

Winding Down the Campaign

November 10, 2023

Election Day Is Over. What's Next?

File applicable post-election report:

- July Periodic (for Post-Primary)
- 27 Day Post-General Election
- 27 Day Post-Special Election

Submit campaign materials by mail or upload to EFS Web Application.

Keep committee open OR request termination to end filing obligation?

Common Misconceptions

Filing a post-election report does NOT end the candidate/committee's filing obligation.

Having a \$0 cash balance in the bank account does NOT end the candidate/committee's filing obligation.

Closing a bank account does NOT end the candidate/committee's filing obligation.



Looking to Terminate?

The only way to end a candidate/ committee's filing obligation is to request termination. November 10, 2023

Statewide/State Legislative Candidates

If a candidate wishes to participate in the newly-launched Public Campaign Finance Program, the candidate/treasurer must terminate any existing authorized committee for the same office.

Please see http://pcfb.ny.gov for more information about the Public Campaign Finance Board.

Statewide: Governor, Lieutenant Governor, Attorney General, Comptroller State Legislative: State Senate, State Assembly

Step 1 to Terminate

File all required financial disclosure reports.

- January and July Periodic reports are required of all registered committees.
- Election reports:
 - All candidates and/or their committees must file whenever the candidate's name appears on the ballot.
 - Committees supporting or opposing candidates for election must file all applicable election reports.



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Step 1 to Terminate (cont'd)

File a final financial disclosure report covering all activity from last submitted report through the date the termination request is made.

If requesting termination between required filings, the final report is an Off-Cycle report.

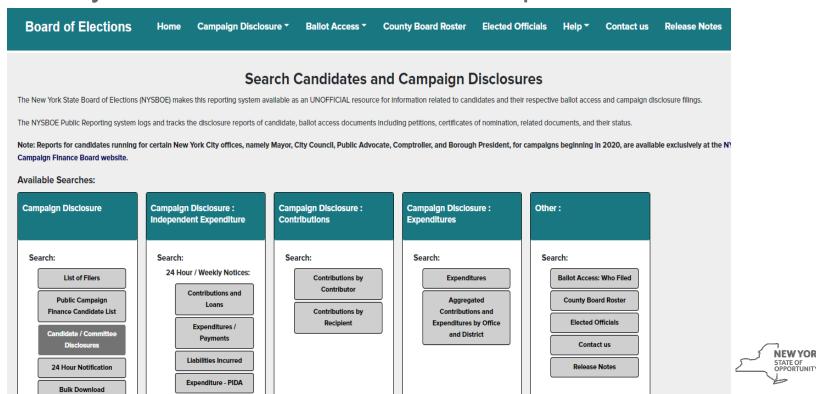
Submit final report via EFS Web Application.

Select "Termination" from left sidebar navigation when creating report.

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Step 1 to Terminate (cont'd)

View your committee's disclosure reports:

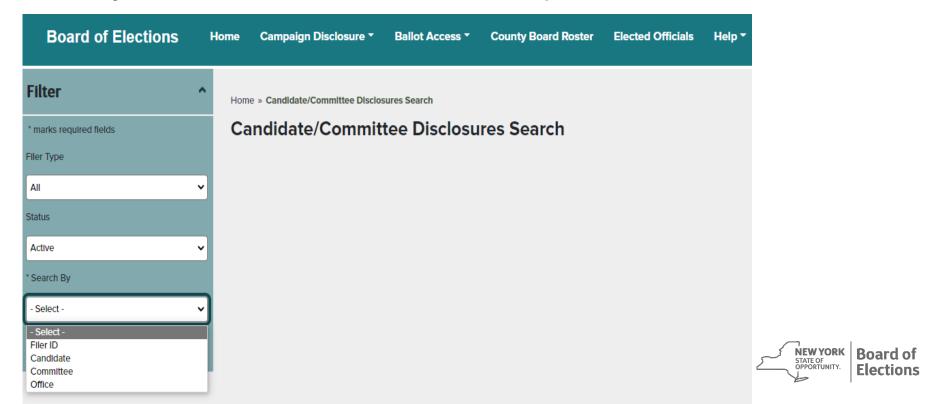


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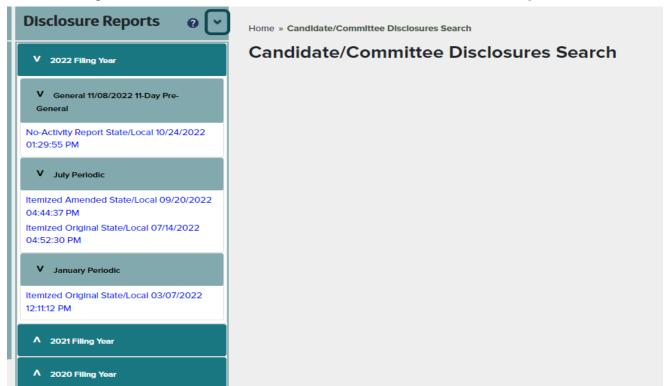
Step 1 to Terminate (cont'd)

View your committee's disclosure reports:



Step 1 to Terminate (cont'd)

View your committee's disclosure reports:





Step 2 to Terminate

Confirm committee has no reports reflecting a negative balance.

If a negative balance has been reported, check for reporting errors:

- Was a contribution/expenditure entered twice?
- Were all amounts entered correctly?
- Were any contributions/expenditures omitted?
- Was the candidate's money included?



Step 3 to Terminate

Confirm committee has an ending cash balance of \$0, as reflected in your final NYSBOE campaign finance report.

If funds remain:

- Contribute to a charity recognized by the IRS
- Contribute to a political committee/candidate, subject to limits (IE committees cannot do this)
- Transfer the funds, if eligible
- Refund on a pro-rated basis to all contributors
- Turn over funds to the NYS General Fund



Step 4 to Terminate

Confirm committee has no outstanding loans or liabilities.

Confirm committee has submitted letters of indebtedness and/or forgiveness for any applicable loans or liabilities.



Step 4 to Terminate (cont'd)

Loans: Sample Evidence of Indebtedness

Filer ID: 12345

May 1, 2023

I loan my committee \$2,000.

Gary Government



Step 4 to Terminate (cont'd)

Loans: Sample Evidence of Forgiveness

Filer ID: 12345

November 6, 2023

I forgive the loan to my committee of \$2,000.

Gary Government



Step 5 to Terminate

Complete and submit a CF-18 form requesting termination.

The form must be submitted in a hard copy version with an original signature in ink. Electronic copies are not accepted.



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Step 5 to Terminate (cont'd)

CF-18 Form

CF-18 TERMINATION OR RESIGNATION REQUEST FORM NO-ACTIVITY REPORT FORM NEW YORK STATE BOAND OF ELECTIONS THIS FORM MOST COMPAN OR SHOOT, SHOWN THE SHOP AND IS COMPLETED IN THAT		
Treasurer/Candidate Name:		Filer ID#:
Committee Name:		
Please check the applicable box(es) in Ser	ctions A, B and C:	
A. I am the committee treasurer	or- I am the candidate	
B. I am submitting this form for the following p	ourpose(s):	
 Requesting termination of the 	candidate's filing obligation as	of the report indicated below.
2. Requesting termination of the	committee as of the report indi-	cated below.
3. Requesting resignation as treat	surer of the committee as of th	ne report indicated below.
4. Filing a No-Activity Report for	the period indicated below.	
expenditures, including interest, or reporting period and, therefore, the	dividends and bank charges or out here are no transactions to report.	en any activity (i.e., receipts and/or tstanding loans or liabilities) during the Filing a No-Activity Report may be plicable reporting period indicated be-
C. For the purpose(s) indicated in section B a DVD; or have submitted via e-mail, or via t candidate/committee treasurer's campaigr port for the period indicated below:	the NYSBOE website; or via this for financial disclosure termination of	orm through a No-Activity Report, the or resignation report or No-Activity Re-
1. 32 Day Pre-Primary	7. a 32 Day Pre-Spe	ecial
2. 11 Day Pre-Primary	8. 11 Day Pre-Spe	cial
3. 10 Day Post-Primary*	9. a 27 Day Post-Sp	ecial*
4. 32 Day Pre-General	10. January Periodic, 20	
5. a 11 Day Pre-General	11. U July Periodic, 20	
6. 27 Day Post-General*	12. Off-Cycle Repor	ft (A report which does not correspond to any specific filing period.)
*Campaign material or a disclaimer must be	submitted with post election reports.	
state that the information contained in the elect and complete to the best of my knowledge, info		
ame- print or type	Candidate/Committee Treasurer	r Signature**
Se .	Date Signed	Contact Phone Number
"*Copies of signatures, including those on fax		
nowingly including false information in the disc		
emeanor, punishable by a fine and/or imprisor		



What Now?

Once your CF-18 has been submitted, your committee will be reviewed to ensure steps one through five have been completed properly.

If there are issues that will hold up termination, you will be notified by the Compliance Unit.



Await Approval

Once you have submitted the request, you will receive a letter from NYSBOE indicating:

- Your committee termination has been approved or
- You have additional requirements to fulfill before termination is approved

Your filing obligation does not end until a successful termination letter has been issued.



Looking to Resign as Treasurer?

The only way to resign as a committee treasurer is to request resignation.



Step 1 to Resign as Treasurer

File all required financial disclosure reports.

- January and July Periodic reports are required of all registered committees.
- Election reports
 - All candidates and/or their committees must file whenever the candidate's name appears on the ballot
 - Committees supporting or opposing candidates for election must file all applicable election reports



Step 1 to Resign as Treasurer (cont'd)

File a final financial disclosure report covering all activity from last submitted report through the date the resignation request is made.

If requesting resignation between required filings, the final report is an Off-Cycle report.

Submit final report via EFS Web Application.

Select "Resignation" from left sidebar navigation when creating report.

Step 2 to Resign as Treasurer

Confirm committee has no reports reflecting a negative balance.

If a negative balance has been reported, check for reporting errors:

- Was a contribution/expenditure entered twice?
- Were all amounts entered correctly?
- Were any contributions/expenditures omitted?
- Was the candidate's money included?



Step 3 to Resign as Treasurer

Confirm committee has submitted letters of indebtedness and/or forgiveness for any applicable loans or liabilities reported.



Step 4 to Resign as Treasurer

Complete and submit a CF-18 form requesting resignation.

The form must be submitted in a hard copy version with an original signature in ink. Electronic copies are not accepted.



Step 5 to Resign as Treasurer

Attach a signed letter of resignation and submit with the CF-18 form.

Sample letter is below.

Filer ID: 12345

December 1, 2023

Effective immediately, I hereby resign as treasurer of the ABC Committee.

Gary Government



What Now?

Once your CF-18 has been submitted, your committee will be reviewed to ensure steps one through five have been completed properly.

If there are issues that will hold up your resignation, you will be notified by the Compliance Unit.



Await Approval

Once you have submitted the request, you will receive a letter from NYSBOE indicating:

- Your resignation as treasurer has been approved or
- You have additional requirements to fulfill before your resignation can be approved

Your filing obligation does not end until a successful resignation letter has been issued.



Question

"When can I request committee termination or treasurer resignation?"



Answer

You can request committee termination with the following reports:

- January / July Periodic Report
- 27 Day Post-General / Special Report
- Off-Cycle Report

You can request treasurer resignation with any report.



Question

"What is the newly-launched Public Campaign Finance Board (PCFB) and how can I learn more?"



Answer

The PCFB launched on November 9, 2022.

The Program allows statewide and state legislative candidates the ability to qualify for public matching funds for their campaigns.

The first elections for which candidates can receive public matching funds are 2024 (state legislative) and 2026 (statewide).

Check out http://pcfb.ny.gov for more information.



Question

"How do I amend one of my reports?"



Answer

Reports are amended using the EFS Web Application.

- Under the File A Disclosure Report page, filter to the report you wish to amend.
- Make all applicable changes.
- Under the View/Submit Disclosure page, filter to the report you have corrected.
- Select "Amend Disclosure Report."
- Confirm submission with date and time stamp within EFS Web Application or on NYSBOE Public Reporting page.



Question

"What are campaign materials and how do I submit them?"



Answer

Campaign Materials include all political communication purchased and/or produced – including, but not limited to, brochures, flyers, mailers, letterheads, pamphlets, printed materials, billboards, broadcast scripts/schedules, internet advertisements (i.e. social media boosts) & text messages. For electronic communication, any statements or information published to 500 or more members of the general public audience qualify as Campaign Materials. For more information, see https://www.elections.ny.gov/CFaboutWebBasedEFS.html.



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Answer (cont'd)

Campaign Materials can be submitted in one of two ways:

- Uploaded by the filer into the EFS Web Application
- Mailed / delivered to the NYS Board of Elections

Take photos of large, unwieldy items.

If no campaign materials were produced, submit disclaimer in EFS Web Application or in writing to NYSBOE.



"What if I filed my report and it's not on the NYSBOE Public Reporting website?"



Reports are posted immediately upon submission from the EFS Web Application.

If you do not see your report on the NYSBOE Public Reporting webpage:

- Confirm you submitted the report within your EFS account by referring to the date and time stamp of submission.
- If problem remains, call NYSBOE IT Help Desk at (518) 473-4803.



"I'm ready to resign as treasurer.

Do I have to find a new treasurer first?"



No - however, it is a "best practice" to have a new treasurer register at the same time.

The new treasurer must file an amended CF-02 and/or CF-03 and/or CF-16 as applicable.

The committee may not raise or spend money until a new treasurer is chosen (*exception*: party/constituted committees).



"What if I want to terminate my committee and my lender / creditor will not forgive an outstanding loan / liability?"



You must continue to file disclosure reports to show the Outstanding Liabilities/Loans transaction type entries until the issue is resolved.

Holding a fundraiser to pay off outstanding loans/liabilities is permitted.



"Can I use campaign money to pay for a postelection party for staff and volunteers?"



Yes, you may have a post-campaign election party paid for with campaign funds.

Note: judicial candidates may have additional requirements/restrictions (see www.nycourts.gov)



"What do I do with committee records after committee termination or treasurer resignation?"



NYS Election Law 14-118 requires retention of records for a period of <u>five</u> years.



How to Find Us

New York State Board of Elections

www.elections.ny.gov

1-800-458-3453 -OR- (518) 474-8200

Email: cfinfo@elections.ny.gov

