

City Council Candidate Orientation

Presented by the
Norman Election Commission
Thursday, December 20, 2018



OPENING REMARKS

Ty Hardiman – NEC Chairman



Introduction of Members & Staff

Norman Election Commission (NEC)

Ty Hardiman – Chairman

Elizabeth Pierce – Vice-Chairman

Michael Morehead

Jane Purcell

Amelia Torres

City Staff

Brenda Hall, City Clerk

Kelvin Winter, Code Compliance Supervisor



POLITICAL SIGN REGULATIONS

Kelvin Winter – Code Compliance Supervisor



Political Sign Regulations

- No signs can ever be placed within the sight triangle. No signs shall be placed within any public right-of-way [except as provided for single-family homes] that has been dedicated to the City by plat, easement, or statute, nor any median, boulevard, street, road, or parkway, nor any public or private park.
- Signs should only be placed on privately owned property & permission of the property owner is required prior to placing the sign.
- No signs may be placed within 300 feet of any polling site on election day.



Political Sign Regulations

- Signs cannot cause a sight obstruction or traffic hazard at any time.
- In regard to single-family dwellings only, political signs may be placed within the right-of-way (the area between the property line and the curb or edge of the public street) in front of or along the side of any such dwelling, provided that the permission of the property owner has been obtained and such signs are no wider than thirty (30) inches or taller than twenty (20) inches in height (measured from the ground). Political signs may not be placed in the right-of-way abutting the rear or side yard of the dwelling when that portion of the lot abuts a Section Line Road or an arterial roadway. If the dwelling has a fence or wall along the rear or side of the lot which separates the dwelling from the arterial or Section Line road, no sign may be placed outside of that fence adjacent to the roadway.



Political Sign Regulations

- On major thoroughfares, the area between the street and fence lines is public right-of-way and no signs may be placed in that area. If there is no fence line, the right-of-way generally extends 26 feet from the street edge. On State highways the area is usually much larger.
- Political signs must be removed within ten (10) days after the election to which they pertain.
- There is no location that a sign can be legally placed without lawful permission. If permission was not obtained, then the sign is illegal.



Role of the Norman Election Commission

Ty Hardiman – NEC Chairman



Norman Election Commission

- Review of campaign contribution and expenditure reports
- Inform and educate the public on the reporting procedures
- Make a public report to City Council after each election



Campaign and Reporting Requirements

Ty Hardiman – NEC Chairman
Brenda Hall – City Clerk



Completing Reports Overview

- Who must file
- Where to file
- Report filing dates
- Maximum Contributions
- Information to be listed on reports
 - a) Contributions
 - b) Expenditures
 - c) Loans
 - d) In-Kind contributions
- Campaign periods
- Information to be retained by candidate



Candidate Campaign Committee

- A **Campaign Committee** includes committees for all elective municipal offices for which Declarations of Candidacy are filed with the County Election Board.
- Each **committee** shall file a statement of organization no later than 10 days after the committee receives contributions or makes expenditures exceeding \$1,000
- Every **candidate** is required to have a **Campaign Committee**. It is the only committee authorized by a candidate to accept contributions or make expenditures on behalf of the candidate's campaign. (*Committee name must include year*)
- A Campaign Committee must have a **Chair** and a **Treasurer** – the same person may serve as both and the candidate may serve as either or both. The appointment of a Deputy Treasurer is optional.



Municipal Political Committees

- **Municipal Political Committee** means any committee composed of one or more persons whose purpose includes the election or defeat of one or more candidates for municipal office but which is not required to register with the Ethics Commission or Federal Election Commission.
- Each committee shall file a statement of organization no later than 10 days after the committee receives contributions or makes expenditures exceeding \$1,000
- A **Municipal Political Committee** must have a Chair and a Treasurer – the same person may serve as both and the candidate may serve as either or both. The appointment of a Deputy Treasurer is optional.



Campaign Depositories

- Campaign Committees must establish at least one campaign depository in a financial institution that ordinarily conducts business with the State of Oklahoma
- The campaign depository must be maintained in the name of the campaign committee with year of the election.
- All contributions to the Campaign Committee must be deposited in the account within 10 days of receipt
- All expenditures made by the Campaign Committee must be made by check or debit card signed by the candidate, treasurer, or deputy treasurer



Duties of Treasurer

- Legally responsible for keeping the Campaign Committee's/Municipal Political Action Committee's financial records and accounts including:
 - all contributions accepted;
 - all deposit slips or other evidence of acceptance of contributions
 - all expenditures made;
 - all receipts, canceled checks or other evidence of payment of expenditures; and
 - all other documents necessary to file Reports of Contributions and Expenditures.
- Timely and accurate filing of all Reports of Contributions and Expenditures
- Maintain records for a period of four years and be made available to the Ethics Commission at their request.
- No campaign committee receive or spend funds when the Treasurer & Deputy Treasurer offices are vacant



Required Reports

- Campaign Committees must file a **Statement of Organization** with the City Clerk within 10 days after a candidate has accepted or spent more than \$1,000 for his or her campaign.
- *Blank copies of Reports of Contributions and Expenditures may be downloaded from the Ethics Commission's website at www.ok.gov/ethics under the County, Municipal & School Reporting tab.*



Report Due Dates – 2019 Candidates

Filing Dates	Period Covered	Type of Report
January 1 – January 31	Time of creation - Dec. 31	Partial Quarter
January 29 – February 4	Begin with the day following the last date covered by a Contributions & Expenditure Report and end 15 days before the election	Contributions & Expenditure Pre-Election Report
Final two weeks prior to an election, reports are required within 24 hours for a contribution or contributions received over \$1,000 from a single source		Continuing Report of Contributions
April 1 – April 30	Begin with the day following the last date covered by a Contributions & Expenditure Report and end Mar 31	1 st Quarter Report



Report Due Dates – 2019 Candidates

Filing Dates	Period Covered	Type of Report
March 19 – March 25	Begin with the day following the last date covered by a Contributions & Expenditure Report and end 15 days before the election	Contributions & Expenditure Pre-Election Report
Final two weeks prior to an election, reports are required within 24 hours for a contribution or contributions over \$1,000 from a single source		Continuing Report of Contributions
July 1 – July 31	Begin with the day following the last date covered by a Contributions & Expenditure Report and end June 30	2 nd Quarter Report
October 1 – October 31	July 1 – September 30	3 rd Quarter Report
January 1 – January 30	October 1 – December 31	4 th Quarter Report



Contributions

- A contribution is anything of value, monetary or in-kind, given to a campaign committee.
- Contributions includes independent expenditures of a PAC, if done so with the candidate's knowledge. They are shown as in-kind contributions to the candidate.
- Corporate and labor union contributions are prohibited.
- Limited liability companies and partnerships may contribute as long as none of its members is a corporation.



Contribution Limits

- Maximum amount of a **cash** contribution is \$50
- Maximum amount of **anonymous** contribution is \$50
- The maximum contribution from an individual is \$2,700 for each election in which the candidate's name appears on the ballot
- Maximum contribution from an individual to a candidate who is unopposed is \$2,700
- Limited Committees and Municipal PACs may make contributions of \$5,000 unless the committee was formed within the past year with fewer than 25 members, then the contribution limit is \$2,500
- Limited Liability Companies (LLCs) must be reported on an individual basis based on **each member's percentage of ownership**



Contributions

- Contributions are deemed to have been accepted by a candidate committee if not returned within 10 business days.
- A contribution that has not been deposited within 10 business days must be returned to the contributor and reported as having been received and refunded.
- An individual who hosts a fund-raising event for a candidate and uses personal funds may spend up to \$1,000 before the expenditure is considered an in-kind contribution to the candidate's campaign – any amount over \$1,000 should be shown as an in-kind contribution.



Loans

- Loans from financial institutions that normally engages in the business of making loans is not considered a contribution if the loan is made in the regular course of business and on the same terms ordinarily available to the public.
- A loan from a non-commercial financial institution, such as a third-party individual, is considered a contribution & subject to contribution limits
- Candidate may make unlimited loans to his or her own committee from his or her personal funds or from joint funds of the candidate and the candidate's spouse. Such funds should be transferred to the candidate's campaign account. Such funds can repaid by the candidate's campaign committee if the terms of the loan are documented in writing and signed and dated by all parties contemporaneously with the transfer.
- If a candidate desires to be reimbursed personal funds he/she spends on his/her campaign and does not follow the loan process, the candidate may be reimbursed within 90 days of the original expense with campaign committee funds.



Details of Reports of Contributions and Expenditures

- *Name, address, occupation and employer* of any person other than a PAC making a contribution or contributions in excess of \$50 in the aggregate, date and amount of contribution whether monetary or in-kind.
- Name, date, and amount of contribution whether monetary or in-kind.
- Information on loans made to the committee or repaid to the committee.
- Name and address of any person or entity to whom an expenditure of more than \$200 in the aggregate.
- *Expenditures made by political consultants or other third parties on behalf of the candidate must be reported as if the expenditures had been made directly by the campaign committee.*



Disclosure Requirements

- Whenever a candidate committee makes an expenditure for the purposes of a communication through any internet advertising, or video, radio, television, cable or satellite broadcast, the communication shall state, either orally or in writing of sufficient size and contrast to be clearly readable by the recipient of the communication: “Authorized and paid for by NAME OF COMMITTEE”
- Whenever a candidate committee makes an expenditure for the purposes of a communication through internet advertising, or direct mail, magazine advertisement, newspaper advertisement or any other printed medium, the communication shall state in writing of sufficient size and contrast to be clearly readable by the recipient of the communication: “Authorized and paid for by NAME OF COMMITTEE”



Disclosure not Required

- No disclosure is required for items such as non-commercial yard signs, bumper stickers, campaign buttons, t-shirts, aerial advertising or similar advertisements where inclusion of a disclaimer would be impractical.
- *Comment from Ethics Commission under Rule 2.56 – This requirement is designed to advise the readers of a candidate's written political advertising that the candidate's committee authorized and paid for the advertising, to distinguish it from independent expenditures or electioneering communications. The exception for "impractical" disclosure must be evaluated and applied on a case-by-case basis. Because the candidate's committee can be easily identified from Commission records, it is unnecessary to list officers or contact information.*



Dissolving the Campaign Committee

- A campaign committee can dissolve any time prior to the mandatory dissolution dates by filing a Final Report that shows no funds remaining in the committee.
- Must dissolve no later than 2 years after the general election for a Councilmember term or 3 years after the general election for a Mayoral term.
- Surplus funds may be retained for use in a future campaign; donated to a 501(c)(3) charitable organization; returned to any contributor as long as it does not exceed the contributor's aggregate contributions; or contributed to a political party committee not-to-exceed \$25,000.
- Surplus funds remaining in the committee's possession after the expiration date must be deposited in the general revenue fund of the State of Oklahoma within 90 days of expiration



Next Steps

Brenda Hall – City Clerk



Financial Disclosure Statements

Candidates who are elected to office are required to file a **Financial Disclosure Statement** with the City Clerk within 30 days of assuming office. The information required includes:

- Name, mailing address, workplace telephone number and email address of the filer;
- Name of office held by filer;
- Beginning date of term of office;
- Expiration date of term of office;
- Acknowledge the jurisdiction of the Ethics Commission, the Ethics Rules, and educational opportunities by the Ethics Commission;
- Disclosure of all material financial interests. (Detailed requirements included in manual)



Council Training & Orientation

- Under state statute, any person who is elected to an office in municipal government or is appointed to fill an unexpired term of an elected office is required to attend training within the first year after they are sworn in.
- Orientation sessions with City officials
- City Manager search



QUESTIONS?

