improper use of fund-raiser itemization exemption
- Vague purpose reported for expenditures
- Reporting in the wrong period
- Failure to use correct balance brought forward
- Unverified reimbursements

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DISCLAIMERS

- Must include "Paid for by [Committee Name]"
- Must be conspicuously placed
- Must be included on all items unless an exemption exists or is granted in writing by the Secretary of State
 - OAC 111:2-4-18 has a list of automatically exempted items; all other exemption requests can be made to the Secretary of State
- Social Media

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QUESTIONS?

- SOS Campaign Finance Division
 - (614) 466-3111
 - CFinance@ohiosos.gov (for questions and disclaimer exemption requests)
 - CFforms@ohiosos.gov (to submit forms)
- Contact Shanda Behrens- Campaign Finance Administrator & Public Integrity Counsel
 - (614) 696-8874
 - SBehrens@ohiosos.gov
- Contact Heather Moore-Kester- Deputy Campaign Finance Administrator
 - (614) 696-8759
 - HMooreke@ohiosos.gov
- Contact Jason Long- Campaign Finance Examiner
 - (614) 696-6773
 - JLong@ohiosos.gov

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