

# CAMPAIGN FINANCE & REPORTING TRAINING


NOVEMBER 8, 2022 ELECTION

Candidates and Treasurers



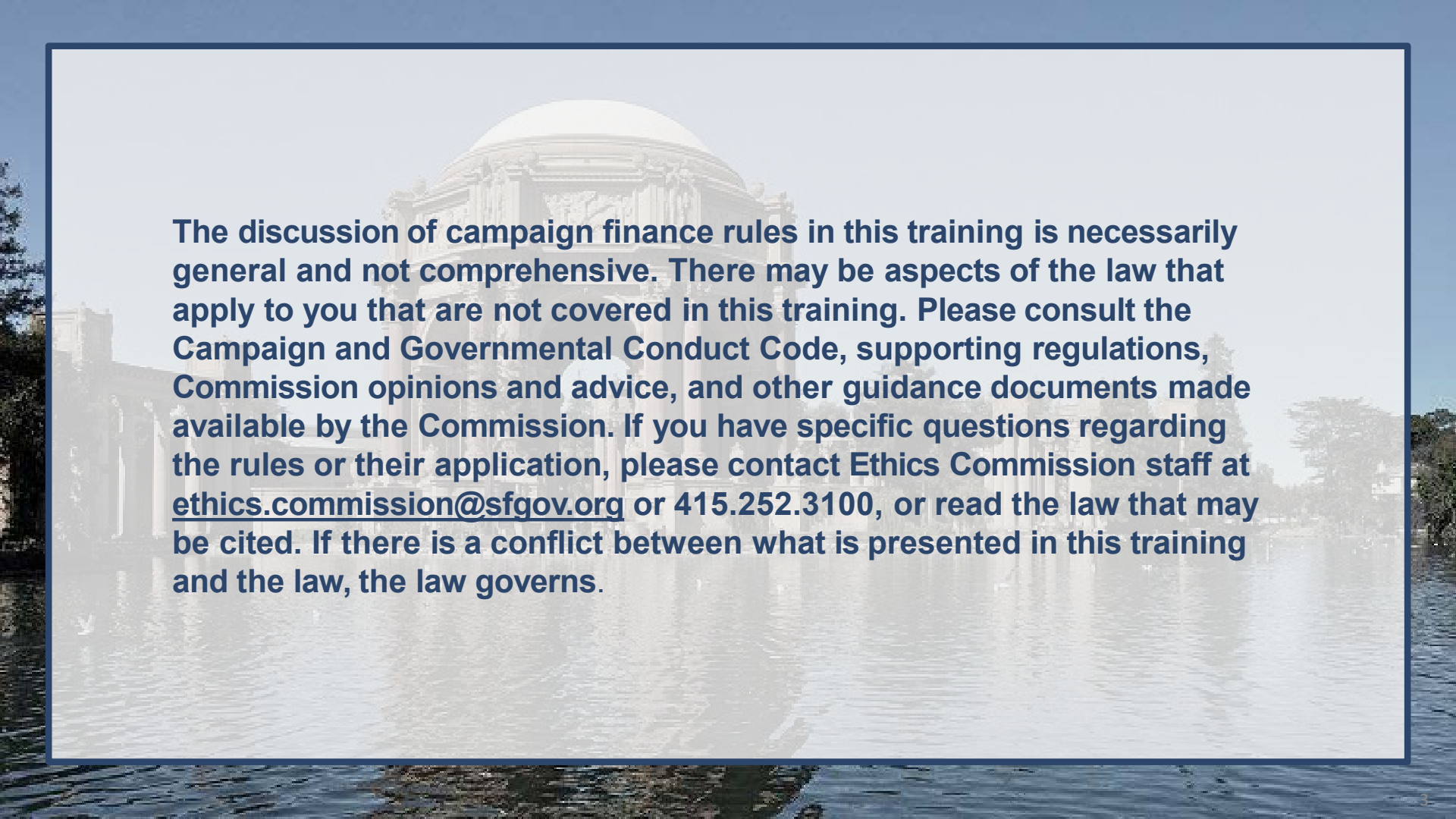
City & County of San Francisco  
**Ethics Commission**

[WWW.SFETHICS.ORG](http://WWW.SFETHICS.ORG)



Welcome to the San Francisco Ethics Commission's mandatory training for candidates running for City elective offices in the 2022 election cycle, and their committee treasurers. This training discusses campaign finance rules and regulations that apply to local candidates and their treasurers. In addition to this training, it is recommended that Candidates and treasurers watch the "Local Candidates, Treasurers, and Committee Basics" training video offered by the Fair Political Practices Commission (FPPC).

San Francisco voters established the Ethics Commission in 1993 to ensure that local ethics, campaign finance, and lobbying laws are strong and effective. The City's campaign finance laws are built on State laws, and over time the City has added significant provisions to the laws, including a limited public finance program for campaigns for the offices of Mayor and the Board of Supervisors.



The discussion of campaign finance rules in this training is necessarily general and not comprehensive. There may be aspects of the law that apply to you that are not covered in this training. Please consult the Campaign and Governmental Conduct Code, supporting regulations, Commission opinions and advice, and other guidance documents made available by the Commission. If you have specific questions regarding the rules or their application, please contact Ethics Commission staff at [ethics.commission@sfgov.org](mailto:ethics.commission@sfgov.org) or 415.252.3100, or read the law that may be cited. If there is a conflict between what is presented in this training and the law, the law governs.

## PART I

All Candidates:

- RUNNING FOR OFFICE
- RUNNING THE CAMPAIGN
- REPORTING & RECORDKEEPING

## PART II

Mayoral & Supervisorial  
Candidates:

- OVERVIEW OF PUBLIC FINANCE PROGRAM
- ADDITIONAL REPORTING REQUIREMENTS

## PART III

All Candidates:

- AFTER THE ELECTION
- ACCOUNTABILITY & RESPONSIBILITY
- SUPPORT & RESOURCES





# PART I For All Candidates

➤ RUNNING FOR OFFICE

➤ RUNNING THE  
CAMPAIGN

➤ REPORTING &  
RECORDKEEPING

## ➤ RUNNING FOR OFFICE

- Getting Started
- Training
- Electronic Filing Account
- General Reminders

### Establish Candidacy

- ❑ Declaration of Intention to Solicit or Accept Contributions
  - File with Department of Elections prior to soliciting or accepting contributions
- ❑ Candidate Intention Statement (FPPC Form 501)
  - File with San Francisco Ethics Commission before soliciting contributions (including loans) and before making expenditures, including a candidate's personal funds
- ❑ Complete Nomination process with Department of Elections
  - Refer directly to the Department of Elections for relevant deadlines
- ❑ Statement of Economic Interest (FPPC Form 700)
  - File hard-copy with Department of Elections by the applicable deadline for filing nomination papers
  - Disclose financial interests for preceding 12-months

S.F. Campaign & Governmental Conduct ("C&GC") Code §§ 1.100 and 1.122; Cal. Gov't Code § 87201.

## ➤ RUNNING FOR OFFICE

- Getting Started
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### Candidates Raising or Spending \$2,000 or More

- ❑ Establish a Campaign Contribution Trust Account (Bank Account) at a bank located in the City and County of San Francisco
  - All contributions must be deposited in, and expenditures must be made from this bank account (including loans)
  - Candidates may use their personal funds to pay filing fees without first depositing the funds into the campaign bank account
  - Personal funds used to pay filing or statement fees do not count toward the \$2,000 threshold
- ❑ Statement of Organization (FPPC Form 410)
  - File original with Secretary of State (“SOS”) and one copy with SF Ethics Commission within 10 days of raising or spending \$2,000 or more, or anytime prior to reaching the threshold
  - Optionally, Form 410 can be filed electronically through the Ethics Commission’s NetFile system, however, a printed copy with original wet signature must be sent to the SOS with the \$50 filing fee

## ➤ RUNNING FOR OFFICE

- Getting Started
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### Candidates Raising or Spending Less than \$2,000

- ❑ Establish a Campaign Contribution Trust Account (Bank Account) at a bank located in the City and County of San Francisco, if:
  - Raising/spending **any** money (including loans) other than the candidate's own personal funds
  - Personal funds used to pay filing or statement fees are excluded from bank account requirement and do not count toward \$2,000 threshold
- ❑ Officeholder and Candidate Campaign Statement - Short Form (FPPC Form 470)
  - File with Ethics Commission on or before 1<sup>st</sup> pre-election deadline
  - Personal funds used to pay filing fees or statement fees are not counted toward the \$2,000 committee qualification threshold
  - If 470 is filed and the candidate then raises or spends \$2,000 or more in that calendar year, the candidate must file a 470 Supplemental and notify each candidate seeking the same office within 48 hours; and file Form 410 within 10 days of reaching qualification threshold
  - Form 470 may be filed electronically (see free NetFile system)

Cal. Gov't Code § 84101; FPPC Reg § 18402



## ➤ RUNNING FOR OFFICE

- Getting Started
- Training
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- General Reminders

## Mandatory Training for Candidates and Treasurers

- ❑ Ethics Commission Training
  - Every candidate and his or her treasurer must complete a training sponsored by the San Francisco Ethics Commission within one year prior to the election at which the candidate's name will appear on the ballot
  - A candidate/treasurer may satisfy the training requirement by attending a live training held by the Ethics Commission, or by reviewing this training online
  - An individual who serves as treasurer for more than one committee **and** has satisfied the required training and filed Certificate of Training within the previous 12 months, is not required to complete the training
  - [See training section for more information](#)
- ❑ Certification of Training ([Form SFEC-107](#))
  - Due no later than October 9, 2022 (30-days prior to election)

S.F. C&GC Code § [1.107](#); S.F. Ethics Commission ("SFEC") [Regulations §§ 1.107-1, 1.107-2 and 1.107-3](#).

## ➤ RUNNING FOR OFFICE

- Getting Started
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## Establish an Electronic Filing Account

- ❑ Set-up a NetFile User Account with Ethics Commission
  - All committees must file their campaign statements electronically with the Ethics Commission
  - Committees may use the Commission's free NetFile system, or a qualified third-party vendor with approved .CAL format
  - Initiate NetFile registration
  - Complete a Signature Verification Card (Form SFEC-112a)
    - File with Ethics Commission by mail or in-person
    - A valid government I.D. must be presented
    - Form must be notarized if submitted through the mail
    - Notarization is not required if done in-person at Ethics Commission office located at 25 Van Ness, Suite 220
  - Complete (Form SFEC-112b)

S.F. C&GC Code § 1.112.

## ➤ RUNNING FOR OFFICE

- Getting Started
- Training
- Electronic Filing Account
- General Reminders

### Running for Office – General Reminders

- ❖ Candidates raising or spending \$2,000 or more must form a committee
- ❖ Every candidate who forms a committee must designate a treasurer
- ❖ A candidate may serve as his or her own treasurer
- ❖ A committee cannot accept contributions or make expenditures until it has a treasurer
- ❖ Candidates and treasurers may be held personally liable for campaign finance violations

S.F. C&GC Code §§ 1.100 *et. seq.* and 1.170; Cal. Gov't Code § 90000, *et. seq.*

## ➤ RUNNING THE CAMPAIGN

- Fundraising
- Prohibited Contributions
- Loans and Accrued Expenses
- Use of Campaign Funds
- Coordination of Expenditures
- Campaign Advertisement and Disclaimers
- Prohibited Activities

## Contribution Limits

- ❑ All contributions are limited to \$500 per source/per election cycle
  - All cumulative contributions from persons' affiliates must be aggregated to determine whether they are within the \$500 limit
  - Only a candidate may contribute or loan more than \$500 to his or her own campaign
- ❑ Cash contributions must be \$99.99 or less
  - You cannot accept a hundred dollar bill and give change back
- ❑ Contributions in excess of these limits will be deemed illegal contributions and must be forfeited promptly to the Ethics Commission for deposit into the general fund of the City and County of San Francisco

S.F. C&GC Code § 1.114; Cal. Gov't Code §§ 85308 and 85311.



## ➤ RUNNING THE CAMPAIGN

### ▪ Fundraising

- Prohibited Contributions
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## Contributor Information Requirements

- ❑ A committee may not deposit a contribution of \$100 or more, unless it has the contributor's:
  - Full name, street address, occupation and employer information, or name of business for self-employed individuals
  - See [Chapter 8.14 of FPPC Campaign Manual 2](#) for examples of acceptable ways to report student and retired donor information
  - See example [contributor card](#) on the Commission's website
- ❑ For contributions over \$25, you need:
  - Contributor name, amount of contribution, date contribution made, and contributor's street address
- ❑ Candidates participating in public financing program must provide additional documentation (see [Public Financing Program](#) for details)
- ❑ Contributions lacking full disclosure information **should not be deposited** and must be returned within 60-days of receipt, or forfeited to Ethics Commission for deposit in the City's general fund

S.F. C&GC Code § [1.114](#); Cal. Gov't Code § [85700](#).

## ➤ RUNNING THE CAMPAIGN

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## Bundled Contributions

- ❑ A contribution is bundled when someone other than the contributor delivers or transmits a contribution to a candidate
- ❑ If a candidate receives \$5,000 or more in contributions that were bundled by a single individual, the candidate must:
  - File Bundled Contributions Disclosure Report (Form SFEC-125) with Ethics Commission disclosing information about the individual and a list of the contributions bundled by that individual
  - Due on or before the deadline to file the campaign statement (Form 460) that will include the contribution that makes the amount bundled by the individual \$5,000 or more

S.F. C&GC Code § 1.125.

## ➤ RUNNING THE CAMPAIGN

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## Receipt of Contributions

- ❑ A contribution **will not** be considered received *if*:
  - It is not cashed, negotiated or deposited;
  - It is returned to the donor by the closing date of the campaign statement on which the contribution would otherwise be reported
    - Contributions received during the 90 days prior to an election, must be returned within 24 hours of receipt
    - Cash contributions must be refunded within 72 hours of receipt

Cal. Gov. Code. §§ [84203\(c\)](#), [84211\(q\)](#) and [84300\(a\)](#); S.F. C&GC Code § [1.114\(g\)](#).

## ➤ RUNNING THE CAMPAIGN

- Fundraising
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## Campaign Contribution Prohibitions

- ❑ Cash contributions of \$100 or more
- ❑ Contributions over \$25 without the required supporting documentation
- ❑ Contributions from corporations, limited liability companies, or limited liability partnerships
- ❑ Contributions from lobbyists, if registered to lobby the office the candidate is seeking election to
- ❑ Contributions from foreign nationals (without lawful permanent residence)
- ❑ Contributions in exchange for official action
- ❑ Earmarked contributions
- ❑ Appointed members of boards and commissions may not solicit contributions over \$250 from persons who are parties to, or participants in, proceedings pending before them

S.F. C&GC Code §§ [1.114\(b\)](#), [1.114\(c\)](#) and [1.114\(d\)](#); SFEC Reg § [1.114-1](#); Cal. Gov't Code § [84308](#).



## ➤ RUNNING THE CAMPAIGN

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## Campaign Contribution Prohibitions (Continued)

- ❑ Accepting or soliciting contributions from contractors (or their affiliates) who are seeking, negotiating or recently entered into a City contract
  - The prohibition applies when:
    - The contract or series of contracts in the same fiscal year has an anticipated or actual total of \$100,000 or more, **and**
    - The City elective officer, a board on which that officer serves, or the board of the state agency on which the officer's appointee serves, must approve the contract or series of contracts
  - Applies from the time that a contractor submits a proposal until either termination of negotiations or twelve months from the date the contract was approved
  - Applies to City elective officers, candidates for the office held by such individuals, and committees controlled by such individuals or candidates

S.F. C&GC Code § 1.126; S.F. Reg § 1.126-1 *et. seq.*

## ➤ RUNNING THE CAMPAIGN

- Fundraising
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## Campaign Contribution Prohibitions (Continued)

- ❑ Officeholders and candidates for **Mayor, Board of Supervisors, or City Attorney**, and committees controlled by such officers are prohibited from accepting or soliciting contributions from any person (or the person's affiliated entities) with a financial interest in a "Land Use Matter" pending before certain Boards and Commissions (excluding primary residence).
  - A person or affiliated entity has a financial interest if they meet one of the following criteria:
    - Has an ownership interest of \$5 million or more in a property or project;
    - Holds the position of director or principal officer, or is a member of the Board of Directors for an entity that has an ownership interest of \$5 million or more in a property or project;
    - Is a developer with an estimated construction cost of at least \$5 million in a property or project
  - The prohibition applies from the date of commencement of a Land Use Matter until 12 months following date of final decision or ruling

S.F. C&GC Code § 1.127; SFEC Reg § 1.127-1.

- **RUNNING THE CAMPAIGN**
  - Fundraising
  - Prohibited Contributions
  - **Loans and Accrued Expenses**
  - Use of Campaign Funds
  - Coordination of Expenditures
  - Campaign Advertisement and Disclaimers
  - Prohibited Activities

# Limits on Loans

❑ There are limits on loans from a candidate’s personal funds:

City Elective Office	Loan Limits
Candidates for Mayor (not receiving public funds)	\$120,000
Candidates for Assessor, Public Defender, City Attorney, Treasurer, District Attorney or Sheriff	\$35,000
Candidates for Board of Education , Community College District or Board of Supervisors (not receiving public funds)	\$15,000
Candidates for Mayor and Board of Supervisors (receiving public funds)	\$5,000

❑ Loans from anyone other than the candidate are considered contributions and may not exceed \$500

## ➤ RUNNING THE CAMPAIGN

- Fundraising
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## Payment of Accrued Expenses

- ❑ Candidates who accept goods or services on credit must:
  - Pay in full within 180 days of receipt of a bill or invoice, and in no even later than 180 days after the last calendar day of the month in which goods/services were delivered or rendered
    - If not paid within 180 days, accrued expenses will be considered contributions and are subject to the \$500 contribution limit
    - A good faith dispute shall be presumed if the candidate committee produces required evidence
    - Debt owed to a financial institution for an outstanding credit card balance to not apply
- ❑ Report accrued expenses on Schedule F of Form 460

S.F. C&GC Code § 1.118.



## ➤ RUNNING THE CAMPAIGN

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## Use of Campaign Funds

- ❑ Candidates may use funds in his or her account for two purposes:
  - 1) Running for the City elective office specified on the candidate's declaration of intention; and
  - 2) If elected, paying for expenses associated with holding that office
- ❑ Funds must be deposited into campaign trust account ("bank account") before funds are used, except for personal funds used to pay filing fees
- ❑ Campaign funds (other than public funds) may be used to pay for costs related to administrative, civil, or criminal litigation only if directly related to activities of the committee that are consistent with its primary objective, but any amount may not be used to pay a fine, penalty, judgement, or settlement relating to an improper use of campaign funds or bribery
- ❑ Public funds may not be used to pay for expenses incurred in connection with an administrative or judicial proceeding, civil or criminal fines, or late filing fees

Cal. Gov't Code [§ 84307.5](#); C&GC Code §§ [1.122](#) and [1.148](#).

## ➤ RUNNING THE CAMPAIGN

- Fundraising
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## Coordination of Expenditures

- ❑ In order for an expenditure to be independent:
  - It must not be made at the behest of the candidate;
  - The candidate may not coordinate, cooperate, consult, act in concert or otherwise control the expenditure
- ❑ Should any of these occur, the expenditure shall be treated as a contribution to the candidate and is subject to the \$500 contribution limit

Cal. Gov't Code § 82031; S.F. C&GC Code § 1.115.

## ➤ RUNNING THE CAMPAIGN

- Fundraising
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## Disclaimers and Reporting Requirements for Campaign Communications

- ❑ State and local law impose disclaimer requirements on campaign advertising including mailers, radio, television and newspaper ads, telephone calls, and electronic media ads
- ❑ Guidelines pertaining to political advertising disclaimers by City candidate committees, are available at [www.sfethics.org](http://www.sfethics.org)
- ❑ Mass mailing file requirements (>200 substantially similar pieces)
  - Electronically file the Itemized Disclosure Statement for Mass Mailings (Form SFEC-161) with the Ethics Commission along with a copy of the original mailing piece:
    - within 5 working days after the date of the mailing; or
    - within 48 hours if the date of the mailing occurs during the 16 days immediately preceding the election
    - See electronic formatting specifications for media submission

S.F. C&GC Code § 1.161; Cal. Gov't Code § 84504.

## ➤ RUNNING THE CAMPAIGN

- Fundraising
- Prohibited Contributions
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## Prohibited Activities

- ❑ Political Activity Restrictions
  - No use of public resources or City and County of San Francisco (“CCSF”) staff time for campaign
  - No knowing solicitation of other CCSF officials or employees
- ❑ Use of Funds
  - No use of campaign funds for non-campaign purposes

## ➤ REPORTING & RECORDKEEPING

- Campaign Reporting
- Voluntary Expenditure Ceiling
- Recordkeeping
- General Reminders

### Campaign Statement

- ❑ Campaign Disclosure Statement ([FPPC Form 460](#))
  - After a committee is formed, committees must file semi-annual campaign statements as well as **three** pre-election statements in the months before the election, including a 3rd pre-election statement **that is filed for the period ending 6 days before the election** ([see filing schedule](#))
  - Must be filed electronically with Ethics Commission
  - Disclose receipts, expenditures, and other reportable activity for the period covered
  - Committees must continue to e-file semi-annual campaign statements with the Ethics Commission, irrespective of level of financial activity, until the committee files a statement of termination

## ➤ REPORTING & RECORDKEEPING

### ■ Campaign Reporting

- Voluntary Expenditure Ceiling
- Recordkeeping
- General Reminders

## Campaign Statement

- ❑ Officeholder/Candidate Campaign Statement - Short Form (Form 470)
  - Candidates who do not have open committees, and who will not raise or spend \$2,000 or more in the current calendar year, file Form 470 on or before 1<sup>st</sup> pre-election deadline
  - No additional campaign statements need to be filed during the calendar year as long as campaign activity remains under \$2,000
  - File with Ethics Commission (optionally may be filed electronically)
- ❑ Cross-Filing Rules
  - When a candidate or officeholder controls more than one committee for the purpose of election to office, all committees of that candidate or officeholder must file semi-annual and pre-election statements (Form 460) each time any committee statement is due

Cal. Gov't Code §§ 82007, 82025, 84200 and 84206.

## ➤ REPORTING & RECORDKEEPING

- Campaign Reporting
- Voluntary Expenditure Ceiling
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- General Reminders

### Late Contribution Report

- ❑ A candidate committee must file a Late Contribution Report (Form 497) electronically with the Ethics Commission
  - Due within 24 hours of making or receiving contributions (including loans and in-kind contributions) of \$1,000 or more during the 90 days prior to the election
  - Applies to contributions or loans made by a candidate to his or her own campaign committee

Cal. Gov't Code §§ 82036, 84203, 84203.3 and 85309.



➤ REPORTING & RECORDKEEPING

- Campaign Reporting
- Voluntary Expenditure Ceiling
- Recordkeeping
- General Reminders

# Voluntary Expenditure Ceiling

City Elective Offices (other than Mayor and Board of Supervisors)

- ❑ Voluntary Expenditure Ceiling (“VEC”) Statement (Form SFEC-128)
  - Candidates for **City Attorney, Treasurer, District Attorney, Sheriff, Assessor, Public Defender, Board of Education and Community College District** may accept the applicable voluntary expenditure ceiling by filing Form SFEC-128 with the Ethics Commission
  - Due by the deadline for filing nomination papers with the Department of Elections, and may not be withdrawn once filed
  - Candidates who have accepted the VEC will be posted on the Commission’s website

Voluntary Spending Limit	City Elective Office
\$243,000	City Attorney, Treasurer, District Attorney, Sheriff, Assessor and Public Defender
\$104,000	Board of Education and Community College District

- ❑ Candidate’s Notice of Exceeding 100 Percent of Voluntary Spending Limit (Form SFEC-134(b)): **See Candidates’ Guide for City Elective Office**

S.F. C&GC Code §§ 1.128, 1.130 and 1.134.

## ➤ REPORTING & RECORDKEEPING

- Campaign Reporting
- Voluntary Expenditure Ceiling
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### Recordkeeping

- ❑ It is vital that all candidates implement a good system of recordkeeping for all contributions, expenditures, and other financial activity of your campaign
- ❑ Such records are necessary for the preparation of accurate and complete campaign statements
- ❑ All publicly financed candidates are subject to mandatory audits, and candidates who do not participate in the program may be selected for audit
- ❑ Records must be retained for 4 years from the date of the filing
- ❑ See audits page for [guidelines for organizing records](#)

## ➤ REPORTING & RECORDKEEPING

- Campaign Reporting
- Voluntary Expenditure Ceiling
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### Reporting & Recordkeeping – General Reminders

- ❖ Duty to amend and supplement – candidates have a duty to timely amend and/or supplement any incorrect or changed information
- ❖ Committee changes – amend your Form 410 if you make a change to your committee name, purpose, treasurer, or any contact information within 10 days of any change, or within 24 hours during the last 16 days before the election
- ❖ Committees must continue to e-file semi-annual campaign statements with the Ethics Commission, irrespective of level of financial activity, until the committee files a statement of termination
- ❖ File accurate and timely reports to avoid late fees and penalties
- ❖ Keep complete and organized records – City candidates are required to maintain records for 4 years to substantiate their campaign reporting

S.F. C&GC Code § 1.100, *et seq.*; Cal. Gov't Code § 90000, *et. seq.*

A faded background image of a San Francisco street scene. The Transamerica Pyramid is the central focus in the background, flanked by other city buildings. In the foreground, there are rows of colorful Victorian-style houses and parked cars along a street.

## PART II

# For Mayoral & Supervisorial Candidates

➤ OVERVIEW OF PUBLIC  
FINANCING PROGRAM

➤ ADDITIONAL REPORTING  
REQUIREMENTS

➤ OVERVIEW OF  
PUBLIC  
FINANCING  
PROGRAM

▪ Apply for Public  
Financing

- Individual  
Expenditure Ceiling
- Certification and  
Disbursement
- Important Dates

## Participating in Public Financing

Candidates for Mayor and Board of Supervisors

- ❑ You must state your intention to participate in public financing no later than June 17, 2022
  - File Statement of Participation or Non-Participation in Public Financing Program (Form SFEC-142(a))
  - Must be filed electronically with Ethics Commission
- ❑ Submit Qualifying Requests (Form SFEC-142(b)) and Qualifying Contributions List (Form SFEC-142(c)) with supporting documentation no later than August 30, 2022
  - Once you have met all the requirements to be eligible for the program
  - Forms must be filed electronically with Ethics Commission

Review the applicable Supplemental Guide for Public Financing for information regarding eligibility requirements, laws and restrictions.

➤ OVERVIEW OF PUBLIC FINANCING PROGRAM

▪ Apply for Public Financing

▪ Individual Expenditure Ceiling

▪ Certification and Disbursement

▪ Important Dates

# Individual Expenditure Ceiling (“IEC”)

Candidates for Mayor and Board of Supervisors

- ❑ Candidates who seek public financing and submit qualifying request, must agree to the following spending limits during the campaign

Mayor	Board of Supervisors
\$1,700,000	\$350,000

- ❑ The Ethics Commission may raise an IEC incrementally
  - IEC limits are adjusted on an individual basis and may differ amongst candidates in the same race
  - When the Ethics Commission raises a candidate’s IEC, affected candidates are notified and the information is posted on the Commission’s [website](#)
  - Candidates who have applied for, or who have been certified for public financing cannot spend more than their spending limit
  - See applicable [Supplemental Guide](#) for additional information

S.F. C&GC Code §§ [1.143](#) and [1.146](#); SFEC Regs §§ [1.140-2](#), [1.143-1](#) and [1.143-2](#).

- OVERVIEW OF PUBLIC FINANCING PROGRAM
  - Apply for Public Financing
  - Individual Expenditure Ceiling
  - Certification and Disbursement
  - Important Dates

# Certification and Disbursements of Public Funds

Candidates for Mayor and Board of Supervisors

- ❑ After the Ethics Commission reviews your qualifying request, you will receive a notice regarding your eligibility
- ❑ The earliest a candidate certified as eligible may receive public funds is June 20, 2022

INITIAL PUBLIC FUND GRANT			
Mayor (non-incumbent)	Mayor (incumbent)	Board of Supervisors (non-incumbent)	Board of Supervisors (incumbent)
\$300,000	\$300,000	\$60,000	\$60,000

- ❑ Following the initial payment, a candidate is eligible to receive additional public funds by submitting a Matching Request (Form SFEC-144(c) or 144(d)) and supporting documentation (see filing schedule on next slide)

Review the applicable Supplemental Guide for Public Financing for additional information regarding matching funds.

S.F. C&GC Code §§ 1.142 and 1.144.



- OVERVIEW OF PUBLIC FINANCING PROGRAM
- Apply for Public Financing
- Individual Expenditure Ceiling
- Certification and Disbursement
- Important Dates

# Important Dates for Public Financing Program

Candidates for Mayor and Board of Supervisors

Deadline	Date
Election Date	Tuesday, November 8, 2022
Date Range for Eligible Qualified Contributions	Sunday, May 8, 2021 – Tuesday, August 30, 2022
First Date a Qualifying Request (Form SFEC-142(b)) May be Filed	Monday, February 3, 2020
<b>Deadline to File Statement of Participation (Form SFEC-142(a))</b>	<b>11:59 PM Tuesday, June 17, 2022</b>
First Date Public Funds Can Be Disbursed	Monday, June 20, 2022
Last Date to File (Or Refile) A Qualifying Request (Form SFEC-142(b))	11:59 PM Tuesday, August 30, 2022
Last Date to Resubmit a Qualifying Request (For SFEC-142(b))	11:59 PM Friday, September 9, 2022
Deadline for Executive Director to Make Final Determinations on Qualifying Requests	Wednesday, September 14, 2022
Deadline to Submit Matching Requests (Form SFEC-144(c)/144(d))	5:00 PM on Thursday, December 8, 2022

S.F. C&GC Code § 1.140.

## 24-Hour Notification Requirements

Candidates for Mayor and Board of Supervisors

- 24-hr Notification Requirements
- ☐ Notice of Reaching Threshold (Form SFEC-152) once a candidate has either received contributions (including loans, non-monetary contributions and public financing) or made expenditures (whichever is greater) that total pertinent thresholds, the candidate must file the threshold notice within 24 hours:
  - **Applies to any and all mayoral and supervisorial candidates** in a race where at least one candidate receives public funds\*
  - Must be electronically filed with Ethics Commission

24-hour Notification Requirements	Mayor	Board of Supervisors
Initial Threshold*	\$50,000	\$10,000
Subsequent Threshold	\$1,000,000	\$100,000
And thereafter, each time you reach an additional	\$50,000	\$10,000

*\*Note: Only the initial Threshold Notice must be filed by all mayoral and supervisorial candidates. Subsequent notices only apply to candidates certified as eligible for public financing or candidates in a race where an opponent has been certified as eligible for public financing.*

S.F. C&GC Code § 1.140.



## PART III

### For All Candidates

➤ AFTER THE ELECTION

➤ ACCOUNTABILITY  
& RESPONSIBILITY

➤ SUPPORT &  
RESOURCES

## ➤ AFTER THE ELECTION

- Surplus Funds
- Termination

### Surplus Funds

- ❑ After the election, campaign funds become surplus and may only be used for the following purposes:
  - Returned to contributors (last in, first out basis)
  - Donated to a charitable organization or to the City
  - Pay unpaid bills associated with the campaign, including terminating a committee, bookkeeping, legal fees, preparation of campaign statements and audits
  - See FPPC Campaign Manual 2, Chapter 5.4 for information pertaining to redesignating and transferring funds before they become surplus for a future election
- ❑ When do funds become surplus?
  - Successful candidates – when the candidate leaves office
  - Unsuccessful candidates – on the closing date of the post election reporting period
- ❑ Candidates who received public funds must return all unexpended public funds to the City for deposit into the Election Campaign Fund

Cal. Gov't Code § 84307.5; S.F. C&GC Code § 1.122.

## ➤ AFTER THE ELECTION

- Surplus Funds
- Termination

### Termination

- ❑ Candidates may terminate their committees after they have:
  - ceased receiving contributions and making expenditures;
  - eliminated or has declared that it has no intention or ability to discharge all of its debts, loans received and other obligations;
  - no surplus funds;
  - filed all required campaign statements disclosing all reportable transactions;
  - Closure of committee bank account
  - Refer to [Slide 20](#) for information pertaining to accrued expenses
- ❑ To terminate, you must do the following:
  - File [FPPC Form 410](#), check “Termination” box and add the “Date of Termination” which is the date the bank account was closed
    - File original with Secretary of State and one copy with the Ethics Commission
  - Electronically file FPPC Form 460 termination statement with the Ethics Commission

Cal. Gov’t Code [§ 84214](#); FPPC Reg [§ 18404](#).

## Accountability & Responsibility

- ❑ Public Disclosure
  - Required disclosure of campaign statements will help inform the public about a committee's campaign activity
- ❑ Late Filing Fees
  - \$10 per day for paper filings; \$25 per day for electronic filings
- ❑ Audits
  - Committees are subject to audit
  - Publicly-financed candidate committees are automatically audited by the Ethics Commission
- ❑ Enforcement
  - Failure to file campaign reports may be subject to civil, criminal and administrative penalties

## Support & Resources

[Local Candidate Committee Checklist](#)

[Candidates' Guide for City Elective Office](#)

[Supplemental Guide for Candidates for Mayor Seeking Public Finance](#)

[Supplemental Guide for Candidates for Board of Supervisors Seeking Public Finance](#)

[Disclaimers](#)

[FPPC Campaign Disclosure Manuals](#)

[NetFile User Guide](#)

[Creating A New Netfile User Account Instructions](#)

[FPPC Getting Started](#)

[Political Reform Act](#)

[Regulations Promulgated by the FPPC](#)

[FPPC Candidate and Treasurer Online Video\\*](#)

[Campaign and Governmental Conduct Code section 1.100 et seq.](#)

[Regulations to Campaign Finance Reform Ordinance \(CFRO\)](#)

[Contributor Guide](#)

[Example Contributor Card](#)

[Due Diligence Efforts by Committees](#)

[San Francisco Department of Elections](#)

[Information for Candidates for County Central Committee](#)

[Request a Campaign Filer Telephone Training Session\\*](#)

*\*Recommended for new candidates and treasurers.*

Cal. Gov't Code [§ 81000 et seq.](#); S.F. C&GC Code [§ 1.100 et seq.](#)