Candidate Guide to Campaign Finance

KENTUCKY REGISTRY OF ELECTION FINANCE
140 Walnut Street, Frankfort, Kentucky 40601-3240
PHONE (502) 573-2226 / FAX (502) 573-5622
http://www.kref.ky.gov

KREF 016/Revised 08/2005

INTRODUCTION

This handbook was prepared by the Registry of Election Finance to assist candidates, slates of candidates, and their treasurers in complying with Kentucky campaign finance laws. It is intended as a guide only, and in no way supersedes statutory provisions, administrative regulations or case law.

In 2005, the Kentucky General Assembly voted to repeal KRS Chapter 121A, which provided for public financing of gubernatorial slates and the exclusive reporting requirements for slates of candidates for Governor and Lt. Governor. Gubernatorial slates now have the same reporting requirements as all other candidates in the Commonwealth. The Kentucky Constitution identifies a “slate of candidates” as candidates seeking the office of Governor and Lt. Governor. Because the term “slate” applies only to candidates for Governor and Lt. Governor, Chapter 3 addresses forms and campaign matters unique to slates of candidates.

In an effort to make this guide available to the public in a timely manner, the Kentucky Revised Statutes and the Kentucky Administrative Regulations pertaining to campaign finance are not included in this guide. The campaign may access a copy of the statutes on our web site (www.kref.ky.gov) or by contacting our office.

Whether you are a seasoned veteran or are seeking office for the first time, please study this handbook carefully. If you have specific questions, please contact the Registry staff at (502) 573-2226. We look forward to working with you!

John Rogers
Chair
Kentucky Registry of Election Finance

Table of Contents

INTRODUCTION i

CHAPTER 1: USING THIS GUIDE 1
Citations 1
Abbreviations Used Throughout this Guide 1
Getting More Help 1
Advisory Opinions 1
Registry Staff Assistance 1
Free Publications 2
Internet Web Site 2
Important Notice 2

CHAPTER 2: STARTING THE CAMPAIGN 3
Candidate 3
Slate of Candidates 3
Who is a Candidate? 3
How Do I Start? 3
Letter of Intent (Option 1) 4
Sample Letter of Intent 5
What Must I Do to Officially Gain Ballot Access? (Option 2)
Declaration of Notification (Filing papers) 6
Is There Anything Else I Must File? 6
Appointment of Campaign Treasurer and Optional Request for Reporting Exemption (KREF 001) 6
Selecting an Optional Request for Reporting Exemption 7
Option for Reporting Exemption 7
Intent to Raise or Spend Over $3,000 7
(Option A) Intent to Raise or Spend $3,000 or Less 7
(Option B) Intent to Raise or Spend $1,000 or Less 7
What if I Change My Mind About the Exemption? 8
Amending the Appointment of Campaign Treasurer and Optional Request for Reporting Exemption (KREF 001) 8
Appointment of Campaign Treasurer and Optional Request for Reporting Exemption Form (Sample) 10
Political Committee Registration and Waiver from Filing 12
Political Committee Registration for Judicial Candidates 13
Political Committee Registration Form (Sample) 14
Acknowledgement of Candidate's Intent/Filing 16

CHAPTER 3: GUBERNATORIAL SLATES 17
Who is a Slate? 17
Getting Started 17

Letter of Intent 17
Sample Letter of Intent 18
Official Ballot Access 19
Appointment of Campaign Treasurer 19
Appointment of Campaign Treasurer Form (Sample) 20
Appointment of Campaign Committee 21
Gubernatorial Slate Campaign Committee Registration Form (Sample) 22
Vacancies 24
Notice of Gubernatorial Slate Replacement Form (Sample) 25
Acknowledgement of Slate's Intent/Filing 26

CHAPTER 4: CONTRIBUTIONS AND OTHER RECEIPTS 27
What is a Contribution? 27
Definition of a Contribution 27
Types of Contributions 27
Monetary Contributions 27
In-kind Contributions 28
Exceptions (In-kind Contributions) 28
The Value of Discounts 28
Goods 28
Services 29
Loans from Individuals 29
Candidate Contributions 29
Surplus Campaign Property 29
Proceeds from Sales 30
Extension of Credit 30
Types of Contributors 30
Natural Person 30
Minor 30
Person 30
Contributing Organization 31
Caucus Campaign Committee 31
Permanent Committee (PAC) 31
State or County Executive Committee 31
Out-of-State Contributor 31
Partnership Contributions 31
Contribution Limits 32
Contribution Limits Chart 33
Limitations on Different Forms of Contributions 34
Anonymous Contributions 34
Cash Contributions 34
Contributions by Cashier's Check or Money Order 34
Contributions by Minors 34
PAC Contributions - Restrictions 34
Executive Committee Contributions - Restrictions 35

Caucus Campaign Committee Contributions - Restrictions 35
Items Not Considered Contributions 35
Treasurer's Services 36
Volunteer Activity 36
In-kind Expenditures Under $100 37
Loans 37
Independent Expenditures 37
Report of an Independent Expenditure Form (Sample) 38
Prohibited Contributions 39
Corporate Contributions 39
Charitable Contributions 40
Contributions in the Name of Another 40
Foreign Nationals 40
Contributions from Other Candidates 40
Federal Campaign Accounts 40
Circumventing the Limits 41
Questionable Contributions 41
Other Reportable Receipts 41
Bank Loans 41
Interest Income 41
Offsets to Operating Expenditures 42
Reporting Contributions and Other Receipts 42

CHAPTER 5: EXPENDITURES 43
What is an Expenditure? 43
Allowable Expenditures 43
Additional Allowable Expenditures for General Assembly Members 44
Expenditures That Are NOT Allowable 45
Items Not Considered Expenditures 46
Transfers of Funds for Investment 46
Review of Expenditures 46
Reporting of Expenditures 46

CHAPTER 6: GENERAL PROVISIONS 47
Audits 47
Events and Fundraiser Functions 47
Fundraiser Person 47
Responsibilities Under the Internal Revenue Code 48
Records 48
Public Inspection of Reports 48
Record Retention 48
Custodian of Records 48
Prohibited Activities 49
Solicitation of State Employees 49
Vote Buying 49

Political Advertising Rate 49
Disclaimers 50
Items Exempted 51
Questions Commonly Asked by Candidates 52

CHAPTER 7: RECORD KEEPING AND TREASURER'S DUTIES 53
Reporting & Record Keeping 53
Duties of the Treasurer 53
New Treasurer 55
Campaign Bank Account 55
Reporting Forms 55
Electronic Reporting 56
Reporting Period 56
Records of Contributions/Receipts 56
Accepting Contributions 56
Sample Campaign Contribution Card 57
What Does it Mean to "Itemize"? 58
What Does "Aggregate" Mean? 58
Identifying Contributions of $100 or Less 58
Identifying Contributions Exceeding $100 58
Combining Monetary and In-kind Contributions 59
Identifying Contributions from PACs 59
Joint Contributions 59
Contributions from Spouses 60
Partnership Contributions 60
Making a Contribution as an Individual with Partnership Funds (Option 1) 61
The Candidate's Reporting Responsibility 61
The Partnership's Reporting Responsibility 61
Making a Contribution as a Contributing Organization with Partnership Funds (Option 2) 61
The Candidate's Reporting Responsibility 61
The Partnership's Reporting Responsibility 61
Report of Contribution by a Contributing Organization Form (Sample) 62
Remedying an Excessive Contribution 63
Unwanted Contributions 63
Refund of a Contribution 63
Checks Returned Due to Insufficient Funds 63
Investments 64
Reporting the Expenses of the Campaign 64
Treasurer's Responsibility 64
Reporting Disbursements 64
Expenditures by Check 64
Other Disbursements 65
Joint Expenditures 65
Disbursement Adjustments 65

Disbursements for Multiple Purposes 65
Invoices for Disbursements 65
Reimbursements 66
Vote Hauling 66
Events 66
Debts and Obligations 67
Loans 67
Initial Receipt of a Loan 67
Loan Repayments 67
Debts Other Than Loans 67
Debts Owed by the Campaign 67
Summary Page - Balance Statement 68

CHAPTER 8: FILING REPORTS 69
Where to File Reports 69
When to File Reports 70
Reporting Period 70
Reporting Schedule 70
2006 Important Dates 71
2007 Important Dates 72
2008 Important Dates 73
Supplemental Reporting 74
Annual Reporting 75
Reconciling the Bank Account 75
Filing Amendments 75

CHAPTER 9: COMPLETING THE ELECTION FINANCE STATEMENT 77

CHAPTER 10: CLOSING THE CAMPAIGN 101
Closing The Campaign 101
Surplus Campaign Property 101
Disposition of Unexpended Campaign Funds 101
Termination Report 102
Custodian of Records 102
Inaugural Committee 102
How to Form a Committee 102
What is an Inaugural Committee 102
Contributions 102
Duties 103
Expenditures 104
Depository 104
Reporting Dates 104
Record Retention 104
Prohibitions 104
Penalties 104

CHAPTER 11: REGISTRY PROCEDURES 105
Complaints 105
How to File a Complaint 106
Referrals for Prosecution 106
Right to Appeal 107
Advisory Opinions 107
Penalties 107

APPENDIX A: GLOSSARY 109

APPENDIX B: COMPLYING WITH OTHER LAWS 113

INDEX 117

USING THIS GUIDE

CITATIONS

Authorities cited in this Guide include the Campaign Finance Statutes and the Kentucky Administrative Regulations. All statutory citations are to Chapter 121 of the Kentucky Revised Statutes. All citations to regulations are to the Kentucky Administrative Regulations Title 32. The phrase "campaign finance law" as used in this Guide means the statutory and regulatory provisions and case law addressing campaign finance in Kentucky.

ABBREVIATIONS USED THROUGHOUT THIS GUIDE

FCC Federal Communications Commission
FEC Federal Election Commission
KAR Kentucky Administrative Regulations
KRS Kentucky Revised Statutes
PAC Political Action Committee or Permanent Committee

GETTING MORE HELP

Advisory Opinions
KRS 121.135; 32 KAR 2:060

Any person or group requiring a clarification of the Kentucky campaign finance law regarding a specific activity or transaction that they plan to undertake may request an Advisory Opinion from the Registry. Advisory Opinion requests should be addressed to the General Counsel, Kentucky Registry of Election Finance, 140 Walnut Street, Frankfort, KY 40601. The Advisory Opinion process is explained in greater detail on page 107.

Registry Staff Assistance

Many questions about Kentucky campaign finance law do not require formal Advisory Opinions. Such questions may be addressed to trained Registry staff members by calling the Registry. The telephone number is 502-573-2226.

Resources permitting, staff members are also willing to attend meetings and events to train individuals about Kentucky campaign finance law.

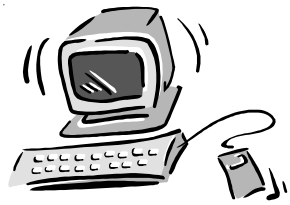
Free Publications

In addition to this Guide, the Registry publishes brochures and other publications on several aspects of Kentucky campaign finance law. These publications are prepared for all persons who may become subject to Kentucky campaign finance law, whether they are seeking office for the first time, seasoned veterans of the political process, or members of the general public who have an interest in participating in campaigns.

Internet Website

Visit the Registry's home page on the World Wide Web at http://www.kref.ky.gov. Information on the site includes:

- Online Searchable Database
- Candidate Information
- Statistical Information
- Contribution Limits Chart
- Reporting Dates
- Reporting Forms
- Brochures
- Guidebooks
- Registered PACs in Kentucky
- Registry Board Members
- Frequently Asked Questions
- Advisory Opinions
- KRS Chapter 121 and KAR Title 32
- Announcements
- Links to the Secretary of State, State Board of Elections, FEC, and other State Election Offices and the National Parties



The KREF website also offers information on ***FREE*** electronic filing software. Candidates and slates of candidates can download the software and begin using this valuable tool in a matter of minutes.

Important Notice

This Guide is intended as a general reference tool and in no way supersedes statutory law or administrative regulations promulgated by the Registry. The Registry recommends a complete reading of the campaign finance laws contained in KRS Chapter 121 and the rules contained in Title 32 of the Kentucky Administrative Regulations.

Starting The Campaign

CANDIDATE

KRS 121.015(8)

"Candidate" means any person who has received contributions or made expenditures, has appointed a campaign treasurer, or has given his or her consent for any other person to receive contributions or make expenditures with a view to bringing about his or her nomination or election to public office, except federal office.

SLATE OF CANDIDATES

KRS 121.015(9)

"Slate of candidates" means any two (2) persons who have filed a joint notification and declaration pursuant to KRS 118.127, received contributions or made expenditures, appointed a campaign treasurer, designated a campaign depository, or given their consent for any other person to receive contributions or make expenditures with a view to bringing about their nomination for election to the offices of Governor and Lieutenant Governor. **Unless the context requires otherwise, any provision of law that applies to a candidate shall also apply to a slate of candidates.**

WHO IS A CANDIDATE?

A person is considered a candidate when one of the following occurs: (1) the person raises and/or spends money (even his or her own) to bring about his or her nomination or election; (2) the person files a Letter of Intent with the Registry; or (3) the person files proper documents (notification and declaration/nominating petition or write-in intent) for ballot access with the filing officer (Secretary of State or County Clerk). Slates of candidates for Governor and Lieutenant Governor should see Chapter 3 for information and details particular to Gubernatorial Slates.

HOW DO I START?

KRS 118.165(1); 121.015(8)

As stated above, you may notify the Registry by letter or you may officially file (no earlier than the first Wednesday after the first Monday in November of the year preceding the year the office will appear on the ballot) with your filing officer to obtain ballot access.

You must do one of the above prior to accepting contributions or making expenditures. This includes the use of the candidate's own money. See page 55 for instructions on opening a bank account.

Letter of Intent (Option 1)

If you wish to start your campaign before you are allowed to officially file for ballot access with the Secretary of State or County Clerk, you may file a Letter of Intent with the Registry. The notice shall include the candidate's name, birthdate, mailing address, phone number, the office the candidate plans to seek, the year in which the election will be held, the treasurer's name, mailing address and phone number. Also, include the name and address of the financial institution designated as the campaign depository.

See page 5 for a sample "Letter of Intent." The Gubernatorial Slate sample "Letter of Intent" is found on page 18.

Notes:

SAMPLE LETTER OF INTENT

Date

Kentucky Registry of Election Finance
140 Walnut Street
Frankfort, KY 40601

Dear Registry:

This letter is to inform you that it is my intention to begin raising and/or spending money to run in the ***20*__ __** election, for the office of ***Franklin County Magistrate – 3rd district***. It is my intent at this time to spend ***more than $3,000*** during the election. Listed below is the information required.

Candidate Information:
Name
Mailing Address
Telephone Number
Alternate Telephone Number
E-mail Address
Date of Birth
Party Affiliation (if the race for which you are filing is partisan)

Treasurer Information:
Name
Address
Telephone Number
Alternate Telephone Number
E-mail Address

Bank Depository:
Name
Address

If you have any questions, please contact me.

Sincerely,

Candidate's Name

What Must I Do to Officially Gain Ballot Access? (Option 2)
Declaration of Notification (Filing papers)

You must file appropriate documents (notification and declaration/nominating petitions or write-in intent) with the Secretary of State or County Clerk not earlier than the first Wednesday after the first Monday in November of the year preceding the year the office will appear on the ballot.

These forms can be obtained from the Office of the Secretary of State or your County Clerk.

IS THERE ANYTHING ELSE I MUST FILE?

KRS 121.160; KRS 121.180

Appointment of Campaign Treasurer and Optional Request for Reporting Exemption (KREF 001)

At the time you officially file with the Secretary of State or County Clerk for ballot access, you must file an Appointment of Campaign Treasurer and Optional Request for Reporting Exemption (KREF 001). The Registry is notified of your official filing by receiving the KREF 001 form. The Secretary of State or County Clerk will forward this form to the Registry.

This form is used to designate an individual to serve as your campaign treasurer, indicate the financial institution that your campaign will use and make your request for a reporting exemption. The exemption, futher described on page 7, determines how many reports you must file.

You may appoint any registered Kentucky voter as your campaign treasurer, or you may decide to be your own treasurer. *Judicial candidates see page 13*.

The Secretary of State or County Clerk will retain the original, provide you with a copy of the form and forward a copy to the Registry. Do not send the forms directly to the Registry. The Registry Staff cannot accept them unless they have first been filed with the appropriate filing officer.

See pages 10-11 for a sample of the "Appointment of Campaign Treasurer and Optional Request for Reporting Waiver." Gubernatorial Slates see page 20 for a sample of the "Slate of Candidates Appointment of Campaign Treasurer" form.

SELECTING AN OPTIONAL REQUEST FOR REPORTING EXEMPTION MAY ALLOW YOU TO FILE FEWER FINANCIAL REPORTS.

KRS 121.180

Option for Reporting Exemption (KREF 001)

When completing the Appointment of Campaign Treasurer and Optional Request for Reporting Exemption form, a candidate may file for a reporting exemption. The exemption the candidate selects determines the amount of money to be raised and spent during the election as well as the number of campaign finance reports to be filed with the Registry.

Think carefully before executing an exemption. If you exceed the limit, you may be fined. The form is designed to allow candidates to select an exemption option for both the primary and general elections.

Intent to Raise or Spend Over $3,000 *(Not requesting a reporting exemption)*

You will ***not*** be exempt from reporting. You will be required to file all pre-election and post-election reports. Depending on when you filed for office, this could include:

Quarterly Reports *(in the year preceding the election)*
32-Day and 15-Day Pre-Election Reports
30-Day Post-Election Report
* (See note below.)

(Option A) Intent to Raise or Spend $3,000 or Less

You will only be required to file one campaign finance statement.

30-Day Post-Election Report
*(See note below.)

See Page 8 for Exception

(Option B) Intent to Raise or Spend $1,000 or Less

No Campaign Finance Reports are due.

See Page 8 for Exception

Note:

******60-Day Post-Election Supplemental Report may be due if 30-Day Post-Election Report reflects a surplus or debt (see page 74). Annual Report may be due if 60-Day Post-Election Report reflects a surplus or debt (see Chapter 8 for specific dates). See pages 10-11 for a sample of the "Appointment of Campaign Treasurer and Optional Request for Reporting Exemption" form.

WHAT IF I CHANGE MY MIND ABOUT THE EXEMPTION?

KRS 121.180

After filing your Appointment of Campaign Treasurer and Optional Request for Reporting Exemption, you may wish to change the amount of money you intend to raise or spend. Candidates may amend the Appointment of Campaign Treasurer and Optional Request for Reporting Exemption and select a different exemption option. The amended form must be filed in a timely manner with your filing officer or you will be bound by the original exemption.

Exception: Candidates for county, city, or school board races may change their mind at any time, but then must begin filing all applicable reports or be subject to late reporting fines. (Note: This exception only allows for exemptions to be raised but not lowered.)

Amending the Appointment of Campaign Treasurer and Optional Request for Reporting Exemption (KREF 001)

To change your exemption for the primary election, an amended form must be filed with the filing officer who received your filing papers no later than 15 days after the filing deadline for the primary.

To file or change your exemption for the general election, the amended form must be filed with the filing officer no later than 25 days after the date of the primary election.

If you have an August filing deadline, you may amend the form no later than 15 days after the filing deadline for the general election.

See Chapter 8 for specific dates. See pages 10-11 for a sample of the "Appointment of Campaign Treasurer and Optional Request for Reporting Exemption" form. Gubernatorial Slates should see page 20 for a sample of the "Slate of Candidates Appointment of Campaign Treasurer" form.

Notes:

Notes:

KENTUCKY REGISTRY
OF ELECTION FINANCE
140 Walnut Street
Frankfort, Kentucky 40601
(502) 573-2226 / Fax (502) 573-[illegible]622
www.kref.ky.gov

APPOINTMENT OF CAMPAIGN TREASURER AND OPTIONAL REQUEST FOR REPORTING EXEMPTION

This Space for Filing Officer Use Only

If not date stamped, complete the following. Form filed with:

☐ Secretary of State **or**

☐ County Clerk _____
Name of County

on _____ (Date Filed)

This Space for Registry Use Only

FN_____By_____ Date_____

SECTION 1. CANDIDATE INFORMATION (Please type or print)

Name of Candidate (as will appear on ballot)	County of Candidate's Residence		
Candidate's Mailing Address: Street, P.O. Box, Rural Route	City	State	Zip Code
Candidate's Telephone Number	Candidate's Alternate Telephone Number		
Candidate's Date of Birth	Optional - Additional Methods of Contact (Example: e-mail address, fax number, other telephone number)		

SECTION 2. ELECTION INFORMATION

Date of Election	Type of Election (Check One) ___ Primary Nomination ___General Election ___ Special Election or Election to Fill Unexpired Term	Is Candidate the Incumbent for This Office? ___Yes ___No	Is Candidate Filing as a Write-In Candidate? ___Yes ___No
Office Sought	Jurisdiction of Office Sought, Including District, Circuit, or Division Number, If Applicable		
This Race is: (Check One) ___Partisan ___Non-Partisan	If Partisan Race, Indicate Candidate's Designation on the Ballot: (Check One) ___Democrat ___Republican ___Independent ___Other (Specify) _____		

SAMPLE COPY

SECTION 3. TREASURER AND DEPOSITORY INFORMATION

Name of Treasurer - Required Designation Even if Candidate is Serving as Own Treasurer			
Treasurer's Mailing Address: Street, P.O. Box, Rural Route	City	State	Zip Code
Treasurer's Telephone Number	Treasurer's Alternate Telephone Number		
Name of Financial Institution Intended for Use as Campaign Depository	Address of Financial Institution Intended for Use as Campaign Depository		

SECTION 4. OPTIONAL REQUEST FOR REPORTING EXEMPTION PURSUANT TO KRS 121.180(1)

I am not requesting a reporting exemption. I intend to file all campaign finance reports. I understand that I will have campaign finance reports due 32 and 15 days before the election(s) and 30 days after the election(s). This is my intent for the: (Check One)

___ Primary and General Elections ___Primary Election Only ___ General Election Only

EXEMPTION OPTION A. **I expect to raise and spend $3,000 or less** during each election as indicated below which entitles me to request an exemption from all pre-election reporting. I understand that I will have one campaign finance report due no later than 30 days after the election indicated unless my campaign exceeds the $3,000 threshold at which time I will immediately begin filing the required campaign finance reports. This is my intent for the: (Check One)

___ Primary and General Elections ___Primary Election Only ___ General Election Only

EXEMPTION OPTION B. **I expect to raise and spend $1,000 or less** during each election as indicated below which entitles me to request a reporting exemption. I understand that I will have no campaign finance reports due for the election(s) indicated unless my campaign exceeds the $1,000 threshold at which time I will immediately begin filing the required campaign finance reports. This is my intent for the: (Check One)

___ Primary and General Elections ___Primary Election Only ___ General Election Only

SECTION 5. AMENDED INFORMATION, REVOCATION OR CHANGE OF REPORTING EXEMPTION

If using this form to amend candidate, election, treasurer, or depository information, check this box ..... ❑

If using this form to revoke a prior request for exemption and/or to exercise a different option, check this box ..... ❑

Briefly describe reason for amendment, revocation, or change:

SECTION 6. VERIFICATION

I certify that I have examined this Appointment of Campaign Treasurer and Optional Request for Reporting Exemption form and to the best of my knowledge and belief it is true, correct, and complete. I understand that submission of false, erroneous, or incomplete information may subject me to the penalties of KRS 121.990.

Candidate's Signature_____ ***Date***_____/_____/_____

Kentucky UNBRIDLED SPIRIT

SAMPLE COPY

POLITICAL COMMITTEE REGISTRATION AND WAIVER FROM FILING

KRS 121.170

Political committee registration is optional. If a candidate authorizes the registration of a campaign committee to act on his or her behalf, a Political Committee Registration form (KREF 010) must be filed with the Registry to provide the necessary information regarding the organization of the committee. The form must be signed by the chairperson and the treasurer of the committee, who must be separate persons.

Additionally, the Political Committee Registration form must be signed by the candidate authorizing the committee and agreeing to comply with KRS 121.180(9) which states:

1) The candidate has an authorized campaign committee.
2) The candidate shall surrender possession of any contribution to the treasurer of the principal campaign committee within five (5) business days.
3) Contributions received by check, money order or other written instrument shall be endorsed directly to the committee and shall not be used in any way by the candidate.
4) No contribution shall be commingled with the candidate's personal funds or accounts.
5) The candidate shall not make any unreimbursed expenditure for his or her campaign. However, this does not preclude a candidate from making an expenditure from personal funds to the authorized campaign committee, which shall be reported by the committee as a contribution received from the candidate.
6) This waiver shall continue in force only as long as the candidate complies with the conditions set forth above.

If the candidate does not authorize the committee and waive his or her individual reporting requirements, the candidate will be responsible for filing campaign finance reports and the committee will be required to file reports as well.

All provisions of KRS Chapter 121 governing the duties and responsibilities of a candidate or campaign treasurer shall apply to a candidate's campaign committee. The committee registration form is available from the Registry and when completed is filed directly with the Registry.

Slates of candidates for Governor and Lieutenant Governor should see page 21 for committee registration information.

Political Committee Registration for Judicial Candidates
SCR 4.300 Canon 5B.(2); JE-94

A candidate for judicial office should be aware of the interpretation of the Code of Judicial Conduct that prohibits a judicial candidate from serving as his or her own treasurer. However, there is an exception. JE-94 states that "if a judicial candidate is unopposed for election and does not intend to raise or accept any money, he or she may be his or her own treasurer."

> For additional information regarding JE-94 or the Code of Judicial Conduct, contact Judicial Ethics at 502-564-4193.

See pages 14-15 for a sample of the "Political Committee Registration" form. Gubernatorial Slates should see pages 22-23 for a sample of the "Gubernatorial Slate Campaign Committee Registration" form.

Notes:

KENTUCKY REGISTRY OF ELECTION FINANCE
140 Walnut Street, Frankfort, KY 40601-3240
(502) 573-2226 / FAX (502) 573-5622
www.kref.ky.gov

REGISTRY USE

Date Received

_____

Date Approved

POLITICAL COMMITTEE REGISTRATION

Please type or print

_____

Committee Name - Do not include candidate's name in committee name unless authorized by candidate. (KRS 121.210(4)). Acronyms are permitted but full title from which derived must be shown. (KRS 121.170).

_____(____)_____-_____

Mailing address (including city, state and zip) Daytime Telephone Number

_____

State the name of sponsor, the specific source of funds and the purpose for which this committee is being registered. (Permanent committees must list the major business, social, or political interest represented.)

Date committee plans to be active:
(Committees with on-going activity use "Indefinite")

FROM: ____/____/_____

THROUGH: ____/____/_____

This committee is being organized as a: (check one)

☐ **CAMPAIGN COMMITTEE** (for a candidate during an election campaign) - KRS 121.015(3)(a).

☐ **CAUCUS CAMPAIGN COMMITTEE** - KRS 121.015(3)(b).

☐ **POLITICAL ISSUES COMMITTEE** (for an issue which will appear on the ballot) - KRS 121.015(3)(b).

☐ **PERMANENT COMMITTEE** (a permanent organization which functions on a regular basis) - KRS 121.015(3)(d).

NOTE: The chairman and the treasurer of a committee shall be separate persons - KRS 121.170(4)

CHAIRMAN INFORMATION:

Daytime Telephone Number: (_____)_____-_____

_____ Home Telephone Number: (_____)_____-_____

Name

_____

Mailing address (including city, state and zip)

TREASURER INFORMATION:

Daytime Telephone Number: (_____)_____-_____

_____ Home Telephone Number: (_____)_____-_____

Name

_____

Mailing address (including city, state and zip)

CUSTODIAN OF FINANCIAL RECORDS INFORMATION:
(if other than treasurer)

Daytime Telephone Number: (_____)_____-_____

_____ Home Telephone Number: (_____)_____-_____

Name

_____

Mailing address (including city, state and zip)

SAMPLE COPY

KREF 010 Revised 05/2005

Kentucky UNBRIDLED SPIRIT

This Section to be completed by Campaign Committees Only

Candidate to be supported by committee:

_____ ____/____/_____ _____

Name Date of Birth Party Affiliation

_____

Mailing Address (Including city, state and zip) Office Sought

_____

Does the candidate's name appear in the name of the committee? _____YES _____NO

Has the candidate approved the use of his name? ____YES (See Candidate's Authorization Box at bottom) ____NO

This Section to be completed by Political Issues Committees ONLY

Constitutional amendment or public question to be advocated or opposed - KRS 121.015(3)(c)

_____

_____

This committee • **Supports** or • **Opposes** the above listed consitutional amendment or public question.

This Section to be completed by ALL Committees

Primary Depository - Designate depository bank or financial institution in which the committee will maintain its funds.

_____

Name of bank or institution

_____

Mailing Address (Including city, state and zip)

VERIFICATION BY OATH OR AFFIRMATION

We, the undersigned, state we are the Chairman and Treasurer of the above described committee and this Political Committee Registration is true, correct and complete.

_____ _____

Signature of Chairman *Date* *Signature of Treasurer* *Date*

CANDIDATE'S AUTHORIZATION - (If Applicable) I have read and understand the conditions of KRS 121.180(9); and further understand that I am personally relieved from filing the CANDIDATE ELECTION FINANCE STATEMENT, as long as I comply with these conditions. I will immediately notify the Registry of Election Finance if I can no longer comply with these conditions and I will file any and all reports required by KRS Chapter 121.

I, _____, hereby agree to the above statement and authorize the

Print Candidate's Name

use of my name by this committee.

_____

Signature of Candidate *Date*

SAMPLE COPY

ACKNOWLEDGEMENT OF CANDIDATE'S INTENT/FILING

Candidates who submit a Future Year Letter of Intent will receive an acknowledgement letter from the Registry.

When the candidate officially files for office with the Secretary of State or the County Clerk, the filing officer will forward the Registry a copy of the "Appointment of Campaign Treasurer and Optional Request for Reporting Exemption."

After the filing deadline, the Registry will send a letter to all candidates who elected to spend over $1,000 and will have campaign finance reports due. This letter will inform the candidate of his or her identification number and campaign filer number. The campaign filer number should be used on all campaign finance reports and correspondence to the Registry.

The campaign filer number changes for each election. Remember the primary and general elections are two separate elections. Successful primary candidates and August filers will receive notification of general election filer numbers. In addition, candidates for statewide office will be contacted by an auditor to schedule an initial meeting.

Gubernatorial Slates see page 26.

Gubernatorial Slates

WHO IS A SLATE?

The Kentucky Constitution requires that candidates running for Governor and Lieutenant Governor run together as a slate. Candidates for Governor and Lieutenant Governor are required by KRS 118.127 to list on the notification and declaration form the names of the persons who are to jointly appear on the ballot. No candidate for either office may appear on the ballot individually. Voters will cast a single vote for the slate, applicable to both offices.

GETTING STARTED

KRS 118.165(1); KRS 121.015(9)

If you are thinking about forming a slate to run for Governor and Lieutenant Governor, you should contact the office of the Secretary of State before undertaking any activity. KRS Chapter 121 contains a very broad definition of "slate of candidates," and you and your running mate may be considered a slate under the law well before any formal announcement of candidacy is made. KRS 121.015(9) provides that a slate of candidates means not only one who has filed a joint notification and declaration pursuant to KRS 118.127, but also one who has undertaken <u>any</u> of the following activities: received contributions, made expenditures, appointed a campaign treasurer, designated a campaign depository, or given consent for any other person to receive contributions or make expenditures with a view to bringing about the slate's nomination for election to the offices of Governor and Lieutenant Governor. Slates should begin keeping records at the point they are considered a "slate of candidates" pursuant to the aforementioned definition.

LETTER OF INTENT

If you wish to start your slate campaign before you are allowed to officially file for ballot access with the Secretary of State, you may file a Letter of Intent with the Registry. The notice shall include the following information for both the Governor and Lieutenant Governor Candidates: name, birthdate, mailing address, phone number, and the office which the candidate plans to seek. Also include the year in which the election will be held, the treasurer's name, mailing address, phone number, and the name and address of the financial institution designated as the campaign depository.

See sample "Slate Letter of Intent" on page 18.

SAMPLE LETTER OF INTENT

Date

Kentucky Registry of Election Finance
140 Walnut Street
Frankfort, KY 40601

Dear Registry:

This letter is to inform you that it is our intention to form a slate and begin raising and/or spending money to run in the ***20*__ __ election, for the office of ***Governor and Lieutenant Governor***. It is our intent at this time to spend ***more than $3,000*** during the election. Listed below is the information required.

Candidate Information:

Candidate for Governor
Mailing Address
Telephone Number
Alternate Telephone Number
E-mail Address
Date of Birth
Party Affiliation

Candidate for Lieutenant Governor
Mailing Address
Telephone Number
Alternate Telephone Number
E-mail Address
Date of Birth
Party Affiliation

Treasurer Information:

Name
Mailing Address
Telephone Number
Alternate Telephone Number
E-mail Address

Bank Depository:
Name
Address

If you have any questions, please contact me.

Sincerely,

Candidate for Governor ***Candidate for Lieutenant Governor***

OFFICIAL BALLOT ACCESS

The joint notification and declaration is to be filed with the Secretary of State as provided by KRS 118.165 and may be filed on or after November 8, 2006, and until January 30, 2007.

APPOINTMENT OF CAMPAIGN TREASURER

KRS 121.160(1)-(4); KRS 121.220

At the time the joint notification and declaration is filed, the slate is also required to designate its campaign treasurer. Until this requirement is met, the slate of candidates will be listed as its own treasurer and accountable as such. The slate may appoint one of themselves or any registered voter in Kentucky as the campaign treasurer .

The selection of a campaign treasurer is an extremely important decision. It is important not only because he or she plays such an integral role in the campaign, but also because the slate will be held responsible for the acts and omissions of the treasurer.

A slate may remove a campaign treasurer at any time. In the case of death, resignation, or removal of a campaign treasurer the slate must, within three days after receiving notice thereof, appoint a successor and file his or her name and address with the Registry. The slate will be accountable as its own treasurer if it fails to meet this reporting requirement.

A person may serve as a campaign treasurer for more than one candidate or slate of candidates, but all reports must be made separately for each candidate or slate.

It is the duty of the campaign treasurer to designate a depository bank in which the primary campaign account is to be maintained for the purpose of depositing all contributions and disbursing all expenditures. Only a financial institution authorized to transact business in Kentucky may be designated as a campaign depository.

To appoint a campaign treasurer and designate the depository bank, the slate will complete a Slate of Candidates Appointment of Campaign Treasurer form. The original form will be retained by the Secretary of State and a copy will be forwarded to the Registry. The Secretary of State will also provide the slate with a copy of the form.

See sample "Slate of Candidates Appointment of Campaign Treasurer" form on page 20.

KENTUCKY REGISTRY OF ELECTION FINANCE
140 Walnut Street; Frankfort, KY 40601-3240
(502) 573-2226 FAX (502) 573-5622
www.kref.ky.gov

REGISTRY USE

Logged _____

Keyed _____

SLATE OF CANDIDATES

APPOINTMENT OF CAMPAIGN TREASURER

Please Type or Print

This form does not constitute registering a campaign committee

CANDIDATE INFORMATION

(Slate is responsible for notifying the Registry of any change of information)

_____
Candidate for Governor

_____
Mailing Address

_____
City State Zip

(____)_____-_____(____)_____-_____
Daytime Phone Alternate Phone

__ __/__ __/__ __ __ __

_____
Candidate for Lt. Governor

_____
Mailing Address

_____
City State Zip

(____)_____-_____(____)_____-_____
Daytime Phone Alternate Phone

__ __/__ __/__ __ __ __

Party Affiliation: ❑**Democrat** ❑**Republican** ❑**Independent** ❑**Other** _____

TREASURER AND DEPOSITORY INFORMATION

_____
Treasurer's Name

_____
Mailing Address

_____
City State Zip

(____)_____-_____(____)_____-_____

CAMPAIGN DEPOSITORY (Depository must be a financial institution authorized to do business in Kentucky and insured by the Federal Deposit Insurance Corporation.)

_____
Name of Financial Institution intended for use as Campaign Depository

_____
Address of Financial Institution intended for use as Campaign Depository

SIGNATURES

We hereby certify that the foregoing is our act and deed.

_____ _____
Signature - Candidate for Governor Date

_____ _____
Signature - Candidate for Lt. Governor Date

_____ _____
Signature - Treasurer for Slate Date

FILING OFFICER: Attach original to filing papers and send duplicate copy immediately to the Registry.

Kentucky UNBRIDLED SPIRIT

APPOINTMENT OF CAMPAIGN COMMITTEE
KRS 121.015(3)(a); KRS 121.210; KRS 121.170; KRS 121.180

After filing the joint notification and declaration, a slate of candidates may authorize a campaign committee to act on its behalf. All provisions of KRS Chapter 121 governing the duties and responsibilities of a slate of candidates and its campaign treasurer will apply to the campaign committee.

The campaign committee may register by filing its official notice of intention at the time of organization and provide the names, addresses, and positions of the officers of the committee. A form prescribed for this purpose, the Gubernatorial Slate Campaign Committee Registration form, requires the registrant(s) to clearly identify the specific purpose, sponsorship, and source from which the committee originates and designate the primary campaign depository for the purpose of depositing all contributions received and disbursing all expenditures made. The form must be signed by the members of the slate, the committee chairperson, and the campaign treasurer. The chairperson and treasurer must be separate persons.

Also, the candidates must sign the waiver on the Gubernatorial Slate Campaign Committee Registration form if they are to be relieved of personal responsibility for filing campaign finance reports. The waiver remains in effect provided that the slate surrenders possession of any contributions to the campaign treasurer within five (5) business days of receipt without spending any of the proceeds or commingling contributions with personal funds; endorses contributions in the form of checks, money orders, or other written instruments directly, without being cashed or redeemed, to the campaign committee; and does not make any unreimbursed or unreported expenditures for the campaign. Otherwise, a slate of candidates must file a separate campaign finance report.

See sample "Gubernatorial Slate Campaign Committee Registration" form on pages 22-23.

Notes:

KENTUCKY REGISTRY OF ELECTION FINANCE
140 Walnut Street, Frankfort, KY 40601-3240
(502) 573-2226 / FAX (502) 573-5622
www.kref.ky.gov

REGISTRY USE

Date Received

_____
Date Approved

GUBERNATORIAL SLATE CAMPAIGN COMMITTEE REGISTRATION

Please type or print

_____

Committee Name - Do not include slate candidate's names in committee name unless authorized by candidates (KRS 121.210(4)). Acronyms are permitted, but full title from which derived must be shown (KRS 121.170).

_____(____)_____-_____
Mailing address (including city, state and zip) Daytime Telephone Number

Date committee plans to be active: From: ____/____/_____ Thru: ____/____/_____

NOTE: The chairman and the treasurer of a committee shall be separate persons - KRS 121.170(4)

CHAIRMAN INFORMATION:

Daytime Telephone Number: (_____)_____-_____

Home Telephone Number: (_____)_____-_____

E-mail Address:_____

_____
Name

_____
Mailing address (including city, state and zip)

TREASURER INFORMATION:

Daytime Telephone Number: (_____)_____-_____

Home Telephone Number: (_____)_____-_____

E-mail Address:_____

_____
Name

_____
Mailing address (including city, state and zip)

CUSTODIAN OF FINANCIAL RECORDS INFORMATION:

(If other than treasurer)

Daytime Telephone Number: (_____)_____-_____

Home Telephone Number: (_____)_____-_____

E-mail Address:_____

_____
Name

_____
Mailing address (including city, state and zip)

Primary Depository - Designate the depository bank or financial institution in which the committee will maintain its funds.

_____
Name of bank or institution

_____
Mailing Address (Including city, state and zip)

CANDIDATE FOR GOVERNOR TO BE SUPPORTED BY COMMITTEE:

_____ ____/____/_____ _____

Name Date of Birth Party Affiliation

_____

Mailing Address (Including city, state and zip)

_____

CANDIDATE FOR GOVERNOR AUTHORIZATION - I have read and understand the conditions of KRS 121.180(9); and further understand that I am personally relieved from filing the CANDIDATE ELECTION FINANCE STATEMENT, as long as I comply with these conditions. I will immediately notify the Registry of Election Finance if I can no longer comply with these conditions and I will file any and all reports required by KRS Chapter 121.

I, _____, hereby agree to the above statement and authorize the

Print Candidate's Name

use of my name by this committee.

_____

Signature of Candidate For Governor *Date*

CANDIDATE FOR LT. GOVERNOR TO BE SUPPORTED BY COMMITTEE:

_____ ____/____/_____ _____

Name Date of Birth Party Affiliation

_____

Mailing Address (Including city, state and zip)

_____

CANDIDATE FOR LT. GOVERNOR AUTHORIZATION - I have read and understand the conditions of KRS 121.180(9); and further understand that I am personally relieved from filing the CANDIDATE ELECTION FINANCE STATEMENT, as long as I comply with these conditions. I will immediately notify the Registry of Election Finance if I can no longer comply with these conditions and I will file any and all reports required by KRS Chapter 121.

I, _____, hereby agree to the above statement and authorize the

Print Candidate's Name

use of my name by this committee.

_____

Signature of Candidate For Lt. Governor *Date*

VERIFICATION BY OATH OR AFFIRMATION

We, the undersigned, state we are the Chairman and Treasurer of the above described committee and this Gubernatorial Slate Campaign Committee Registration is true, correct and complete.

_____ _____

Signature of Chairman *Date* *Signature of Treasurer* *Date*

VACANCIES

KRS 118.227

If a vacancy occurs in a slate of candidates before the ballots are printed for the primary election because of death, disqualification to hold the office sought, or severe disabling condition which arose after the slate formed a campaign committee, the remaining member of the slate may designate a replacement for the vacant candidate or change the composition of the slate and designate a running mate. Any changes made to the slate of candidates shall be made on forms filed with the Registry not later than the deadline for printing primary election ballots, but only following certification to the remaining candidates by the Secretary of State that a vacancy exists.

If a vacancy occurs in a slate of candidates after the ballots are printed for the primary election, the form must be filed with the Registry prior to the primary election. Notices informing the voters of the change in the composition of the slate shall be posted at each precinct polling place.

The provisions of KRS 118.105 shall apply to vacancies occurring in the nomination of a qualifying slate of candidates.

See page 25 for a sample of the "Notice of Gubernatorial Slate Replacement" form.

Notes:

KENTUCKY REGISTRY OF ELECTION FINANCE
140 Walnut Street, Frankfort, KY 40601-3240
(502) 573-2226 / FAX (502) 573-5622
www.kref.ky.gov

REGISTRY USE

Date Received

_____
Date Approved

NOTICE OF GUBERNATORIAL SLATE REPLACEMENT

Please type or print

This is to certify that a vacancy has occurred in the _____ gubernatorial slate, and, that this vacancy has been certified by the Secretary of State as one that may be filled pursuant to KRS Chapter 121.

The replacement slate shall be composed of the following individuals:

CANDIDATE INFORMATION

_____
Candidate for Governor

_____
Mailing Address

_____
City State Zip

(____)_____-_____(____)_____-_____
Daytime Phone Alternate Phone

__ __/__ __/__ __ __ __

_____
Candidate for Lt. Governor

_____
Mailing Address

_____
City State Zip

(____)_____-_____(____)_____-_____
Daytime Phone Alternate Phone

__ __/__ __/__ __ __ __

SIGNATURES

We hereby certify that the foregoing is our act and deed.

_____ _____
Signature - Candidate for Governor Date

_____ _____
Signature - Candidate for Lt. Governor Date

Slate: Attach copy of Certification of Vacancy from Secretary of State

ACKNOWLEDGEMENT OF SLATE'S INTENT/FILING
KRS 121.120(4)(k)

When slates submit a Letter of Intent or officially file for office, the Registry assigns a staff auditor. The auditor is not only responsible for performing the audit but is also the slate's direct line of communication with the Registry. The auditor can answer questions and help the slate avoid mistakes that may become violations of the campaign finance laws. The campaign's relationship with the auditor begins with an initial conference attended by the officials representing each slate, and continues with audit field work performed at the campaign's headquarters throughout the campaign.

The slate's filer number changes for each election. The primary and general elections are two separate elections. Successful primary election slates will receive notification of general election filer numbers.

Notes:

Contributions and Other Receipts

WHAT IS A CONTRIBUTION?

The term "contribution" not only encompasses money, but also goods, advertising and services given to a candidate or his or her committee. This chapter defines what is, and what is not, a contribution; discusses limitations, and in some cases absolute prohibitions, on certain sources of contributions; and describes the different types of contributors.

Definition of a Contribution
KRS 121.015(6)
Includes the following:

- Payment, distribution, loan, deposit, or gift of money or other thing of value, to a candidate, his or her agent or a committee;
- Payment by any entity other than the candidate or his or her authorized treasurer, of compensation for the personal services of another person which are rendered to the candidate;
- Goods, advertising, or services with a value of more than $100 in the aggregate in any one election which are furnished without charge, or at a rate which is less than the rate normally charged for the goods or services; or
- Payment by any person or entity other than a candidate or his or her authorized treasurer for any goods or services with a value of more than $100 in the aggregate, in any one election which are utilized by the campaign.

TYPES OF CONTRIBUTIONS

Monetary Contributions
KRS 121.015(6)(a)

A contribution of money to a candidate that is received in the form of cash, check, draft, money order, credit card, or cashier's check is considered a monetary contribution. Limitations exist concerning the acceptance of different forms of monetary contributions. See pages 34-35 for further information.

In-kind Contributions
KRS 121.015(6)(b)-(c); 32 KAR 2:170

An in-kind contribution is a non-monetary contribution consisting of goods or services, offered free or at less than the usual charge. Similarly, when a person pays for services on the candidate's behalf, the payment is an in-kind contribution.

An expenditure made in cooperation, coordination, or consultation with or at the request or suggestion of the campaign is also considered an in-kind contribution to the candidate.

In-kind contributions are treated as any other contribution and are subject to the same contribution limits and reporting requirements. Limits are discussed on pages 32-35.

> ***Exceptions (In-kind Contributions)***
> KRS 121.015(6)(c)
>
> Under limited exceptions in the law, persons may provide incidental goods or services to a campaign without making a contribution. In-kind contributions that are valued at *less than $100* do not qualify as contributions until the aggregate value per contributor exceeds $100 per election. *In order for a campaign to determine whether a contributor has exceeded the $100 limit, itemized records on all contributors must be kept.*
>
> When services are volunteered, not paid for by anyone, the activity is not considered a contribution. However, payment by a contributor other than the candidate or his or her treasurer to compensate the personal services of another rendered to the campaign is considered a contribution regardless of the amount of the payment.

The Value of Discounts
32 KAR 2:170 § 1(1), (4)

If *goods or services* are provided at less than the rate normally charged, or at an unreasonably low charge, the amount of the in-kind contribution is the difference between the amount normally charged for the goods and services at the time of the contribution and the amount actually charged. A *discount* received that is available to the general public is not an in-kind contribution.

Goods
32 KAR 2:170 § 1(1), (4)

Goods, such as equipment, supplies, mailing lists and facilities, are valued at the price the item or facility would cost if purchased or rented at the time the contribution is made. For example, if someone contributes a fax machine to the campaign, the contribution equals the fair market price of the fax machine at the time of the contribution.

Services
32 KAR 2:170 § 1(1), (4)

Services, such as advertising or printing, are valued at the prevailing rate at the time the services are rendered. The value is the fair market value of the service provided.

Loans from Individuals
KRS 121.015(6)(a); KRS 121.015(7)

Loans other than bank loans obtained in the ordinary course of business are considered contributions and are subject to contribution limits.

Any personal or family loan that is forgiven must be reported as a contribution. The campaign may not accept a loan from anyone other than the candidate in excess of the contribution limit. An unpaid loan, when added to other contributions from the same contributor, may not exceed the contribution limit. Once repaid in full, a loan no longer counts against the donor's contribution limit.

All loans must be continuously reported as debts until fully repaid. In the event a lender forgives a loan in whole or in part, the amount of the canceled debt becomes a contribution and is subject to the contribution limits.

Candidate Contributions
KRS 121.160(2)(a); KRS 121.180(9)(b); KRS 121.220

Candidates may donate items or money to their own campaigns in unlimited amounts. The personal funds of a candidate used in connection with seeking elective office must be deposited directly into the campaign account. If a candidate gives money to his or her campaign account and expects to be repaid, it must be treated as a loan when first received.

If a candidate contributes personal items for the benefit of the campaign and does not expect reimbursement, the value of the items should be reported as an in-kind contribution from the candidate. If the candidate makes direct campaign expenditures from the candidate's own funds, this amount would have to be reimbursed to the candidate from the campaign account.

Surplus Campaign Property
KRS 121.180(10)

If the campaign decides to terminate, it must liquidate all assets, dispose of excess funds in a manner permitted by statute (see page 101), and file a final report showing a zero balance. Campaign paraphernalia or signs are considered to be of no value to anyone besides the campaign and it is understood that they cannot be liquidated.

However, if these materials are stored by the candidate until the next election and are contributed to the new campaign they must be assessed at the fair market value and reported as an in-kind contribution from the candidate to his or her campaign.

Proceeds from Sales
KRS 121.180(5)

Contributions include proceeds from the sale of tickets for events, such as luncheons, dinners, rallies, and similar fundraising events; mass collections made at events; and sales of items such as campaign pins, buttons, hats, and shirts. The purchaser of tickets or items is the contributor, even if the tickets or items are given to others. Therefore, the campaign should record the entire purchase price of tickets or items as the amount contributed.

Extension of Credit
32 KAR 2:180

An extension of credit outside a creditor's ordinary course of business may be considered a contribution.

TYPES OF CONTRIBUTORS

Natural Person
KRS 446.010(26)

For the purpose of applying the campaign finance laws, a "natural person" referred to in KRS Chapter 121 is an individual human being. "Individual" as used in this guide refers to a natural person.

Minor
KRS 121.150(5)

For the purpose of applying the campaign finance laws, a "minor" is an individual who will not be 18 years old on or before the date of the next general election.

Person
KRS 446.010(26)

"Person" is not defined by KRS Chapter 121; therefore, the Registry has applied the definition of "person" provided in KRS 446.010(26) to all sections of KRS Chapter 121. KRS 446.010(26) defines "person" generally to include bodies-politic and corporate, societies, communities, the public generally, individuals, partnerships, registered limited liability partnerships, joint stock companies, and limited liability companies.

Contributing Organization
KRS 121.015(4)

A "contributing organization" is a group of individuals that merely contributes to a candidate from time to time, from funds derived solely from within the group and not solicited or received from sources outside the group itself. Contributing organizations must report to the Registry when any contributions made by the group exceed $100.

Caucus Campaign Committee
KRS 121.015(3)(b)

A caucus campaign committee is one of the following caucus groups who receive contributions and make expenditures to support or oppose one or more specific candidates or slates of candidates for nomination or election, or a committee:

(1) House Democratic caucus campaign committee;
(2) House Republican caucus campaign committee;
(3) Senate Democratic caucus campaign committee; or
(4) Senate Republican caucus campaign committee.

Permanent Committee (PAC)
KRS 121.015(3)(d)

A permanent committee is a permanent organization functioning on a regular basis throughout the year having as a primary purpose expressly advocating the election or defeat of clearly identified candidates. These groups are registered with the Registry, the FEC, or another state. Some groups are affiliated and share a contribution limit.

State or County Executive Committee
KRS 121.015(3)(e)

A state executive committee is a state-level political party committee. A county executive committee is a county-level political party committee.

Out-of-State Contributor

An individual who resides, or a committee or group which operates, outside of Kentucky may contribute to Kentucky candidates. Contributions from out-of-state contributors are subject to the same restrictions as Kentucky residents, groups, and committees.

Partnership Contributions
KREF Advisory Opinion 1998-012

Partnerships may contribute to candidates in one of two ways. First, a partnership may qualify as a contributing organization under KRS 121.015, and may contribute a maximum

of $1,000 per year. Second, the partners may contribute individually from funds derived from the partnership. If a partnership check is issued in lieu of separate checks from the individual partners, the campaign must obtain sufficient information from the partnership (including the percentage of each partner's interest) to itemize the contribution between the partners. See pages 60-61 for further information.

CONTRIBUTION LIMITS

KRS 121.150(6)

The maximum contribution from individuals (excluding minors), PACs and Contributing Organizations to a candidate (excluding school board candidates) is $1,000 per election. The contribution allowable from persons who will not reach the age of 18 on or before the next general election is $100. See page 34 for further details on PAC contribution restrictions.

Contributions by an individual to a **school board candidate** are limited to $100 per election and contributions from a PAC or Contributing Organization to a school board candidate are limited to $200 per election.

Caucus Campaign Committees and Executive Committees may contribute unlimited amounts to candidates. However, candidates have a limit on the amount they may receive. See page 35 for further details.

NOTES:

Contribution Limits❶

	TO A CANDIDATE	TO A SCHOOL BOARD CANDIDATE
FROM AN INDIVIDUAL	$1,000 per election KRS 121.150(6)	$100 per election KRS 121.150(6)
FROM A PAC	$1,000 per election❸ KRS 121.150(6)	$200 per election❸ KRS 121.150(6)
FROM A CONTRIBUTING ORGANIZATION	$1,000 per election KRS 121.150(6)	$200 per election KRS 121.150(6)
FROM A CORPORATION	PROHIBITED KRS 121.025 & KRS 121.035	PROHIBITED KRS 121.025 & KRS 121.035
FROM AN EXECUTIVE COMMITTEE	UNLIMITED❹ KRS 121.150(24)	UNLIMITED❹ Consult party rules.
FROM A CAUCUS CAMPAIGN COMMITTEE	UNLIMITED❹ KRS 121.150(24)	UNLIMITED❹ Consult party rules.
CASH❷ CONTRIBUTIONS	$50 per election KRS 121.150(4)	$50 per election KRS 121.150(4)
ANONYMOUS CONTRIBUTIONS	$50 per election (Maximum aggregate $1,000 per election) KRS 121.150(3)	$50 per election (Maximum aggregate $1,000 per election) KRS 121.150(3)

❶ In-kind contributions are subject to the same limits as monetary contributions.

❷ Contributions by cashier's check or money order are limited to $50 per election unless the instrument identifies the payor and payee.

❸ Candidates may not retain more than 50% of their total contributions, or $10,000, whichever is greater, per election from PACs. KRS 121.150(24)(a).

❹ The contributions given by an Executive Committee and a Caucus Campaign Committee are unlimited. However, the contributions accepted from an Executive Committee and a Caucus Campaign Committee are limited. The limit is based on the total contributions of a candidate per election. The amount the candidate retains cannot be more than 50% of his or her total contributions, or $10,000, (whichever is greater). KRS 121.150(24)(a)-(c).

LIMITATIONS ON DIFFERENT FORMS OF CONTRIBUTIONS

Anonymous Contributions
KRS 121.150(3)

Candidates may not accept anonymous contributions in excess of $50 per contributor, per election. An anonymous contribution in excess of $50 must be returned to the donor, if the contribution can be traced. If the donor cannot be determined, the contribution shall escheat to the state.

The total anonymous contributions received by a campaign may not exceed $1,000 per election. Anonymous contributions in excess of the aggregate limit also escheat to the state.

- Money received from an event or activity such as a fish fry, raffle, concession sales, or from the sale of campaign paraphernalia, is a contribution. If the campaign does not have records of individual purchasers, the sales are anonymous contributions, and the campaign may only accept anonymous contributions up to $1,000 in the aggregate per election.

Cash Contributions
KRS 121.150(4); 32 KAR 2:130

Candidates may not accept cash contributions in excess of $50 per contributor, per election.

Contributions by Cashier's Check or Money Order
KRS 121.150(4); 32 KAR 2:130

A candidate may not accept a cashier's check or money order in excess of the maximum cash contribution limit unless the instrument clearly identifies both the payor and the payee. If both are identified the instrument may be accepted like a check.

Contributions by Minors
KRS 121.150(5)

A candidate may not accept a contribution in excess of $100 from any person who will not become 18 years of age on or before the date of the next general election.

PAC Contributions - Restrictions
KRS 121.150(24)(a)

PAC contributions may not exceed 50% of a candidate's total contributions for an election or $10,000, whichever is greater. If PAC receipts exceed the allowable limits, a candidate may, within 60 days following the election, adjust his or her percentage of PAC receipts by

contributing his or her own money to the account or returning contributions to PACs that were made after the limit had been reached. Funds carried forward from one election to the next are not considered in making the PAC funds calculation. Remember that the Primary election and the General election are two separate elections and require two separate calculations.

Executive Committee Contributions - Restrictions
KRS 121.150(24)(b)

Executive Committee contributions may not exceed 50% of a candidate's total contributions for an election or $10,000, whichever is greater. If Executive Committee receipts exceed the allowable limits, a candidate may, within 60 days following the election, adjust his or her percentage of Executive Committee receipts by contributing his or her own money to the account or returning contributions to Executive Committees that were made after the limit had been reached. Funds carried forward from one election to the next are not considered in making the Executive Committee funds calculation. Remember that the Primary election and the General election are two separate elections and require two separate calculations.

Caucus Campaign Committee Contributions - Restrictions
KRS 121.150(24)(c)

Caucus Campaign Committee contributions may not exceed 50% of a candidate's total contributions for an election or $10,000, whichever is greater. If the Caucus Campaign Committee receipts exceed the allowable limits, a candidate may, within 60 days following the election, adjust his or her percentage of the Caucus Campaign Committee receipts by contributing his or her own money to the account or returning contributions to the Caucus Campaign Committees that were made after the limit had been reached. Funds carried forward from one election to the next are not considered in making the Caucus Campaign Committee funds calculation. Remember that the Primary election and the General election are two separate elections and require two separate calculations.

ITEMS NOT CONSIDERED CONTRIBUTIONS

KRS 121.015(6)(c); 121.015(7); 32 KAR 2:170 §§ 1(5), 2

- An in-kind contribution does not meet the statutory definition of contribution until the aggregate total of in-kind contributions from a single contributor exceeds $100.

- Services provided without compensation by individuals volunteering a portion or all of their time on behalf of a campaign are not contributions.

- A loan of money by any financial institution doing business in Kentucky made in accordance with applicable banking laws and regulations and in the ordinary course of business is not a contribution.

- Independent expenditures are not contributions. Under KRS 121.015(12), an independent expenditure "means the expenditure of money or other things of value for a communication which expressly advocates the election or defeat of a clearly identified candidate or slate of candidates, and which is made without any coordination, consultation, or cooperation with any candidate, slate of candidates, campaign committee, or any authorized person acting on behalf of any of them, and which is not made in concert with, or at the request or suggestion of any candidate, slate of candidates, campaign committee, or any authorized person acting on behalf of any of them."

Treasurer's Services
KRS 121.160(6); 32 KAR 2:170 § 1(3)

Kentucky campaign finance law specifically excludes "services provided without compensation" from the definition of a contribution. However, the law provides that a campaign may pay a treasurer a salary for his or her services.

Many times treasurers are professional accountants or certified public accountants who volunteer their professional services. However, any use by the campaign treasurer of his or her office's corporate assets should be billed to the campaign and paid for with campaign funds.

Volunteer Activity
32 KAR 2:170 § 1(5)

An individual may volunteer a portion or all of his or her time to provide personal services to a campaign without making a contribution, as long as the individual is not compensated by anyone for the services. If a volunteer is on paid vacation leave (or on leave time that he or she has earned) when working for the campaign, the volunteer's vacation pay does not count as a contribution to the campaign. If a volunteer is paid on a commission or piecework basis, or is paid only for work actually performed and the employee's time is considered his or her own to use as he or she sees fit, no contribution results.

Note, however, that if individuals are, in fact, paid for their services by someone other than the campaign itself, the activity is no longer considered volunteering, and the payments constitute in-kind contributions that must be reported by the campaign. The payor would be making an in-kind contribution to the campaign.

Generally, if an individual provides services to a campaign during paid working hours, the employer makes a contribution to the campaign. However, note that if the employer is a corporation, the contribution is unlawful.

In-kind Value Under $100
KRS 121.015(6)(c)

Expenditures of $100 or less made by a person are not considered contributions. Individuals may spend up to $100 for goods, advertising or services with a value of $100 or less without making a contribution. This exemption was designed to stimulate grassroots activity. These expenditures are not considered contributions, but should be recorded by the campaign. When an in-kind expenditure exceeds $100, it is considered a contribution and must be reported.

Any amount spent by an individual, on behalf of the campaign, in excess of $100 must be reported as an in-kind contribution to the campaign.

Loans
KRS 121.015(7)(b)

A loan of money by any financial institution doing business in Kentucky made in accordance with applicable banking laws and regulations and in the ordinary course of business is not a contribution.

Independent Expenditures
KRS 121.015(7)(c), (12); KRS 121.150(1)

An independent expenditure is defined by statute as follows:

> [T]he expenditure of money or other things of value for a communication which expressly advocates the election or defeat of a clearly identified candidate or slate of candidates, and which is made without any coordination, consultation, or cooperation with any candidate or slate of candidates, campaign committee, or any authorized person acting on behalf of them, and which is not made in concert with or at the request or suggestion of any candidate or slate of candidates, campaign committee, or any authorized person acting on behalf of any of them. KRS 121.015(12)

Independent expenditures are not subject to any limits, but are subject to reporting requirements. Individuals, committees and other groups who make independent expenditures exceeding $500 in the aggregate in any one election **are required to report** directly to the Registry.

See page 38 for an example of an independent expenditure reporting form.

KENTUCKY REGISTRY OF ELECTION FINANCE
140 Walnut Street; Frankfort, KY 40601-3240
(502) 573-2226 FAX (502) 573-5622
www.kref.ky.gov

REGISTRY USE

REPORT OF AN INDEPENDENT EXPENDITURE

NOTE: KRS 121.015(12) provides as follows: AIndependent expenditure= means the expenditure of money or other things of value for a communication which expressly advocates the election or defeat of a clearly identified candidate or slate of candidates, and which is made without any coordination, consultation, or cooperation with any candidate, slate of candidates, campaign committee, or any authorized person acting on behalf of any of them, and which is not made in concert with, or at the request or suggestion of any candidate, slate of candidates, campaign committee, or any authorized person acting on behalf of any of them.@

An independent expenditure must be reported when it exceeds $500 in the aggregate in one election. (KRS 121.150(1))

Your Name and Address _____ _____ _____ _____ Daytime Phone Number_____	Your Occupation and Employer _____ _____ Spouse=s Name _____ Spouse=s Occupation _____ Spouse=s Employer _____
Name of Candidate/Slate of Candidates/Committee	Office Sought _____ Supported _____ Opposed
Constitutional Amendment	Election _____ Supported _____ Opposed

Date	To Whom Made	Address	Purpose	Amount

I certify that this report was prepared with all reasonable diligence and is true, correct, and complete. I further certify under penalty of perjury that this expenditure was made in accordance with KRS 121.015(12).

_____ Date

_____ Signature

KREF 013 Revised 05/2005 Distributions: White to Registry Canary-Individual Making Expenditure

Kentucky UNBRIDLED SPIRIT

PROHIBITED CONTRIBUTIONS

Corporate Contributions
KRS 121.025; KRS 121.035; KRS 121.150(21), (22)

Kentucky campaign finance law strictly prohibits corporate contributions to candidates, slates of candidates and committees, either directly or indirectly. These statutory provisions reflect Section 150 of the Kentucky Constitution, which prohibits corporations from giving money or any other thing of value to influence an election in the Commonwealth.

The prohibition on corporate contributions to candidates and committees that support candidates for election extends to all corporate types, including non-stock corporations, solely owned corporations, not-for-profit corporations, S-corporations and professional service corporations (PSCs).

The prohibition on corporations does not extend to other types of business entities, such as partnerships, including limited liability partnerships (LLPs), limited liability companies (LLCs), sole proprietorships or unincorporated associations. Additionally, there is nothing that prohibits the officers or employees of a corporation from establishing a Permanent Committee through segregated funds. A contribution from a duly established Permanent Committee (PAC) to a candidate is permissible provided no actions to influence the election may be attributed to the corporation itself.

The prohibition against receiving corporate contributions applies to both monetary and in-kind contributions. Monetary contributions include checks or money orders from a corporate entity or cash transmitted from a corporation to a campaign. A campaign should review every check for corporate identifiers, such as “Inc.” or “Corp.”

To determine whether an entity is organized as a corporation, a campaign may verify the entity’s status by calling the Secretary of State’s Office, Division of Corporate Records, at (502) 564-7330 or by consulting the Secretary of State’s on-line business database at www.sos.ky.gov.

In-kind contributions from a corporation must also be avoided. A discount provided to a candidate by a corporation that is otherwise not available to the general public or the forgiveness of a debt owed by the candidate to a corporation constitutes an illegal in-kind corporate contribution. Any unreimbursed use of corporate property, such as computers, telephones, or postage, for the benefit of a candidate constitutes an illegal corporate contribution. A campaign that uses corporate property should prorate the value of its use and keep detailed records of bills assessed by the corporation and payments made by the campaign. These transactions must be disclosed on the campaign’s financial reports.

Charitable Contributions
KRS 121.150(2)

Solicitations from and contributions by campaign committees, caucus campaign committees, political issues committees, permanent committees, and party executive committees to any religious, charitable, civic, eleemosynary, or other causes or organizations established primarily for the public good are expressly prohibited.

Contributions in the Name of Another
KRS 121.150(12)

A contribution made by one person in the name of another is prohibited. For example, an individual who has already contributed up to his or her limit to the candidate may not give money to another person to make a contribution. Similarly, a business is prohibited from using bonuses or other methods of reimbursing employees for their contributions. Parents may not make a contribution in the name of a child.

If an individual who does not have a checking account wants to make a contribution, the campaign should advise the individual to purchase a money order or to obtain a cashier's check, and to clearly identify on the written instrument both the payor and the payee. Be aware of consecutively-numbered money orders or cashier's checks as this could be a way of giving in the name of another.

Foreign Nationals
2 U.S.C. § 441e; 11 CFR § 110.4(1); 22 U.S.C. § 611

Contributions from an entity organized under the laws of a foreign country or having its principal place of business in a foreign country are prohibited. A candidate may not accept contributions from foreign nationals. A "foreign national" is an individual who is not a citizen of the United States, and not lawfully admitted for permanent residence. Individuals with a green card may make political contributions.

Contributions from Other Candidates
KRS 121.180(10)

Contributions from another candidate's campaign account are prohibited, except that another candidate may purchase tickets to a fundraiser or other event up to $100 per event or affair.

Federal Campaign Accounts
KRS 121.150(25)

Candidates may not accept a contribution, including an in-kind contribution, which is made from funds in a federal campaign account.

Circumventing the Limits
KRS 121.150(9)

No person shall contribute funds to a candidate, political issues committee, or contributing organization for the purpose of circumventing the contribution limits.

Questionable Contributions

When a campaign receives a contribution of questionable legality, it should return the contribution to the donor without depositing it, as the negotiation of the check establishes the receipt of the contribution. The campaign should retain in its internal records a written record or a photocopy of the contribution, and clearly note why the contribution was returned.

If a campaign decides to keep a questionable contribution while determining whether the contribution is acceptable, the contribution should not be deposited until the campaign has received information in writing from the contributor. The campaign should maintain written records of all efforts to obtain documentation, and should retain all such documentation.

Finally, if the campaign deposits a contribution that appears on its face to be legal and later discovers that it is prohibited, based on information that was not available when the contribution was deposited, the campaign should immediately refund the contribution. The deposit must be reported as a contribution, and the refund must be reported on Schedule 1 of the Election Finance Statement as a “receipts adjustment.”

OTHER REPORTABLE RECEIPTS

The campaign must report all receipts. However, some receipts are not contributions. The following are **not** considered contributions:

Bank Loans
KRS 121.015(7)(b)

A loan of money by any financial institution doing business in Kentucky made in accordance with applicable banking laws and regulations and in the ordinary course of business is not a contribution. All bank loans, regardless of amount, are recorded as “other receipts” to the campaign.

Interest Income

Interest earned on invested funds is not considered a contribution, but is reported as “other receipts” on Schedule 1A of the Election Finance Statement.

Offsets to Operating Expenditures

Offsets to operating expenditures, such as returns by vendors of deposits and refunds, are not considered contributions. They should be recorded on Schedule 2 of the Election Finance Statement as a disbursement adjustment.

REPORTING CONTRIBUTIONS AND OTHER RECEIPTS

See Chapter 9 for details and examples of reporting contributions and other receipts.

Notes:

Expenditures

There are several things to keep in mind when making expenditures for the campaign. It is possible that a campaign may inadvertently violate campaign finance laws simply through oversight, rather than by any intentional act. The best way to avoid problems is to be familiar with the law and ensure that those individuals acting on behalf of the campaign understand the requirements of the campaign finance law.

WHAT IS AN EXPENDITURE?

KRS 121.160(2)(c); KRS 121.175; KRS 121.180(3)(a)(5); 32 KAR 2:200

An expenditure includes reimbursement for actual expenses, a purchase or a payment made in support of or in opposition to a clearly identified candidate. All expenditures are reportable by the campaign. No campaign shall permit funds in its account to be expended for any purpose other than allowable expenditures.

Allowable Expenditures

KRS 121.175; KRS 121.180(10); 32 KAR 2:200

Allowable campaign expenditures are defined by law as "expenditures including reimbursement for actual expenses, made directly and primarily in support of or opposition to a candidate." No campaign shall permit funds in a campaign account to be expended for any purpose other than allowable campaign expenditures.

Kentucky law recognizes the following **allowable expenditures:**

- Staff salaries (including a salary for the treasurer)
- Printing
- Advertising
- Advertising services
- Necessary travel
- Office space
- Campaign paraphernalia including, but not limited to, hats, shirts, calendars, and magnets
- Postage

- Office supplies
- Equipment, purchased or rented, and used primarily for the administration of the campaign, including but not limited to copiers, computers, automobiles, facsimile machines, and similar items
- Gifts and meals for volunteer campaign workers
- Food and beverages provided at campaign functions
- Stationery
- Communications with constituents or prospective voters
- Polling and consulting
- Graphic arts
- Newsletters
- Literature delivery services
- Phone banks
- Transportation services, including but not limited to transporting voters to the polls
- Purchases of advertisements in athletic and scholastic publications
- Tickets for any fundraising event or testimonial affair for another candidate if the amount of the purchase does not exceed $100 per event
- Expenditures made or items donated to charitable and civic organizations such as clubs, neighborhood organizations, schools, and churches, provided that the expenditure furthers a candidacy through advertising
- Purchase of American, state, or other flags to be donated to schools, civic, or charitable organizations.

Additional Allowable Expenditures for General Assembly Members:
KRS 121.175(1)

- A member of the General Assembly may utilize funds in his or her campaign account to purchase items up to $100 at a political party function, a caucus campaign committee function, auction, or fundraiser. The total purchase of items or admission tickets should not exceed $2,500 in one calendar year.

Expenditures That Are NOT Allowable
KRS 121.175; 32 KAR 2:200; KRS 121.055

Kentucky law specifically provides that the following types of expenditures **are not allowable:**

- Expenditures which are illegal pursuant to any other provision of Kentucky Revised Statutes
- Tickets to an event which is unrelated to a political campaign or candidacy
- Expenditures to promote or oppose a candidacy for a leadership position in a governmental, professional, or political organization, or other entity
- Equipment or appliances used primarily outside the campaign
- Charitable contributions to any religious, charitable, civic, eleemosynary, or other causes or organizations established primarily for the public good are expressly prohibited
- Expenditures which would bestow a private pecuniary benefit upon the candidate, a member of the candidate's family, a member of the candidate's committee, or any of his or her paid or unpaid employees
- Campaign funds may not be used to support another candidate (See page 44 concerning use of campaign funds to attend a fundraising event or testimonial affair.)
- Tickets for general distribution for the purpose of influencing an election, either directly or indirectly
- Items of personal property given to prospective voters which do not bear the name, likeness, or logo of a candidate or a campaign-related communication
- Dues to professional, civic, or other organizations to which the candidate belongs or desires to join
- Expenditures made to defray the costs associated with an individual's performance of his or her official duties as an officeholder
- No candidate for nomination or election to any office shall expend, pay, promise, loan or become liable in any way for money or anything of value, to any person in consideration for his or her vote.

ITEMS NOT CONSIDERED EXPENDITURES

Transfers of Funds for Investment

Transfers of campaign funds for investment are not disbursements. These funds must still be accounted for on the campaign's Election Finance Statement.

REVIEW OF EXPENDITURES

32 KAR 2:200

If the Registry staff, on review of a submitted Election Finance Statement, determines that a questionable expenditure has been made, the burden shall be on the campaign to prove that the expenditure was an allowable expense under KRS 121.175.

REPORTING OF EXPENDITURES

See Chapter 9 for details and examples of reporting campaign expenditures.

NOTES:

General Provisions

AUDITS

KRS 121.120(4)(j)-(k)

The Registry is required to conduct audits of candidates running for statewide office, as well as random audits of receipts and expenditures of candidates running for all other offices.

For *statewide* candidates, an auditor is assigned at the inception of the campaign. The auditor is not only responsible for performing the audit, but is also the candidate's direct line of communication with the Registry. The auditor can answer questions that arise during the campaign to help the candidate avoid mistakes that may become violations of the campaign finance laws. The campaign's relationship with the auditor begins with an initial conference attended by the officials representing the campaign, and continues with audit fieldwork performed at the campaign's headquarters throughout the campaign.

EVENTS AND FUNDRAISER FUNCTIONS

KRS 121.180(5)

Events such as rallies, dinners, luncheons, and testimonials are considered reportable events. The entire cost to attend the event is a contribution. The total gross receipts from the sale of tickets for such events must be reported.

Additionally, the sale of items such as campaign hats and shirts and similar material must be disclosed as a fundraising event. See Chapter 9 for instructions on how to report these receipts.

FUNDRAISER PERSON

KRS 121.170(2); 32 KAR 2:070

Candidates for an office in a jurisdiction containing in excess of 200,000 residents and candidates for statewide offices should be aware of the laws regarding persons who act as fundraisers. A "fundraiser" is defined in KRS 121.170 as a person who acts as a fundraiser by *directly soliciting and receiving contributions* for the aforementioned election campaigns. When a fundraiser directly solicits and receives contributions for a candidate in excess of $3,000 in an election, he or she is required to register with the Registry as a fundraiser and must file finance reports. Pursuant to the administrative regulations promulgated by the Registry, the following activities will not qualify a person as a fundraiser required to register:

- Acting as a campaign treasurer
- Performing clerical functions such as receiving contributions or preparing and filing campaign finance reports
- Communicating an endorsement of a candidate or slate of candidates which indirectly results in the receipt of contributions, provided that the communication is not followed by one-on-one direct oral or written solicitation of contributions by the person making the endorsement; or
- Acting as host of a social event at one's residence or place of business, provided that the host does not directly solicit and receive contributions in excess of $3,000.

RESPONSIBILITIES UNDER THE INTERNAL REVENUE CODE

Questions about the registration, disclosure and annual tax reporting requirements of the Internal Revenue Service (IRS) should be directed to the IRS Customer Service at 1-877-829-5500, and the caller should request assistance from an Exempt Organizations specialist. You may also find additional information at the IRS website:
http://www.irs.gov/charities/political/

RECORDS

Public Inspection of Reports
KRS 121.120(4)(d); KRS 121.180(8)

All reports filed by the campaign are available for public inspection and copying in the Registry's Frankfort office. Copies of reports may also be ordered by mail, and all orders are filled on a first-come, first-served basis. For more information, call (502) 573-2226. A duplicate copy of each report filed with the Registry must also be on file with the local County Clerk's office. Also, check the Registry's website, as reports from many races are available online.

Record Retention
KRS 121.160(2)(d)

Candidates are required to retain all receipted bills and accounts for **six years** from the date the last report is filed with the Registry.

Custodian of Records

The candidate must authorize someone to preserve the campaign's records for six years after the **last** report has been filed. The Registry should be supplied with the name, mailing address, and the phone number of the individual responsible.

PROHIBITED ACTIVITIES

Solicitation of State Employees
KRS 121.150(23); KRS 121.320

Neither a candidate nor anyone acting on his or her behalf may solicit a contribution of money or services from any merit or non-merit state employee. However, a state employee may receive a solicitation directed to him or her as a registered voter in an identified precinct as part of an overall plan to contact voters not identified as state employees. In other words, you may not target state employees when soliciting contributions of services or money.

Vote Buying
KRS 121.055

No candidate for nomination or election to any office shall expend, pay, promise, loan or become liable in any way for money or anything of value to any person in consideration for his or her vote.

POLITICAL ADVERTISING RATE
KRS 121.065(1)

Entities that sell advertising space or time to the public, such as newspaper and magazine publishers, owners or lessors of billboards, and radio and television stations, may not charge fees for political advertising that are not comparable to those charged to other advertisers.

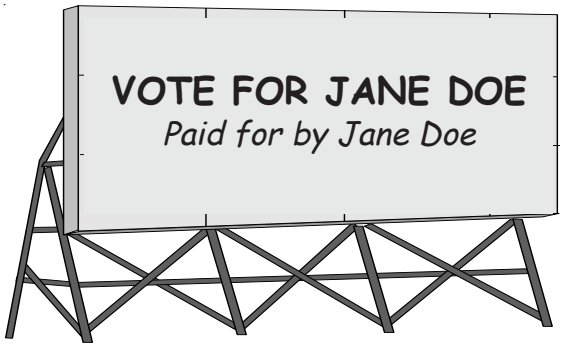
NOTES:

DISCLAIMERS

KRS 121.190(1); 32 KAR 2:110

All newspaper or magazine advertising, posters, circulars, billboards, handbills, sample ballots and paid-for television or radio announcements which expressly advocate the election or defeat of a clearly identified candidate or group of candidates for nomination or election to any public office shall be identified by the words "paid for by" followed by the name and address of the individual or committee which paid for the communication; except that **if paid for by a candidate, slate of candidates, or campaign committee**, it shall be identified only by the words **"paid for by"** followed by the **name of the candidate, slate of candidates, or campaign committee**, whichever is applicable.

Printed communications that must contain a disclaimer include newspaper or magazine advertising, posters, circulars, billboards, yard signs, handbills, and sample ballots. The following examples provide the required wording for disclaimers in printed materials:

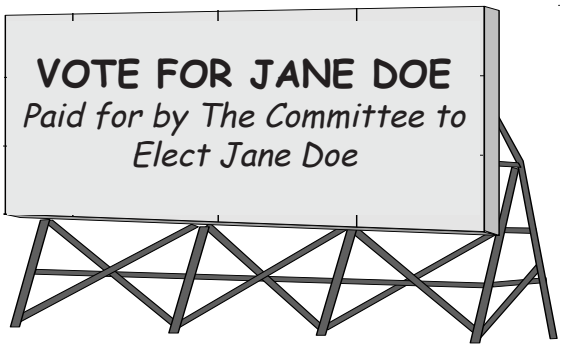


Printed advertising and communications paid for by *Jane Doe's campaign* would contain the following disclaimer:

Paid for by Jane Doe

If the Jane Doe campaign has registered a committee named "Committee to Elect Jane Doe", the disclaimer for printed advertising and communications paid for by the Committee on behalf of Jane Doe's campaign would read:

Paid for by The Committee to Elect Jane Doe



The following disclaimer, if used, would **NOT** be in compliance with the statute, and should **NOT** be used:

Paid for by Candidate

If someone other than Jane Doe's campaign or committee pays for the communication, the disclaimer must contain the **name and address** of the individual or group that paid for the ad. The disclaimer in this example would read as follows:

Paid for by
John Smith, 700 Walnut Street, Frankfort, KY 40601

or

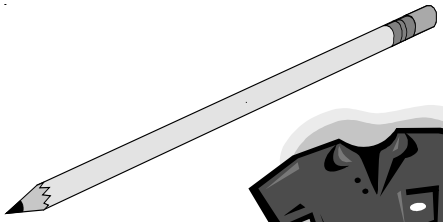
Paid for by Franklin County Democratic Executive Committee
300 Frankfort Avenue
Frankfort, KY 40601

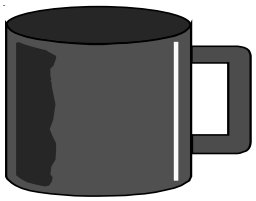
Items Exempted
32 KAR 2:110

The Registry has exempted certain items from the disclaimer requirement, including balloons, calling cards, emery boards, bumper stickers, matchbook covers, pencils, shirts, and caps. **Any printed material larger than 3 ½ x 5 inches must have a disclaimer.**

Multiple page mailings will be considered in substantial compliance if at least one page of the mailing includes a disclaimer.

Envelopes stamped with a return address which includes the name of the candidate or campaign committee indicating that the candidate is seeking election to public office shall not be required to include a disclaimer, provided that at least one piece of the envelope's contents includes a disclaimer.





There is no specific location for the disclaimer to be printed.

For television and radio broadcasts, compliance with the Federal Communication Commission's regulation regarding sponsored programs and broadcasts by candidates for public office shall be considered in compliance with this section. See 32 KAR 2:110 for further information.

QUESTIONS COMMONLY ASKED BY CANDIDATES

I paid my filing fee for office with my own personal funds. How do I report that on the Election Finance Statement?

The filing fee may be reimbursed to the candidate from the campaign bank account. The reimbursement should be shown as a disbursement on Schedule 2 of the Election Finance Statement. Some people, however, believe they were not a candidate for office until after the fee was paid. Therefore, they do not include the fee as an expense of the campaign. Either option is acceptable.

May a member of the General Assembly receive any contributions while the legislature is in session?

This question falls under the jurisdiction of the Legislative Ethics Commission. You should contact the Legislative Ethics Commission directly. See Appendix B.

May I hold a raffle in order to raise funds?

The Office of Charitable Gaming in the Cabinet for Environmental and Public Protection can determine if it is legal for your campaign to hold a raffle. See Appendix B.

May I accept a contribution I received in the mail after the date of the election?

Candidates may accept contributions after the date of the election to pay any remaining costs or debts of the campaign for that election. The treasurer will need to determine if the contribution is for the current election, or if the contribution should be attributed to the next election for the candidate.

May a candidate be a radio personality and continue doing a radio show once he or she becomes a candidate? Does the radio have to give equal time to other candidates?

The Federal Communications Commission should be contacted. See Appendix B.

Record Keeping and Treasurer Duties

REPORTING & RECORD KEEPING

One of the primary purposes of the Kentucky campaign finance laws is to provide public information about the financing of political campaigns. Political campaigns and political committees are required to file periodic reports with the Registry of Election Finance. The source of contributions to the campaigns or committees must be disclosed, as well as the amount given, the occupation and employer of each contributor, whether the money was from a fundraising event, and how the money was spent.

The key to complying with the reporting requirements is to keep detailed records of each contribution and expenditure.

Before attempting to complete any campaign finance forms, a thorough review of this Guide is necessary.

DUTIES OF THE TREASURER

KRS 121.160; 121.170(3)

The selection of a campaign treasurer is an extremely important decision, not only because he or she plays such an integral role in the campaign, but also because the candidate or slate of candidates may ultimately be held responsible for the acts or omissions of the treasurer. An individual who accepts the responsibility of being a treasurer should be aware of the penalties that may be imposed for failure to file campaign finance reports and failure to file complete and accurate reports. It is an important responsibility and should be taken seriously.

The duties of the campaign treasurer are set out by KRS 121.160. The treasurer is charged with the responsibility for depositing all contributions into the campaign account, keeping detailed records of contributions, monitoring compliance with contribution limits, and making or authorizing all expenditures. The treasurer is also responsible for complying with all reporting requirements and maintaining all campaign records.

Keeping and maintaining complete records of the campaign from start to finish is essential for a successful campaign. The lack of good records may lead to unnecessary time and effort in looking for records at critical times in the campaign. In deciding what kind of recordkeeping system to implement, the treasurer should keep in mind that the Kentucky campaign finance laws place great emphasis upon complete and full disclosure of campaign finance information. Any system that is designed must be done with this in mind.

KRS 121.160 provides that the duties of a treasurer are as follows:

- Open a bank account and designate that account "Campaign Fund of (Name of Candidate, Slate of Candidates, or Committee)."

- Deposit all contributions into the campaign depository account, including the candidate's own contributions of money.

- Keep detailed records of ALL contributions. One of the best ways to accomplish this is to keep copies of each contribution check received. For contributions in excess of $100, record the name, address, employer, and occupation of each contributor or if self-employed, the name under which the contributor is doing business. Be specific in listing the occupation of the contributor. A general classification such as "businessman" is insufficient. (Candidates seeking a statewide office are required to list the contributor's spouse by name, occupation and employer.)

- Keep detailed records of ALL contributions from Permanent Committees (PACs). The law requires itemization of all PAC contributions regardless of amount. The treasurer is also required to report the major business, social, or political interest represented by each PAC.

- Keep detailed records of ALL contributions from Caucus Campaign Committees and Executive Committees. Contributions over $100 must be itemized; however, all contributions from Caucus Campaign Committees and Executive Committees must be accounted for separately from other receipts.

- Make or authorize all expenditures on behalf of the campaign from the campaign's account. Expenditures in excess of $25 must be made by check. Records and reports must indicate the name, address, and <u>occupation</u> of every payee, as well as the date, amount, and purpose of the expenditure. Be sure to keep a receipted bill for each of the expenditures.

- Maintain all records, including receipts and bills, for six years from the date the last report is filed.

- Avoid making a payment to someone not directly providing goods or services to the committee in the attempt to conceal payment to someone else.

- Prepare and file separate reports for each candidate, if serving as a treasurer for more than one candidate.

Often, treasurers for candidates are professional accountants or certified public accountants who volunteer their professional services as treasurers. However, corporate assets belonging to the treasurer's employer are not allowable contributions. Therefore, any use by the treasurer of corporate assets should be billed to the campaign and paid for with campaign funds. 32 KAR 2:170 1(3)

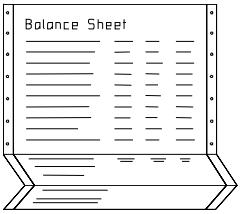
NEW TREASURER

KRS 121.160(4)

If the campaign treasurer is removed, dies or resigns, the campaign must, within three days after receiving notice thereof, appoint a new treasurer and file the name and address of the new treasurer with the Registry. A candidate shall be accountable as his or her own treasurer if he or she fails to meet this filing requirement.

CAMPAIGN BANK ACCOUNT

KRS 121.220



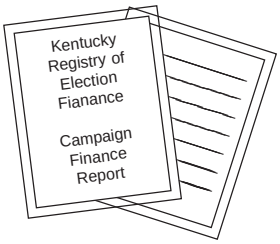
The first duty of a campaign treasurer is to designate a bank depository in which the primary campaign account will be maintained. The name of the account should be "Campaign Fund of (name of candidate, slate of candidates, or committee)." This must be done before receiving or spending any money for the campaign.

Only a financial institution authorized to do business in Kentucky may be designated as a depository.

It is recommended that the campaign open an account at a bank that provides copies of cancelled checks with their monthly statement. It may save the campaign the extra expense of paying for check copies that may be needed at a later date. The campaign's account should be reconciled to the campaign finance reports regularly.

REPORTING FORMS

KRS 121.120(4)



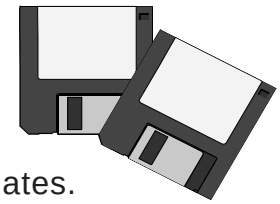
Reporting forms may be obtained when you file at your local County Clerk's office or the Secretary of State's Office. You may also obtain reporting forms from the Registry's web site or contact the Registry to have the forms mailed.

All forms may be typed, printed, or computer generated, as long as the forms are legible. Campaigns submitting illegible documents will be required to resubmit a legible copy. The campaign must file the original document with the Registry. **A duplicate copy of each report must be filed with your local County Clerk**, and your campaign should keep a copy for the campaign records. Slates of candidates for Governor and Lieutenant Governor are required to file a copy in each slate member's county of residence.

Note: The forms may be duplicated as needed. If forms are computer generated, you must use the same format as the Registry's forms on **8 1/2 x 11 paper**. The report must be legible.

ELECTRONIC REPORTING

KRS 121.120(6); KRS 121.180(12)-(18); 32 KAR 2:220



KRS Chapter 121 permits electronic reporting of campaign finance data, and the Registry encourages this filing option for candidates. Candidates who wish to use the free software for filing reports should contact the Registry's Information Systems Manager at 502-573-2226 or consult the Registry's website at http://www.kref.ky.gov. The website provides information about how to get started if you wish to file electronically. If you are already an electronic filer, the website provides helpful information on how to use the software.

KRS 121.120(6)(b) requires the Registry to accept test files from vendors or other persons wishing to file electronic reports in order to determine whether the software or file format complies with the Registry's standards for electronic reporting.

NOTE: Software manufacturers interested in producing candidate or committee software for Kentucky campaign finance reports may consult the Registry's website at http://www.kref.ky.gov for format specifications; or, for information on how to submit test files, contact the Registry's Information Systems Manager at 502-573-2226.

REPORTING PERIOD

KRS 121.180(3)

Each report covers activity during a specific time period. Each report begins where the last report ends. There should never be gaps between the periods covered and there should not be an overlap of time periods. See Chapter 8 for the reporting schedules.

RECORDS OF CONTRIBUTIONS/RECEIPTS

KRS 121.160(2)

The procedure for recording contributions received should enable the treasurer to maintain a continuing total of all contributions received, as well as a cumulative total received from any one contributor. KRS Chapter 121 requires that detailed records of all contributions be kept.

Accepting Contributions

Remember that all contributions must be recorded in the campaign's records. Contributions are reported on Schedule 1A, Itemized Receipts (those over $100 in the aggregate per election) of the Election Finance Statement, or as cash, anonymous or unitemized on the Summary Page of the Election Finance Statement.

See sample Contribution Card on page 57.

Sample Campaign Contribution Card

Thank you for supporting my candidacy for Senate. In order for me to comply with campaign finance laws, I must supply the following information to the Registry of Election Finance. **Make checks payable to Joe Candidate Campaign Fund.**

Please return this card with your contribution.

Maximum aggregate contributions per election are $1,000
Maximum cash contribution per election is $50
Corporate contributions are prohibited

Contributor's Name:

Address:

Occupation: **Employer:**

***Spouse's Name:** **Occupation:** **Employer:**

Amount of Contribution: $ **Have you made other contributions this election? __Yes __No**

(Sample of Front of Card)

____ I am looking forward to attending the fundraiser to support your candidacy.
____ people will be attending with my party.

____ I am unable to attend, but wish to help the campaign with $_____ contribution. The required information is listed above for my contribution.

____ I am unable to attend.

(Sample of Back of Card)

*Spouse information required only for slates of candidates and statewide candidates.

What Does it Mean to "Itemize"?

The term "itemize" used in this guide means to fully disclose the name and address of the contributor, date of the contribution, amount of the receipt, type of receipt, and the specific occupation and employer for each contributor, or the name under which the contributor is doing business, if the contributor is self-employed. Statewide candidates must also provide for each contributor the spouse's name, occupation and employer. If the contributor is a PAC, the political interest represented by the PAC must be given.

What Does "Aggregate" Mean?

The term "aggregate" used in this guide indicates a campaign has to itemize a contribution. When a contributor's total contributions exceed more than $100 in an election, the campaign must itemize the contribution by providing the required contributor information.

Identifying Contributions of $100 or Less
KRS 121.160(2)(b)

Campaign finance law does not require the treasurer to report detailed and exact accounts of contributions of $100 or less. However, internal records must be maintained to identify the sources of contributions as they occur in order to aggregate each individual or group contribution with subsequent contributions by that particular individual or group. (Contributions to campaigns are aggregated on a per contributor, per election basis for the purpose of monitoring contribution limits.)

Identifying Contributions Exceeding $100
KRS 121.160(2)(b)

For each contribution by an individual or group that exceeds $100, the treasurer's records must identify the contributor by name, address, age if under 18, occupation and employer of the contributor, or if the contributor is self-employed, the name under which the contributor is doing business, along with the date and amount of the contribution. Statewide candidates must also provide for each contributor the spouse's name, occupation and employer. **Be specific** in listing the contributor's occupation. For example, the use of a general classification such as "businessman" or "businesswoman" is insufficient. Additionally, for each in-kind contribution, the treasurer should keep a record of the value of the item or service and a brief description.

Combining Monetary and In-kind Contributions
KRS 121.150(6)

Monetary and in-kind contributions are combined for the purpose of applying the contribution limits. Whenever a dollar amount is mentioned, it refers to any combination of monetary and non-monetary contributions.

Identifying Contributions from PACs
KRS 121.180(3)(a)(1)

Keep detailed and exact accounts of contributions of any amount made to the campaign by a PAC. Your records should disclose the name of the PAC, its address, date of the contribution, amount contributed, and a description of the major social or political interest represented by the PAC. You may refer to the Registry's list of registered PACs to obtain detailed information about a PAC.

Joint Contributions
KRS 121.150(6)

A joint contribution is a contribution that is made by more than one person using a single check or other written instrument. It is acceptable, however, only if the check is drawn on a joint bank account and each person to whom the contribution is to be attributed has signature authority on the joint bank account. While it is preferable for each joint owner to write and sign his or her own contribution check, two or more individuals may each make a contribution using one check drawn on a joint account.

When making a joint contribution, each contributor must sign the check (or other written instrument) or a statement that accompanies the contribution check. If the check or statement does not indicate how much should be attributed to each donor, the campaign should attribute the contribution in equal portions.

The campaign should retain any statement that accompanies a joint contribution. If the designation appears on the face of the check itself (or other written instrument), the campaign should retain a photocopy.

Note that a joint contribution must represent the personal funds of each donor because contributions made in the name of another are prohibited. The campaign should immediately return a joint contribution check in excess of $2,000 if the check is not signed by more than one joint owner, and is not accompanied by any other attribution information.

Contributions from Spouses
KRS 121.150(12)

A husband and wife each have a separate contribution limit. A couple may transmit a contribution via one check drawn on a joint bank account (for example, a check for $2,000 for an election), as long as both sign the check or an attached statement.

Partnership Contributions
KRS 121.150(12)

A campaign may accept a contribution from an individual who is a partner in a partnership. The partner may contribute from personal funds or from partnership funds that are credited to the individual partner.

A campaign may accept a contribution from two or more individuals who are partners in a partnership. If the contribution is transmitted jointly on a partnership check, the partnership must provide written instructions signed by each partner regarding the percentage to be attributed to each partner. The amount attributed to an individual partner counts toward that individual's contribution limit. The name of the partnership is not recorded as the contributor.

Alternatively, a partnership of two or more individuals that contributes collectively to a campaign from time to time with funds derived solely from the partners may qualify and contribute as a contributing organization. A campaign that accepts a contribution from a partnership qualifying as a contributing organization must record the contribution under the name of the partnership but is not required to record information regarding the individual members of the contributing organization.

Campaigns are not permitted to accept corporate contributions. Campaigns should not accept a partnership check from a partnership that has a corporation as a partner.

Details of the reporting of partnership contributions may be found on the page 61.

(OPTION 1)
MAKING A CONTRIBUTION AS AN INDIVIDUAL WITH PARTNERSHIP FUNDS:

Each individual partner may contribute a maximum of $1,000 per candidate per election. The individual partner may do this with partnership funds that are credited to the individual partner or with personal funds.

The Candidate's Reporting Responsibility

When a campaign receives a contribution written from partnership funds with a list of individual partners and the amount each partner contributed, the campaign reports the contribution as being received from each partner — not from the partnership itself. If the contribution is over $100 per contributor, the campaign discloses the name, address, occupation, employer, date and amount that each partner gave to the campaign. If the contribution is $100 or less, the campaign reports the contribution as an unitemized contribution.

The Partnership's Reporting Responsibility

When individual partners in a partnership make political contributions written from partnership funds, the partnership must include a list with its contribution to the campaign disclosing the following information: name, address, occupation, employer, date and amount that each partner gave to the campaign.

(OPTION 2)
MAKING A CONTRIBUTION AS A CONTRIBUTING ORGANIZATION WITH PARTNERSHIP FUNDS:

The Candidate's Reporting Responsibility

When a campaign receives a contribution from a Contributing Organization in excess of $100, it must itemize the contribution on the report by: organization's name, address, date contribution was received, and amount received. If the contribution is $100 or less, the campaign reports the contribution as an unitemized contribution.

The Partnership's Reporting Responsibility

When a partnership makes a contribution as a Contributing Organization in excess of $100, it must file a "Contributing Organization Report" with the Registry. This report shows the partnership made a political contribution, to whom it was made, date, amount of the contribution and the source of funds.

(See page 62 for sample Contributing Organization Form.)

KENTUCKY REGISTRY OF ELECTION FINANCE
140 Walnut Street; Frankfort, KY 40601
(502) 573-2226 FAX (502) 573-5622
www.kref.ky.gov

REGISTRY USE

REPORT OF CONTRIBUTIONS BY A CONTRIBUTING ORGANIZATION

Name of Group: _____

_____(____)_____-_____
Mailing address (including city, state and zip) Daytime Telephone

KRS 121.015(4) reads as follows:
"'Contributing organization' means a group which merely contributes to candidates, slates of candidates, campaign committees, caucus campaign committees, or executive committees from time to time from funds derived solely within the group, and which does not solicit or receive funds from sources outside the group itself. However, any contributions made by the groups in excess of one hundred dollars ($100) shall be reported to the registry."

CONTRIBUTIONS

Date	Name of Candidate, Slate of Candidates or Committee	Amount Contributed

SOURCE OF FUNDS

The Kentucky Constitution prohibits the use of corporate funds to influence an election.

General Funds ❑ Collections ❑

Dues ❑ Other (explain) ❑ _____

Name: _____
Please print or type

Signature: _____

Title: _____

KREF 012 Revised 05/2005 Distributions: White to Registry - Canary to Contributing Organization

Kentucky UNBRIDLED SPIRIT

Remedying an Excessive Contribution

Accepting a contribution in excess of the contribution limit is a violation. When a campaign receives an excess contribution, one that exceeds the donor's aggregate limit for the election, the campaign should immediately return the contribution. The campaign should keep a written record or photocopy of each returned contribution for its records.

If the contribution check has been deposited, the campaign must report it. The campaign should immediately refund the excess amount and report the refund as a "receipts adjustment." If the contribution is in the form of a check drawn on a joint account, the campaign could seek a reattribution of the contribution between the owners of the joint account. See the discussion on joint contributions on page 59.

Unwanted Contributions

When a campaign receives an unwanted contribution, the contribution should be returned to the donor without depositing it. If the campaign returns the check without depositing it, the contribution does not have to be reported. The campaign should keep a written record or photocopy of each returned contribution. If the contribution is deposited in the campaign's account, it must be reported.

Refund of a Contribution

When a campaign refunds a contribution to a donor, the campaign must record the refund as a "receipts adjustment" rather than as a campaign expenditure. If the campaign did not itemize the receipt on a previous report, it subtracts the amount of the refund from the total for the appropriate category of receipts (i.e., unitemized, cash or anonymous). The reduced total is entered on the Summary Page.

If the campaign previously itemized the receipt, it itemizes the refund as a negative entry on the appropriate Receipts Schedule 1.

Checks Returned Due to Insufficient Funds

If the campaign reports the receipt of a check and later finds it cannot be negotiated because of insufficient funds in the donor's account, the campaign should deduct the amount of the check on its next report. If the campaign did not itemize the receipt on a previous report, it subtracts the amount of the check from the total for the appropriate category of receipts (i.e., unitemized). The reduced total is entered on the Summary Page. If the campaign previously itemized the receipt, it itemizes the return of the check as a negative entry on the appropriate Receipts Schedule 1.

Investments

Invested funds are included in the amount of cash on hand. The campaign should not report any investment as a disbursement, since the money is still an asset. A campaign must report interest income received during the reporting period in the "Other Receipts" category.

REPORTING THE EXPENSES OF THE CAMPAIGN

Treasurer's Responsibility

KRS 121.160(2)(c); KRS 121.220(1)

It is the treasurer's duty, by law, to make or authorize all expenditures on behalf of the campaign and only from funds which have first been deposited into the campaign account.

Reporting Disbursements

KRS 121.160(2)(c)

Each expenditure must be reported on Disbursements Schedule 2 regardless of the amount of the expenditure. For expenditures over $25, the report must disclose the name, address, and occupation of the payee, and the date, purpose and amount of the expenditure. For expenditures of $25 or less, the report must disclose the purpose, date and amount of each expenditure.

Expenditures by Check

KRS 121.160(2)(c); KRS 121.170(3); KRS 121.180(3)(a)(5); 32 KAR 2:200

The campaign treasurer must make all expenditures from the campaign account. All expenditures must be recorded and the report must disclose the date, amount and purpose. If the expenditure is over $25, it must be paid by check, and in addition to the date, amount and purpose, the campaign must report name, address and occupation of the payee. However, it is recommended that all expenditures be made by check from the campaign account. Also see "Vote Hauling," page 66.

For each expenditure the campaign makes, it must maintain a receipt, invoice, statement, or contract to support it. The campaign must retain these documents for six years from the date the campaign's report was filed.

OTHER DISBURSEMENTS

Joint Expenditures
KRS 121.160(2)(e)

If advertising is purchased in conjunction with another campaign or organization, each campaign or organization must pay for its share of the cost with a separate check, rather than one campaign or organization paying for the total cost and being reimbursed by the other campaign or organization. This method of paying for joint advertising ensures that the campaign complies with KRS 121.160(2)(e). The campaign should maintain an invoice, receipt, contract, or other documentation to support its respective share of shared advertising costs.

Disbursement Adjustments

Refunds received on deposits (such as telephone and other utility deposits), refunds received from overpayment of bills, and the proceeds from the liquidation of committee property (such as office furnishings and equipment) are considered offsets to operating expenditures.

Offsets to operating expenditures are reported as disbursement adjustments on Schedule 2 in the period in which the refunds or proceeds are received.

Disbursements for Multiple Purposes
KRS 121.160(2)(e); 32 KAR 2:200

If a single purpose does not fully and clearly describe the services rendered or goods purchased, and space on the reporting form does not allow for a complete description, the campaign should attach supplemental information to its report.

For example, payments made on behalf of the campaign by an agent hired by the campaign (i.e., advertising agency, consultant, credit card expenses) must be fully disclosed on the campaign's reports, even though the actual payment was made by the agent.

When listing payments to "campaign workers," identify what service was provided (i.e., campaign literature distributed, signs put up or removed, canvassing, or vote hauling).

Invoices for Disbursements
KRS 121.120(4)(j); KRS 121.160(2)(d)

The treasurer should not make any disbursement without an invoice or receipt provided by the person to whom the payment is to be made. The invoices and receipts are to be maintained by the treasurer and made available for reasonable inspection and auditing by the Registry.

Reimbursements
KRS 121.160(2)(e)

To the extent possible, all expenses of the campaign should be approved in advance of incurring the expense, and the vendor should be paid directly. The law contains specific language prohibiting the treasurer from making a payment to someone not directly providing goods or services to the campaign in an attempt to conceal a payment to someone else.

If a member of the campaign or the candidate does use personal funds for campaign-related expenditures, the campaign treasurer should require the original receipts and invoices obtained by that individual to be submitted at the time the campaign reimburses the individual.

Vote Hauling
KRS 119.205(5); 32 KAR 2:200 § 1(4)

The law requires that all payments to persons transporting voters on election day are to be made by check, regardless of the amount paid to each individual. The campaign must pay each person directly and individually who transports voters. Lump sum payments to third parties for distribution to transporters are ***not*** acceptable. Each person paid for transporting voters to the polls must be reported as a disbursement by name, address, and occupation.

EVENTS
KRS 121.180(5)

The Events Schedule 3 is used to report fundraising activity and the date of events. If the event raises funds, the total gross receipts from each event, as well as any expenses, must also be reported.

Events such as rallies, dinners, luncheons and testimonials are considered fundraising events. The entire cost to attend the event is considered a contribution.

The sale of items such as hats, shirts and similar materials must be disclosed as a fundraising event. The entire purchase price of the item is considered a contribution.

DEBTS AND OBLIGATIONS

Loans

All loans received by the campaign from individuals or a bank must be itemized and continuously reported until repaid. Loans are reported on the Itemized Receipts Schedule 1A and on the Debts and Obligations Schedule 4 of the Election Finance Statement.

Initial Receipt of a Loan

The campaign must report the receipt of a loan as an "Other Receipt." This is recorded on Itemized Receipts Schedule 1A, in Column 4c and also must be recorded on Debts and Obligations Schedule 4 of the Election Finance Statement.

Loan Repayments

A repayment of a loan is not recorded as an expenditure. It is recorded as a "receipts adjustment" on the Itemized Receipts Schedule 1A and should also be reflected on the Debts and Obligations Schedule 4 of the Election Finance Statement. Payments to reduce the principal on a loan must be itemized, regardless of the amount.

Debts Other Than Loans

KRS 121.180(3)(a)(5)

Campaign finance law requires that all expenditures "authorized, incurred, or made" be reported. Agreements to make expenditures should be reported as estimated obligations until actual payment is made. A contract for services (for example, a contract for radio advertising) constitutes an agreement to make an expenditure and should be reported as a debt until paid.

Debts Owed by the Campaign

An Election Finance Statement is incomplete if it fails to include debts the campaign is obligated to pay but, for whatever reason, has not paid as of the date the Election Finance Statement is filed.

SUMMARY PAGE - BALANCE STATEMENT

When all schedules have been completed, the grand totals from each schedule must be transferred to the Summary Page.

Internal records should be maintained in a manner that will enable the treasurer to easily transfer “Receipts In Currency,” “Anonymous,” and “Unitemized Contributions” to the Summary Page.

Copies of the campaign’s previous reports must be maintained in order to complete Column II, Cumulative This Election.

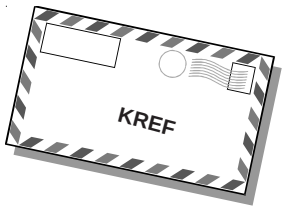
The ending balance should reconcile with the bank records.

NOTES:

Filing Reports

WHERE TO FILE REPORTS

Election Finance Statements are to be filed with the Registry of Election Finance, 140 Walnut Street, Frankfort, Kentucky 40601. You may mail, fax, or hand-deliver the report. A duplicate copy of the report must be filed with the County Clerk's office in the candidate's county of residence. Slates of candidates for Governor and Lieutenant Governor are required to file a copy with the County Clerk in each slate member's county of residence. Retain a copy for your records. You may file documents with the Registry by any of the following methods:



MAIL:
Reports must be U.S. postmarked. A postmark from a private meter will not be accepted as proof of timely filing. The report must be received or U. S. postmarked no later than the grace period ending date.

FAX:
Reports may be faxed to the Registry at (502) 573-5622, to be received no later than the grace period ending date. The original must still be submitted either by mail or hand-delivered.

HAND-DELIVERED:
Hand-delivered reports should be delivered between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, no later than the grace period ending date.

When the grace period ending date falls on a weekend or a legal holiday, the report will be due on the next working day.

WHEN TO FILE REPORTS

Reporting Period
32 KAR 2:100

Each report covers activity during a specific time period. Generally, a report begins where the last report ended. There should never be gaps between the periods covered. For each report filed, the beginning balance must be the same as the ending balance of the previous report. The treasurer should also reconcile the reported ending balance to the campaign's bank balance before the report is filed.

Exception: For successful candidates in the Primary, the 30-day and 60-day Post-Primary reporting period will overlap with the 32-day Pre-General reporting period. The primary campaign may still have outstanding debts to pay and report on the 30-day and 60-day reports. At the same time, the campaign may begin accepting contributions and making *new* expenditures for the general election. Receipts received after the primary and new expenditures made for the general election are to be reported on the 32-day Pre-General Report - not the Primary Report.

Reporting Schedule
KRS 121.180

The number of campaign finance reports a candidate is required to file is determined by the amount of money that the candidate indicates will be raised or spent during an election.

Based on the exemption signed by your campaign, use the reporting schedules on the next pages to determine your reporting due dates.

Notes:

2006 Important Dates

for Candidates, Permanent Committees (PACs), Caucus Campaign Committees and Executive Committees

Key Dates to Remember:

Primary Filing Deadline - **January 31, 2006**
Deadline to Rescind Request for Reporting Exemption for the Primary Election - **February 15, 2006**

Statement of Candidacy for Independents and Minor-Party Candidates - **April 3, 2006**

Primary Election - **May 16, 2006**

Primary Winners - Optional Request for Reporting Exemption Filing Deadline to Designate or Rescind - **June 12, 2006**

General Filing Deadline - **August 8, 2006**
Deadline to Rescind Request for Reporting Exemption for the General Election - **August 23, 2006**
General Election - **November 7, 2006**

Financial Reporting Dates:

Annual Report -
Due **11/13/2006**
(Due from candidates having a debt or surplus of funds remaining from a previous election.)

Quarterly Reports -

1st Quarter Report - Due **03/31/2006**
2nd Quarter Report - Due **06/30/2006**
3rd Quarter Report - Due **09/30/2006**
4th Quarter Report - Due **12/31/2006**

(Due from candidates who notify the Registry of their intent to run in a future year; and who do not have an open campaign account from a previous election for the office they are seeking. ALSO - due from Permanent Committees.)

Primary Election Reports

32-day Pre-Primary Report - Due **04/14/2006**
(Due from all candidates who elected to spend over $3,000.)

15-day Pre-Primary Report - Due **05/01/2006**
(Due from all candidates who elected to spend over $3,000.)

30-day Post-Primary Report - Due **06/15/2006**
(Due from all candidates who elected to spend over $1,000. ALSO - due from Executive Committees and Caucus Campaign Committees.)

60-day Post-Primary Report - Due **07/15/2006**
(Due from all primary winners with debt remaining, or losers with debt and/or surplus remaining.)

General Election Reports

32-day Pre-General Report - Due **10/06/2006**
(Due from all candidates who elected to spend over $3,000.)

15-day Pre-General Report - Due **10/23/2006**
(Due from all candidates who elected to spend over $3,000.)

30-day Post-General Report - Due **12/07/2006**
(Due from all candidates who elected to spend over $1,000. ALSO - due from Executive Committees and Caucus Campaign Committees.)

60-day Post-General Report - Due **01/06/2007**
(Due from all candidates with debt and/or surplus remaining at the end of the 30-day Post-General Report.)

2007 Important Dates

for Candidates, Slate of Candidates, Permanent Committees (PACs),
Caucus Campaign Committees and Executive Committees

Key Dates to Remember:

Primary Filing Deadline - **January 30, 2007**
Deadline to Rescind Request for Reporting Exemption for the Primary Election - **February 14, 2007**

Statement of Candidacy for Independents and Minor-Party Candidates - **April 2, 2007**

Primary Election - **May 22, 2007**

Primary Winners - Optional Request for Reporting Exemption Filing Deadline to Designate or Rescind - **June 18, 2007**

General Filing Deadline - **August 14, 2007**
Deadline to Rescind Request for Reporting Exemption for the General Election - **August 29, 2007**
General Election - **November 6, 2007**

Financial Reporting Dates:

Annual Report -
Due **11/12/2007**
(Due from candidates having a debt or surplus of funds remaining from a previous election.)

Quarterly Reports -

1st Quarter Report - Due **03/31/2007**
2nd Quarter Report - Due **06/30/2007**
3rd Quarter Report - Due **09/30/2007**
4th Quarter Report - Due **12/31/2007**

(Due from candidates who notify the Registry of their intent to run in a future year; and who do not have an open campaign account from a previous election for the office they are seeking. ALSO - due from Permanent Committees.)

Primary Election Reports

32-day Pre-Primary Report - Due **04/20/2007**
(Due from all candidates who elected to spend over $3,000.)

15-day Pre-Primary Report - Due **05/07/2007**
(Due from all candidates who elected to spend over $3,000.)

30-day Post-Primary Report - Due **06/21/2007**
(Due from all candidates who elected to spend over $1,000. ALSO - due from Executive Committees and Caucus Campaign Committees.)

60-day Post-Primary Report - Due **07/21/2007**
(Due from all primary winners with debt remaining, or losers with debt and/or surplus remaining.)

General Election Reports

32-day Pre-General Report - Due **10/05/2007**
(Due from all candidates who elected to spend over $3,000.)

15-day Pre-General Report - Due **10/22/2007**
(Due from all candidates who elected to spend over $3,000.)

30-day Post-General Report - Due **12/06/2007**
(Due from all candidates who elected to spend over $1,000. ALSO - due from Executive Committees and Caucus Campaign Committees.)

60-day Post-General Report - Due **01/05/2008**
(Due from all candidates with debt and/or surplus remaining at the end of the 30-day Post-General Report.)

2008 Important Dates

for Candidates, Permanent Committees (PACs),
Caucus Campaign Committees and Executive Committees

Key Dates to Remember:

Primary Filing Deadline - **January 29, 2008**
Deadline to Rescind Request for Reporting Exemption for the Primary Election - **February 13, 2008**

Statement of Candidacy for Independents and Minor-Party Candidates - **April 1, 2008**

Primary Election - **May 20, 2008**

Primary Winners - Optional Request for Reporting Exemption Filing Deadline to Designate or Rescind - **June 16, 2008**

General Filing Deadline - **August 12, 2008**
Deadline to Rescind Request for Reporting Exemption for the General Election - **August 27, 2008**
General Election - **November 4, 2008**

Financial Reporting Dates:

Annual Report -
Due **11/12/2008**
(Due from candidates having a debt or surplus of funds remaining from a previous election.)

Quarterly Reports -

1st Quarter Report - Due **03/31/2008**
2nd Quarter Report - Due **06/30/2008**
3rd Quarter Report - Due **09/30/2008**
4th Quarter Report - Due **12/31/2008**

(Due from candidates who notify the Registry of their intent to run in a future year; and who do not have an open campaign account from a previous election for the office they are seeking. ALSO - due from Permanent Committees.)

Primary Election Reports

32-day Pre-Primary Report - Due **04/18/2008**
(Due from all candidates who elected to spend over $3,000.)

15-day Pre-Primary Report - Due **05/05/2008**
(Due from all candidates who elected to spend over $3,000.)

30-day Post-Primary Report - Due **06/19/2008**
(Due from all candidates who elected to spend over $1,000. ALSO - due from Executive Committees and Caucus Campaign Committees.)

60-day Post-Primary Report - Due **07/19/2008**
(Due from all primary winners with debt remaining, or losers with debt and/or surplus remaining.)

General Election Reports

32-day Pre-General Report - Due **10/03/2008**
(Due from all candidates who elected to spend over $3,000.)

15-day Pre-General Report - Due **10/20/2008**
(Due from all candidates who elected to spend over $3,000.)

30-day Post-General Report - Due **12/04/2008**
(Due from all candidates who elected to spend over $1,000. ALSO - due from Executive Committees and Caucus Campaign Committees.)

60-day Post-General Report - Due **01/03/2009**
(Due from all candidates with debt and/or surplus remaining at the end of the 30-day Post-General Report.)

Supplemental Reporting
KRS 121.180(7); 32 KAR 2:100

If a candidate's 30-day post-election report shows an unexpended balance or outstanding debt, he or she is required to file a supplemental report within 60 days after the election.

The Registry has promulgated an administrative regulation (32 KAR 2:100) to simplify the candidate's bookkeeping and reporting as explained below.

If you are a *successful primary candidate* and you will be going on to run in the general election, you should close out your primary reporting as follows:

- Pay all the bills.
- Simply indicate any disbursements made on your supplemental report, show any remaining debts you owe, and sign the "Certificate of Debt Assumption" at the bottom of Schedule 4 of the Election Finance Statement.
- When you file your first report for the general election, indicate the funds you have carried forward from the primary.
- Any expenses incurred or contributions received after the date of the primary should be reflected on your 32-day pre-general election report rather than on your 60-day supplemental. (Note: reporting periods overlap)

If you are an *unsuccessful primary candidate* **or** *a general election candidate* and your 30-day post election report shows an unexpended balance or outstanding debt, you are required to file a supplemental report within 60 days after the election.

For disposition of unexpended campaign funds, see page 101.

Notes:

Annual Reporting
KRS 121.180(7)

If a candidate's 60-day post election report shows an unexpended balance of funds or outstanding debt, he or she is required to file subsequent supplemental reports annually, to be received not later than ten days after November 1 of each year until the account shows no unexpended balance or outstanding debt.

RECONCILING THE BANK ACCOUNT

Every effort should be made to reconcile the bank statement with the Election Finance Statements as soon as possible. Record any miscellaneous charges, such as bank service charges, on the Election Finance Statements as disbursements. Record any interest earned as a receipt.

The balance on a bank statement is always reconcilable, and the treasurer should continue until the bank statement agrees exactly with the reported transactions.

FILING AMENDMENTS

The campaign must file an amended report if it discovers that an earlier report contained erroneous or incomplete information. The campaign should not wait until the next reporting period to file an amendment. Amended reports should be filed as soon as the error is discovered, or as soon as any previously missing information is available. In addition to penalties for the failure to file reports, the law also provides penalties for filing inaccurate or incomplete reports.

When filing an amended report, the campaign should indicate on the cover page of the report that the document is an amended report. The campaign should file a corrected version of the schedule(s) that contained the incomplete or incorrect information.

See sample Election Finance Statement beginning in chapter 9.

Notes:

Notes:

Completing The Election Finance Statement

The following section is designed to provide comprehensive instructions for completing the Election Finance Statements. This section contains examples and explanations for numerous types of transactions. A campaign that utilizes a well-planned record keeping system should be able to complete the Election Finance Statement with ease. However, if you have questions concerning your report that do not appear to be covered here, please call the Registry for assistance.

NOTE: As long as certain criteria are met, the Registry will accept Election Finance Statements produced through the use of a computer. These statements must be on standard letter-sized paper, contain the same information in the same format as required on Registry forms, and be legible.

When an Election Finance Statement arrives at the Registry, each statement is logged by the date received and reviewed for completeness and compliance with campaign finance laws. Therefore, it is very important that all information is included and recorded appropriately.

NOTE: The following example is a 30-day Post Primary election report. Keep in mind that in this example the candidate has previously filed reports and therefore has a beginning balance. You will also note some of the contributors' cumulative totals are calculated by using figures from previous reports. This report is entirely fictitious.

THE COVER PAGE

Complete the information for names, addresses, telephone numbers, office and election date where appropriate. Please include daytime telephone numbers for appropriate personnel so Registry staff may quickly resolve any questions that may arise.

Make sure that the time period the statement covers (Box 4) is consistent from one report to the next. For example, if the last report filed covered April 14 through May 11, then the next report should cover from May 12, as shown. It is easy to inadvertently omit activity by beginning with the wrong date of a reporting period.

Note that the Election Finance Statement should only include information for the election shown on the cover page.

If there was no activity in the campaign for the period the statement covers, a report must still be filed. Indicate the ending balance from the last report filed and any debts and obligations owed by the campaign on the appropriate lines on the summary page.

Either the candidate or the treasurer may sign and date the Election Finance Statement.

KENTUCKY REGISTRY OF ELECTION FINANCE
140 WALNUT STREET, FRANKFORT, KENTUCKY 40601-3240
(502) 573-2226 / FAX (502) 573-5622
http://www.kref.ky.gov

This Space for Registry Use Only

Logged _____ Keyed _____

Election Status: W L

Candidate Status:	Reporting Status:
INELG	S Only
WD	SWP
DD	S/D
T	q Continue to G
	Debt Only

ELECTION FINANCE STATEMENT - COVER PAGE

(Please type or print)

1. Candidate/Slate of Candidates : Joe Candidate
   Committee Name: Good People for Joe Candidate
   Date of Birth: 01/01/1955 KREF Filer # 987654
   Office Sought: Senate 37
   District/Division Number: 101
   County of Residence: Jefferson
   Political Party: Republican

2. Candidate/Slate of Candidates/Committee Mailing Address:
   P.O. Box 3
   Louisville, KY 40032

   Daytime Phone Number: (502) 451 - 0000

3. Treasurer's Name and Mailing Address:
   Jane Treasurer
   456 Campaign Way
   Versailles, KY 40001

   Daytime Phone Number: (606) 123 - 4321

4. This Statement Covers:
   From: 5 - 12 - XX
   Month - Day - Year
   To: 6 - 25 - XX
   Month - Day - Year

INCLUDE INFORMATION FOR THIS ELECTION ONLY

5. Date of Election: 5 - 26 - XX
   Month-Day-Year

   This Statement relates to: ☒ Primary ☐ General ☐ Special ☐ Run-off Primary

6. Type of Statement
   a. ☐ Quarterly
   b. ☐ 32-day Pre-Election
   c. ☐ 15-day Pre-Election
   d. ☒ 30-day Post-Election
   e. ☐ 60-day Post-Election Supplemental
   f. ☐ Annual Supplemental
   g. ☐ Termination _____
   Month-Day-Year
   h. ☐ AMENDMENT - Check one of the items above to indicate which statement is being amended.

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this statement to the penalties of KRS 121.990.

7. Verification: I certify that I have examined this Election Finance Statement and to the best of my knowledge and belief it is true, correct, and complete.

Candidate or Treasurer: Jane Treasurer — *Type or Print Name*
Jane Treasurer — *Authorized Signature*
Date: 6 - 25 - XX — *Month-Day-Year*

Kentucky UNBRIDLED SPIRIT

RECEIPTS SCHEDULE 1A

Receipts in Excess of $100 Must be Itemized

Candidate/Slate of Candidates/Committee: Good People for Joe Candidate

KREF Filer #: 987654 **Period From:** 5 / 12 / 2005 **To:** 6 / 25 / 2005

DIRECT FROM CANDIDATE

A candidate is the only person who may contribute an *unlimited* amount of money to his or her campaign.

1. Contributor Name and Address / Contributor Occupation and Employer / Spouse's Name, Occupation and Employer	1b. Marital Status	2. Date of Receipt / 3. Type of Contribution	4a. Contribution by Check or Written Instrument	4b. Description and Value of In-Kind	4c. Other Receipts	5. Cumulative for Election (per Contributor)
Joe Candidate PO Box 3 Frankfort, KY 40601 Accountant Joe & Co., CPAs	S	5 / 12 / 2005 ☒ Direct from Candidate ☐ Loan from Candidate ☐ Direct from a person or authorized entity ☐ Fundraising Event ☐ Fundraiser (person) ☐ In-kind ☐ Other:	$3,000			$3,000

LOAN FROM CANDIDATE

The amount loaned by the candidate is shown in Column 4c, "Other Receipts." Any amount a candidate loans the campaign must also be shown as a debt owed by the campaign on Schedule 4. See page 91 for details on Schedule 4. Note that separate cumulative totals must be kept for candidate contributions and candidate loans.

Joe Candidate PO Box 3 Frankfort, KY 40601 Accountant Joe & Co., CPAs	S	5 / 12 / 2005 ☐ Direct from Candidate ☒ Loan from Candidate ☐ Direct from a person or authorized entity ☐ Fundraising Event ☐ Fundraiser (person) ☐ In-kind ☐ Other:			$2,000	$2,000

ITEMIZED RECEIPTS
SCHEDULE 1A (CONTINUED)

DIRECT FROM A PERSON OR AUTHORIZED ENTITY

A contribution direct from a person or authorized entity is typically a contribution that comes from an individual citizen. It is not a contribution from a permanent committee (PAC), executive committee, caucus campaign committee or the result of a fundraising activity. A contribution "direct from a person or authorized entity" must be itemized (by including the name, address, occupation and employer) when a contributor's aggregate contribution total exceeds $100. *Statewide* candidates must also record the contributor's marital status, and if married, the name of the contributor's spouse, and the spouse's employer and occupation. The "Cumulative for Election" total shown in Column 5 is to include both monetary and in-kind contributions.

This individual contributor has made a single contribution to date during this election.

1. Contributor Name and Address Contributor Occupation and Employer Spouse's Name, Occupation and Employer	1b. Marital Status	2. Date of Receipt ---------- 3. Type of Contribution	4a. Contribution by Check or Written Instrument	4b. Description and Value of In-Kind	4c. Other Receipts	5. Cumulative for Election (per Contributor)
Jim Frank Route 8, Box A Shelbyville, KY 40231 Farmer/Owner Green Acres Farm	S	5 / 12 / 2005 ☐ Direct from Candidate ☐ Loan from Candidate ☒ Direct from a person or authorized entity ☐ Fundraising Event ☐ Fundraiser (person) ☐ In-kind ☐ Other:_____	$250			$250

This contributor has made past contributions that have caused her cumulative total to exceed $100; therefore, her current contribution of $50 is itemized.

Sally Smith 210 Citizen Street Frankfort, KY 40601 Physician Lexington VA Hospital	S	5 / 12 / 2005 ☐ Direct from Candidate ☐ Loan from Candidate ☒ Direct from a person or authorized entity ☐ Fundraising Event ☐ Fundraiser (person) ☐ In-kind ☐ Other: _____	$50			$300

ITEMIZED RECEIPTS
SCHEDULE 1A (CONTINUED)

This is a contribution from an organization that is **NOT** registered with the Registry or the Federal Election Commission as a Political Action Committee (PAC). See page 31 for a definition of contributing organization.

1. Contributor Name and Address Contributor Occupation and Employer Spouse's Name, Occupation and Employer	1b. Marital Status	2. Date of Receipt ---------- 3. Type of Contribution	4a. Contribution by Check or Written Instrument	4b. Description and Value of In-Kind	4c. Other Receipts	5. Cumulative for Election (per Contributor)
Laborers Local 4 Box 7 Lexington, KY 40500 Contributing Organization	S	5 / 12 / 2005 ☐ Direct from Candidate ☐ Loan from Candidate ☒ Direct from a person or authorized entity ☐ Fundraising Event ☐ Fundraiser (person) ☐ In-kind ☐ Other: _____	$200			$200

FROM FUNDRAISING EVENT

Contributions received because of a fundraising event (except from permanent committees or executive committees) are itemized when the contributor's cumulative contribution total exceeds $100. These contributions are also included in the total receipts on the Fundraising Event Schedule 3. See page 90.

John Doe 300 Broadway Frankfort, KY 40602 Production Mgr. IBM	S	5 / 20 / 2005 ☐ Direct from Candidate ☐ Loan from Candidate ☐ Direct from a person or authorized entity ☒ Fundraising Event ☐ Fundraiser (person) ☐ In-kind ☐ Other:	$1,000			$1,000

FROM FUNDRAISER (PERSON)

Most campaigns do not meet the requirements for having a "registered fundraiser." See page 47. If your campaign does have a registered fundraiser, all contributions raised through this person must be shown as such on the report. All contributions raised by a particular "fundraiser" will also be shown on a report the "fundraiser" is required to file with the Registry. The following is an example of a contribution that was collected by a "fundraiser."

Roger Raisor 14 Fund Street Lexington, KY 40500 Banker Third Bank of Lexington	S	5 / 18 / 2005 ☐ Direct from Candidate ☐ Loan from Candidate ☐ Direct from a person or authorized entity ☐ Fundraising Event ☒ Fundraiser (person) ☐ In-kind ☐ Other:	$750			$750

ITEMIZED RECEIPTS
SCHEDULE 1A (CONTINUED)

FUNDS FROM OTHER SOURCES

INTEREST

Interest earned on checking accounts or other investments is not a contribution and therefore should be recorded as an "Other Receipt" in Column 4c.

1. Contributor Name and Address Contributor Occupation and Employer Spouse's Name, Occupation and Employer	1b. Marital Status	2. Date of Receipt ---------- 3. Type of Contribution	4a. Contribution by Check or Written Instrument	4b. Description and Value of In-Kind	4c. Other Receipts	5. Cumulative for Election (per Contributor)
Franklin Bank 1 Main Street Frankfort, KY 40601		5 / 31 / 2005 ☐ Direct from Candidate ☐ Loan from Candidate ☐ Direct from a person or authorized entity ☐ Fundraising Event ☐ Fundraiser (person) ☐ In-kind ☒ Other: Interest			$8.50	

CONTRIBUTION RETURNED FOR INSUFFICIENT FUNDS (NSF) OR STOPPED PAYMENT

Occasionally, a check received from a contributor will not clear the contributor's account. When the campaign becomes aware that a reported contribution has been returned for insufficient funds, that transaction should be reported as a "contribution adjustment," which serves to correct the campaign balances.

Curly Howard 99 Wiseguy Road Georgetown, KY 40000 Professional Stooge Howard, Fine, Howard, PSC	S	6 / 1 / 2005 ☐ Direct from Candidate ☐ Loan from Candidate ☐ Direct from a person or authorized entity ☐ Fundraising Event ☐ Fundraiser (person) ☐ In-kind ☒ Other: NSF Contribution	($500)			-0-

There may be other transactions that fall into the "Other" category. If you have questions about transactions not illustrated here, you may call the Registry staff for assistance.

IN-KIND CONTRIBUTIONS

In-kind contributions are contributions of something of value, other than money. The same requirements for reporting monetary contributions apply to reporting in-kind contributions. A description of the in-kind contribution is included in **Column 4b, "Description and Value of In-kind."** The "value" amount of the in-kind contribution is also shown in **Column 4b**. The "value" of the in-kind contribution should reflect the fair market value of the item(s) *or what that contribution would cost if it were purchased from its original source.*

1. Contributor Name and Address Contributor Occupation and Employer Spouse's Name, Occupation and Employer	**1b.** Marital Status	**2.** Date of Receipt ---------- **3.** Type of Contribution	**4a.** Contribution by Check or Written Instrument	**4b.** Description and Value of In-Kind	**4c.** Other Receipts	**5.** Cumulative for Election (per Contributor)
Gina Gift 3 Generous Way Georgetown, KY 40222 Real Estate Agent Homes-R.Us	S	5 / 12 /2005 ☐ Direct from Candidate ☐ Loan from Candidate ☐ Direct from a person or authorized entity ☐ Fundraising Event ☐ Fundraiser (person) ☒ In-kind ☐ Other: _____		Laser Printer $600		$600

It is acceptable to combine entries for contributors that have contributed both money and in-kind.

Steve Slick 7 Noe Way Anderson, KY 43211 Attorney Steve Slick Law Firm	S	5/14 & 5/25/2005 ☐ Direct from Candidate ☐ Loan from Candidate X Direct from a person or authorized entity ☐ Fundraising Event ☐ Fundraiser (person) ☒ In-kind ☐ Other: _____	$50	Fundraiser Food $450		$600

ITEMIZED RECEIPTS
SCHEDULE 1A (CONTINUED)

When the campaign repays all or part of a loan, the repayment is shown as a receipts adjustment. The amount of the payment is subtracted from the receipts so the campaign's cumulative receipts are not overstated. This repayment must also be reflected on the Debts and Obligation Schedule 4. See page 91.

1. Contributor Name and Address Contributor Occupation and Employer Spouse's Name, Occupation and Employer	1b. Marital Status	2. Date of Receipt ---------- 3. Type of Contribution	4a. Contribution by Check or Written Instrument	4b. Description and Value of In-Kind	4c. Other Receipts	5. Cumulative for Election (per Contributor)
Joe Candidate PO Box 3 Frankfort, KY 40602 Accountant Joe & Co., CPA	S	6 / 1 / 2005 ☐ Direct from Candidate ☐ Loan from Candidate ☐ Direct from a person or authorized entity ☐ Fundraising Event ☐ Fundraiser (person) ☐ In-kind ☒ Other: Loan repayment			($1,000)	$1,000

Total all pages of the schedule on the last page of that schedule. The total of Column 4a should be transferred to Line 1a of the Summary Page. The total of Column 4b should be transferred to Line 4a of the Summary Page. The total of Column 4c should be tranferred to Line 1b of the Summary Page. See page 94.

	Subtotal This Page	$ 50	$1,050	-0-
(Only on last page of Schedule)	Total This Period	4,800	1,050	1,008.50
		Enter the total on Col. 1, line 1a of Summary Page	Enter the total on Col. 1, line 4a of Summary Page	Enter the total on Col. 1, line 1b of Summary Page

PAC RECEIPTS SCHEDULE 1B

Receipts from PACs must be itemized regardless of amount

Candidate/Slate of Candidates/Committee: Good People for Joe Candidate

KREF Filer #: 987654 **Period From:** 5 / 12 / 2005 **To:** 6 / 25 / 2005

All PAC receipts are listed by name and address *(itemized)*, regardless of amount. Monetary contribution amounts are listed in column 4a. In-kind contribution amounts are listed in Column 4b. Cumulative amounts should include both monetary and in-kind contributions. If the contribution is in-kind, a brief description of the contribution is to be included in Column 4b. Column 2 requires you to list the interest represented by the PAC.

1. Permanent Committee Name and Address **2.** Major business, social, or political interest represented by committee	**3.** Date of Receipt	**4a.** Contribution by Check or Written Instrument	**4b.** Description and Value of In-Kind	**5.** Cumulative for Election (per Contributor)
Bank PAC 600 Central Ave. Louisville, KY 40200 Banking and Finance	5/15/2005	$450		$450
Law PAC 700 Justice Way Louisville, KY 40200 Professional Association	5/20/2005	$50		$50
PAC for Education 101 Main Street Lexington, KY 40500 Banking and Finance	5/20/2005		$200 Rental hall for Fundraising Event	$200

It is a good idea to keep in mind, throughout the election, the limitations on PAC money per election and the limit on contributions from affiliated PACs. See page 33.

Subtotal each page of the schedule at the bottom. Total all pages of the schedule on the last page of that schedule. The total of Column 4a should be transferred to Line 1f of the Summary Page. The total of Column 4b should be transferred to Line 4b of the Summary Page.

	Subtotal This Page	$500	$200
(Only on last page of Schedule)	Total This Period	$500	$200
		Enter the total on Col. 1, line 1f of Summary Page	Enter the total on Col. 1, line 4b of Summary Page

EXECUTIVE COMMITTEE RECEIPTS SCHEDULE 1C

Receipts in Excess of $100 Must be Itemized

Candidate/Slate of Candidates/Committee: Good People for Joe Candidate

KREF Filer #: 987654 **Period From:** 5 / 12 / 2005 **To:** 6 / 25 / 2005

Receipts from executive committees must be itemized when a particular committee's aggregate total exceeds $100. Monetary contribution amounts are listed in Column 3a. In-kind contribution amounts are listed in Column 3b. Cumulative amounts should include both monetary and in-kind contributions. If the contribution is in-kind, a brief description of the contribution is to be included in Column 3b.

1. Executive Committee Name and Address	**2.** Date of Receipt	**3a.** Contribution by Check or Written Instrument	**3b.** Description and Value of In-Kind	**4.** Cumulative for Election (per Contributor)
Jefferson Co. Republican Party PO Box 6 Louisville, KY 40200	5/12/2005	$4,000		$6,000
Kentucky Republican Party 3 Political Blvd. Frankfort, KY 40601	5/12/2005		$1,200 Phone Service of Party Headquarters	$1,200

Subtotal each page of the schedule at the bottom. On the last page of the schedule Item 5 must be completed. Item 5 requires the total CASH amount and the total UNITEMIZED amount from executive committees be entered under the subtotal for the last page. The number of contributors who gave the cash and unitemized contributions are to be entered, as well.

Subtotal This Page	$4,000	$1,200

5. Total Cash and Unitemized Executive Committee contributions: (Only on last page of schedule)

Cash Amount $ $120 + Unitemized Amount $ $1,125 = $1,245

Number of Cash Contributors: 6 Number of Unitemized Contributors: 17

Total all pages of the schedule then add the cash and unitemized amounts from Item 5 and enter this number in "Total This Period" on the last page of the schedule. The total from column 3a should be transferred to Line 1g of the Summary Page. The total of Column 3b should be transferred to Line 4c of the Summary Page. See page 94.

(Only on last page of Schedule) Total This Period	$5,245	$1,200
	Enter the total on Col. 1, line 1g of Summary Page	Enter the total on Col. 1, line 4c of Summary Page

CAUCUS CAMPAIGN COMMITTEE RECEIPTS SCHEDULE 1D

Receipts in Excess of $100 Must be Itemized

Candidate/Slate of Candidates/Committee: Good People for Joe Candidate

KREF Filer #: 987654 **Period From:** 5 / 12 / 2005 **To:** 6 / 25 / 2005

Receipts from caucus campaign committees must be itemized when a particular committee's aggregate total exceeds $100. Monetary contribution amounts are listed in Column 3a. In-kind contribution amounts are listed in Column 3b. Cumulative amounts should include both monetary and in-kind contributions. If the contribution is in-kind, a brief description of the contribution is to be included in Column 3b.

1. Executive Committee Name and Address	**2.** Date of Receipt	**3a.** Contribution by Check or Written Instrument	**3b.** Description and Value of In-Kind	**4.** Cumulative for Election (per Contributor)
State Republican Caucus Campaign Committee 3 Political Blvd. Frankfort, KY 40601	5/12/2005	$4,000		$6,000
State Republican Caucus Campaign Committee 3 Political Blvd. Frankfort, KY 40601	5/20/2005		$1,200 Phone Service of Party Headquarters	$1,200

Subtotal each page of the schedule at the bottom. On the last page of the schedule, Item 5 must be completed. Item 5 requires the total CASH amount and the total UNITEMIZED amount from caucus campaign committees be entered under the subtotal for the last page. The number of contributors who gave the cash and unitemized contributions are to be entered, as well.

Subtotal This Page	$4,000	$1,200

5. Total Cash and Unitemized Executive Committee contributions: (Only on last page of schedule)

Cash Amount $ 120 + Unitemized Amount $ 1,125 = $1,245

Number of Cash Contributors: 6 Number of Unitemized Contributors: 17

Total all pages of the schedule then add the cash and unitemized amounts from Item 5 and enter this number in "Total This Period" on the last page of the schedule. The total from Column 3a should be transferred to Line 1h of the Summary Page. The total of Column 3b should be transferred to Line 4d of the Summary Page. See page 94.

(Only on last page of Schedule) Total This Period	$5,245	$1,200
	Enter the total on Col. 1, line 1h of Summary Page	Enter the total on Col. 1, line 4d of Summary Page

ITEMIZED DISBURSEMENTS SCHEDULE 2

Candidate/Slate of Candidates/Committee: Good People for Joe Candidate

KREF Filer #: 987654 **Period From:** 5 / 12 / 2005 **To:** 6 / 25 / 2005

All disbursements, regardless of amount, must be recorded. Disbursements over $25 must be made by check. Additionally, disbursements over $25 must be itemized, showing name, address and occupation, if the payee is an individual.

This is an example of a payment made to a business for over $25. Notice that the purpose is specific. Instead of saying "Printing" the description says "Print flyers for mailout."

1. Name and Address of Person or Business Paid List Occupation if Paid to a Person	2. Purpose of Disbursement (Be specific)	3. Date of Disbursement	4. Amount Disbursed
Ace Printing 205 Main Street Frankfort, KY 40602	Print Flyers for Mailout	5/12/2005	$450

This example shows a payment for $25 or less, that shows purpose, date and amount only.

	Paper and Toner for Copier	5/20/2005	$14.50

This example shows a payment to an individual of more than $25 with name, address, and occupation.

Ken Hacker - Car Salesman 376 Input Way Louisville, KY 40200	Computer Programming Services	6/1/2005	$1,500

When the campaign purchases items to sell at a fundraising event, the disbursement is reflected on Schedule 2. This expense is also reflected on the Fundraising Events, Schedule 3.

Hats, Inc. 123 Helmut Drive Lexington, KY 40503	Hats	5/12/2005	$200

DISBURSEMENTS
SCHEDULE 2 (CONTINUED)

When a campaign receives a refund, it should be shown on the election finance statements as a "Disbursement Adjustment" and not an "Other Receipt." The amount of the refund is subtracted from the disbursements so the campaign's cumulative disbursements on the Summary Page are not overstated. This treatment prevents refunds from affecting the PAC and Executive Committee percentage calculation as well as preventing the campaign's cumulative receipts from being overstated.

1. Name and Address of Person or Business Paid List Occupation if Paid to a Person	2. Purpose of Disbursement (Be specific)	3. Date of Disbursement	4. Amount Disbursed
WRAD-AM PO Box 1193 Shelbyville, KY 43210	Refund on Advertising Purchaed	6/25/2005	($200)

When a campaign pays people to transport voters to polling places ("vote haulers"), the name, address and occupation of that person must be itemized on the report, regardless of the amount. Additionally, ALL payments made for this purpose must be made by check.

Missi Helper - Student 15 Maple Street Lexington, KY 40501	Election Day Vote Hauler	5/26/2005	$20

When a single payment is made for various types of expenses or reimbursements, the total disbursement should be broken down to describe the various items and their corresponding amounts.

Computers-R-Us Box 1 Washington, D.C. 22222	$500 Consulting Fee $250 Travel Expense Reimbursement $250 TV Buy	5/12/2005	$1,000

When the campaign has expenses related to a fundraising event, the disbursement is reflected on Schedule 2. This expense is also recorded on the Fundraising Events, Schedule 3.

Kroger PGA Blvd Frankfort, KY 40601	Food for Luncheon	5/20/2005	$1,000

Subtotal each page of the schedule at the bottom. Total all pages of the schedule on the last page of that schedule. The total of Column 4 should be transferred to Line 3 of the Summary Page.

	Subtotal This Page	$1,820.00
(Only on last page of Schedule)	Total This Period	$3,984.50

Enter the total on Col. 1, line 3 of Summary Page

EVENTS SCHEDULE 3

Candidate/Slate of Candidates/Committee: Good People for Joe Candidate

KREF Filer #: 987654 **Period From:** 5 / 12 / 2005 **To:** 6 / 25 / 2005

Campaigns are required to report the gross receipts and costs for each individual fundraising event. See page 47 for an explanation of what qualifies for a fundraising event. Keeping accurate records about an event while it is ongoing is extremely important. It is difficult to obtain or recreate this information once the event is over.

The following example reflects an event that was held on May 20. This event was sponsored by the campaign. Notice the report reflects the location and type of event that was held. The campaign records should contain the supporting information used to determine the amounts listed in Columns 4 and 5.

1. Sponsor of Event and Address where the Event was Held	2. Type of Fundraising Activity or Event	3. Date Event was Held	4. Total Amount Received	5. Cost of Event
Good People for Joe Candidate Civic Auditorium 4 Market Street Frankfort, KY 40601	Luncheon	5/20/2005	$3,500	$1,000

The sale of campaign paraphernalia is considered an event and must be reported on this schedule.

Good People for Joe Candidate Various Locations	Sale of Joe Candidate Hats	5/12/2005 thru 5/26/2005	$500	$200

The amounts listed in Columns 4 and 5 are for informational use only. The receipts and costs associated with each event should already be reflected as some type of receipt or disbursement somewhere else in the Election Finance Statement.

NOTE: Each fundraising activity or event must be listed separately. This schedule must be filed with the Election Finance Statement covering the period in which the fundraising activity or event took place, and is for informational purposes only. All receipts must be itemized on Schedule 1A, Schedule 1B, Schedule 1C, Schedule 1D or be included in unitemized, cash, or anonymous totals on the Summary Page. All costs incurred in connection with fundraising activities or events must be included on Schedule 2, or as in-kind contributions.

DEBTS & OBLIGATIONS SCHEDULE 4

Candidate/Slate of Candidates/Committee: Good People for Joe Candidate

KREF Filer #: 987654 **Period From:** 5 / 12 / 2005 **To:** 6 / 25 / 2005

Campaigns are required to disclose any expenditures "authorized, incurred or made." This means that debts or obligations owed by the campaign must be shown on Schedule 4.

The first entry is an example of a candidate loan given to the campaign in a previous reporting period. Also, during a previous reporting period, a payment was made toward the balance of this loan. Remember, when the candidate gave the loan, it was reported on Schedule 1A. When the campaign makes a repayment to the candidate, it is made on Schedule 1A as a negative receipt. Both the receipt of the loan and the repayment are shown on Schedule 4. During the current reporting period, a portion of the repayment shown on Itemized Receipts, Schedule 1A, is applied to the balance of the January 1, XX, loan amount. Column 7 shows the "outstanding balance at close of this period." (Column 4 minus Columns 5 and 6 equals Column 7.)

1. Name and Mailing Address of Party to Whom Debt is Owed	**2.** Type of Obligation	**3.** Date Incurred	**4.** Original Amount	**5.** Prior Payment	**6.** Payment made this reporting period	**7.** Outstanding Balance at close of this period
Joe Candidate PO Box 3 Frankfort, KY 40602	Candidate Loan	1/1/2005	$3,000	$1,000	$1,000	$1,000

This example shows a candidate loan made this reporting period. See Schedule 1A, page 79.

Joe Candidate PO Box 3 Frankfort, KY 40602	Candidate Loan	5/12/2005	$2,000			$2,000

DEBTS AND OBLIGATIONS
SCHEDULE 4 (CONTINUED)

When a campaign knows the amount of an outstanding bill or invoice for a purchase, that amount should be shown as an unpaid bill. Notice that even though there was no activity on this debt during this reporting period, it is carried on the schedule because there is an outstanding balance. All debts are shown each reporting period until they reach a zero balance.

1. Name and Mailing Address of Party to Whom Debt is Owed	**2.** Type of Obligation	**3.** Date Incurred	**4.** Original Amount	**5.** Prior Payment	**6.** Payment made this reporting period	**7.** Outstanding Balance at close of this period
Computer Supply Co. PO Box 1000 Loisvile, KY 40200	Unpaid Invoice	3/1/2005	$1,500	$500		$1,000

Subtotal each page of the schedule. Total all pages of the schedule on the last page of that schedule. The total of Column 7 should be entered on Line 5 on the Summary Page.

NOTE: If you have debts or obligations, this schedule must be filed with every Election Finance Statement up to and including the period in which all debts are paid or assumed.

SUBTOTAL THIS PAGE	$ 1,000
TOTAL THIS PERIOD (Only on last page of Schedule)	$ 4,000 Enter this total on line 5 "Total Debts and Obligations" on the Summary Page

The candidate/slate of candidates may convert outstanding loans or debts to a candidate contribution by personally assuming those obligations. If you wish to assume debts outstanding from your campaign, please execute the Certificate of Debt Assumption below.

CERTIFICATE OF DEBT ASSUMPTION	Amount Assumed by Candidate (Only when closing campaign account)
I hereby assume personal responsibility for payment of all outstanding campaign debts for this election. Joe Candidate SIGNATURE 6 - 25 - XX DATE	$ $4,000

SUMMARY PAGE INSTRUCTIONS

COLUMN 1

After all the schedules have been completed for a reporting period (except Schedules 1B-1 and 1C-1), totals should be transferred to the corresponding line on the Summary Page. This process should complete most of the required entries.

In the receipts section of the Summary Page, cash, anonymous and unitemized contribution totals must be entered. These totals (Lines 1c, 1d, 1e) are derived from campaign records. These totals should **not** include any amounts from PACs, Executive Committees or Caucus Campaign Committees.

If the candidate assumes any of the Debts and Obligations amount on Schedule 4, exclude the assumed amount from the total entered on the Summary Page Line 5. See page 92. In this example, the Total Debts and Obligations equals the Amount Assumed by Candidate. Therefore, a zero is entered on Line 5.

COLUMN 2

The amounts in Column 2 should reflect a *running or aggregate total* for the appropriate election for each item listed. Column 2 can be completed after all the totals in Column 1 have been entered. Each item in Column 2 equals the sum of the corresponding item in Line 1 plus the corresponding item in Column 2 from the previous report filed.

In this case shown on Line 1a, itemized receipts this period (Column 1) are $4,800. Imagine that the previous report, dated April 14 through May 11, XX shows $4,200 in Line 1a, Column 2. These two figures added together equal $9,000 shown in Column 2 on this report.

BALANCE STATEMENT

This section should reflect the campaign's monetary activity during the period. The ending balance on Line 10 should equal the campaign's checkbook balance for the last date of the report.

SUMMARY PAGE

Candidate/Slate of Candidates/Committee: Good People for Joe Candidate

KREF Filer #: 987654 **Period From:** 5 / 12 / 2005 **To:** 6 / 25 / 2005

RECEIPTS		COLUMN 1 (This Period)	COLUMN 2 (Cumulative This Election)
1.	CONTRIBUTIONS: (including all receipts from Fundraisers)		
	a. Itemized by check or written instrument (Schedule 1A, Item 4a)	$ 4,800.00	$ 9,000.00
	b. Other receipts (Schedule 1A, Item 4c)	+$ 1,008.50	$ 10,008.50
	c. Receipts in currency (Number of people 10) (Individual cash contribution limit is $50)	+$ 500.00	$ 2,000.00
	d. Anonymous (Number of people 2) (Maximum $50 per contribution)	+$ 45.00	$ 100.00 ($1,000 Maximum Per Election)
	e. Unitemized contributions (Number of people 28) (Contributions by check of $100 or less)	+$ 2,500.00	$ 2,500.00
	f. Political Action Committee (PAC) contributions (Schedule 1B, Item 4a)	+$ 500.00	$ 500.00
	g. Executive Committee contributions (Schedule 1C, Item 3a)	+$ 5,245.00	$ 25,545.00
	h. Caucus Campaign Committee contributions (Schedule 1D, Item 3a)	+$ 5,245.00	$ 8,200.00
2.	TOTAL RECEIPTS	=$ 19,843.50	$ 57,853.50
DISBURSEMENTS			
3.	TOTAL DISBURSEMENTS (Schedule 2, Item 4)	$ 3,984.50	$ 29,961.50
IN-KIND CONTRIBUTIONS			
4.	a. In-kind Contributions Received (Schedule 1A, Item 4b)	$ 1,050.00	$ 2,000.00
	b. In-kind Contributions Received (PAC) (Schedule 1B, Item 4b)	$ 200.00	$ 200.00
	c. In-kind Contributions Received (Executive Com.) (Schedule 1C, Item 3b)	$ 1,200.00	$ 7,900.00
	d. In-kind Contributions Received (Caucus Campaign Com.) (Schedule 1D, Item 3b)	$ 1,200.00	$ 3,200.00
DEBTS AND OBLIGATIONS			
5.	TOTAL DEBTS AND OBLIGATIONS (Schedule 4, Item 7)	$ -0-	
BALANCE STATEMENT			
6.	Ending balance of previous report (Enter -0- if no previous report)	$ 33.00	
7.	Add total receipts during reporting period (Line 2, Column 1)	+$ 19,843.50	
8.	Sub-Total (Add lines 7 and 8)	=$ 19,876.50	
9.	Subtract total disbursements during reporting period (Line 3, Column 1)	-$ 3,984.50	
10.	ENDING BALANCE (Subtract Line 9 from Line 8)	=$ 15,892.00	

PAC, EXECUTIVE COMMITTEE, AND CAUCUS CAMPAIGN COMMITTEE WORKSHEETS

The PAC, Executive Committee, and Caucus Campaign Committee worksheets must be completed within sixty days after the date of the election. The law states that any adjustments that are necessary may be made without penalty within sixty days of the election. Otherwise, the campaign may be subject to action by the Registry.

Up to 50% or $10,000, whichever amount is greater, of total contributions per each election may be retained from PACs. The same statement applies to Executive Committees and Caucus Campaign Committees. Therefore, it is necessary to compute these amounts on the appropriate schedules.

All three schedules are calculated in the same manner. It is only possible to have an adjustment in one of the calculations, never in all. If you have determined that PAC, Executive Committee and Caucus Campaign Committee receipts need to be adjusted, something is wrong.

TOTAL PAC, EXECUTIVE COMMITTEE, CAUCUS CAMPAIGN COMMITTEE RECEIPTS AND TOTAL RECEIPTS PER ELECTION

In the boxes that run down the left side of the worksheet, transfer the totals from the indicated line in Column 2 on the Summary Page. If the total in Box A is $10,000 or less, STOP! The campaign is within the allowable $10,000 in receipts from PACs, Executive Committees, or Caucus Campaign Committees depending on the schedule worked. See an example of a PAC Worksheet on page 96.

If the total in Box A is over $10,000, continue working through the boxes until you have computed the total for Box B. Enter the sum of Box A and B in Box C. Example is on page 97.

PAC, EXECUTIVE COMMITTEE OR CAUCUS CAMPAIGN COMMITTEE PERCENTAGE CALCULATION

Next complete the PAC, Executive Committee or Caucus Campaign Committee Percentage Calculation, depending on the schedule being worked. Divide the amount in Box A by the amount in Box C. If the percentage is 50% or less, STOP! - The campaign is within the allowable 50% of receipts from PACs, Executive Committees, or Caucus Campaign Committees depending on the schedule being worked. The example on page 97, however, is over 50%. Continue to the section titled “Making the Adjustment.”

PAC RECEIPTS WORKSHEET

PAC RECEIPTS:	Cumulative this election
PAC Receipts (Summary Page, Col. 2, Line 1f)	$500.00
PAC In-Kind (Summary Page, Col. 2, Line 4b)	200.00
A. Total PAC Receipts	$700.00

If total PAC receipts (Box A) is $10,000 or less, **STOP HERE**. Do not complete remainder of schedule.

If total PAC receipts are over $10,000 - **PROCEED**.

NON-PAC RECEIPTS:	Cumulative this election
Itemized Receipts (Summary Page, Col. 2, Line 1a)	
Cash (Summary Page, Col. 2, Line 1c)	
Anonymous (Summary Page, Col. 2, Line 1d)	
Unitemized (Summary Page, Col. 2, Line 1e)	
Executive Committee (Summary Page, Col. 2, Line 1g)	
Caucus Campaign Cmte (Summary Page, Col. 2, Line 1h)	
In-Kind (Summary Page, Col. 2, Line 4a)	
In-Kind Exec. Cmte (Summary Page, Col. 2, Line 4c)	
In-Kind Caucus Camp. Cmte (Summary Page, Col. 2, Line 4d)	
Candidate Assumed Debt (Schedule 4)	
B. Total Non-PAC Receipts	

C. Total Receipts Per Election	

(A. Total PAC Receipts + B. Total Non-PAC Receipts = C. Total Receipts Per Election)

D. PAC Percentage Calculation

				%
A. Total PAC Receipts	÷	C. Total Receipts per Election	=	D. PAC Receipts Percentage

If PAC receipts percentage is 50% or less, **STOP HERE.** Otherwise, calculate adjustment below.

Making the Adjustment

Step 1: Compute the Adjustment Amount

(Line 1) Total PAC Receipts (Box A) _____

(Line 2) Line 1 x 2 x 2

(Line 3) =Total Adjusted Receipts =_____

(Line 4) - Total Receipts (Box C) -_____

(Line 5) = Adjustment Amount =_____

Step 2: Check Your Calculation

To recompute:

_____	÷	_____	= 50%
A. Total PAC Receipts		Line 3: Total Adjusted Receipts	Adjusted %

Step 3: Choose Your Adjustment Option

❑ Candidate contributes entire Adjustment Amount to campaign account.

❑ Accept non-PAC contributions to the campaign account up to the Adjustment Amount (must be done by 60 days after the election).

❑ Refund entire Adjustment Amount from campaign account to PACs

Note: If the amount of PAC receipts over $10,000 is less than the adjustment amount on Line 5, only the amount over $10,000 needs to be refunded.

❑ Refund excess amount of contribution over $10,000 from campaign to PACs

❑ Refund 1/3 of Adjustment Amount from campaign account, accept non-PAC contributions equal to 1/3 of the Adjustment Amount, and candidate contributes 1/3 of Adjustment Amount to campaign account.

Be sure to itemize any additional receipts on Schedule 1B. Also, itemize any refunds made as a receipt adjustment on Schedule 1B.

EXECUTIVE COMMITTEE RECEIPTS WORKSHEET

EXECUTIVE COMMITTEE RECEIPTS:	Cumulative this election
Executive Cmte Receipts (Summary Page, Col. 2, Line 1g)	$25,545
Executive Cmte In-Kind (Summary Page, Col. 2, Line 4c)	7,900
A. Total Executive Committee Receipts	$33,445

If total Executive Committee receipts (Box A) is $10,000 or less, **STOP HERE**. Do not complete remainder of schedule.

If total Executive Committee receipts are over $10,000 - **PROCEED**.

NON-EXCUTIVE COMMITTEE RECEIPTS:	Cumulative this election
Itemized Receipts (Summary Page, Col. 2, Line 1a)	$9,000
Cash (Summary Page, Col. 2, Line 1c)	2,000
Anonymous (Summary Page, Col. 2, Line 1d)	100
Unitemized (Summary Page, Col. 2, Line 1e)	2,500
PAC (Summary Page, Col. 2, Line 1f)	500
Caucus Campaign Cmte (Summary Page, Col. 2, Line 1h)	8,200
In-Kind (Summary Page, Col. 2, Line 4a)	2,000
In-Kind PAC (Summary Page, Col. 2, Line 4b)	200
In-Kind Caucus Camp. Cmte (Summary Page, Col. 2, Line 4d)	3,200
Candidate Assumed Debt (Schedule 4)	4,000
B. Total Non-Executive Committee Receipts	$31,700

C. Total Receipts Per Election	$65,145

(A. Total Executive Committee Receipts + B. Total Non-Executive Committee Receipts = C. Total Receipts Per Election)

D. PAC Percentage Calculation

$33,445	÷	$65,145	=	51 %
A. Total Executive Cmte Receipts Receipts		C. Total Receipts per Election		D. Executive Cmt Receipts Percentage

If Executive Committee receipts percentage is 50% or less,
STOP HERE.
Otherwise, calculate adjustment below.

Making the Adjustment

Step 1: Compute the Adjustment Amount

(Line 1) Total Executive Committee Receipts (Box A) $33,445

(Line 2) Line 1 x 2 x 2

(Line 3) =Total Adjusted Receipts = $66,890

(Line 4) - Total Receipts (Box C) - $65,145

(Line 5) = Adjustment Amount = $ 1,745

Step 2: Check Your Calculation

To recompute:

$33,445	÷	$66,890	=	50%
A. Total Executive Cmte Receipts		Line 3: Total Adjusted Receipts		Adjusted %

Step 3: Choose Your Adjustment Option

❑ Candidate contributes entire Adjustment Amount to campaign account.

❑ Accept non-Executive Committee contributions to the campaign account up to the Adjustment Amount (must be done by 60 days after the election).

❑ Refund entire Adjustment Amount from campaign account to Executive Committee

Note: If the amount of Executive Committee receipts over $10,000 is less than the adjustment amount on Line 5, only the amount over $10,000 needs to be refunded.

❑ Refund excess amount of contribution over $10,000 from campaign to Executive Committee.

❑ Refund 1/3 of Adjustment Amount from campaign account, accept non-Executive Committee contributions equal to 1/3 of the Adjustment Amount, and candidate contributes 1/3 of Adjustment Amount to campaign account.

Be sure to itemize any additional receipts and any refunds made as a receipt adjustment on Schedule 1C.

EXECUTIVE COMMITTEE RECEIPTS WORKSHEET

(SUBSTITUTE FOR PAGE 97 OF THE CANDIDATE GUIDE TO CAMPAIGN FINANCE)

EXECUTIVE COMMITTEE RECEIPTS:	Cumulative this election
Executive Cmte Receipts (Summary Page, Col. 2, Line 1g)	$25,545
Executive Cmte In-Kind (Summary Page, Col. 2, Line 4c)	7,900
A. Total Executive Committee Receipts	$33,445

If total Executive Committee receipts (Box A) is $10,000 or less, **STOP HERE**. Do not complete remainder of schedule.

If total Executive Committee receipts are over $10,000 - **PROCEED**.

NON-EXCUTIVE COMMITTEE RECEIPTS:	Cumulative this election
Itemized Receipts (Summary Page, Col. 2, Line 1a)	$ 9,000
Cash (Summary Page, Col. 2, Line 1c)	2,000
Anonymous (Summary Page, Col. 2, Line 1d)	100
Unitemized (Summary Page, Col. 2, Line 1e)	2,500
PAC (Summary Page, Col. 2, Line 1f)	500
Caucus Campaign Cmte (Summary Page, Col. 2, Line 1h)	8,200
In-Kind (Summary Page, Col. 2, Line 4a)	2,000
In-Kind PAC (Summary Page, Col. 2, Line 4b)	200
In-Kind Caucus Camp. Cmte (Summary Page, Col. 2, Line 4d)	3,200
Candidate Assumed Debt (Schedule 4)	4,000
B. Total Non-Executive Committee Receipts	$31,700

C. Total Receipts Per Election	$65,145

(A. Total Executive Committee Receipts + B. Total Non-Executive Committee Receipts = C. Total Receipts Per Election)

D. Executive Committee Percentage Calculation

$33,445	÷	$65,145	=	51 %
A. Total Executive Cmte Receipts Receipts		C. Total Receipts per Election		D. Executive Cmte Receipts Percentage

If Executive Committee receipts percentage is 50% or less, **STOP HERE.**
Otherwise, calculate adjustment below.

Making the Adjustment

Step 1: Compute the Adjustment Amount

(Line 1) Total Executive Committee Receipts (Box A) $33,445

(Line 2) Line 1 x 2 x 2

(Line 3) =Total Adjusted Receipts = $66,890

(Line 4) - Total Receipts (Box C) - $65,145

(Line 5) = Adjustment Amount = $ 1,745

Step 2: Check Your Calculation

To recompute:

$33,445	÷	$66,890	=	50%
A. Total Executive Cmte Receipts		Line 3: Total Adjusted Receipts		Adjusted %

Step 3: Choose Your Adjustment Option

❑ Candidate contributes entire Adjustment Amount to campaign account.

❑ Accept non-Executive Committee contributions to the campaign account up to the Adjustment Amount (must be done by 60 days after the election).

❑ Refund entire Adjustment Amount from campaign account to Executive Committee.

Note: If the amount of Executive Committee receipts over $10,000 is less than the adjustment amount on Line 5, only the amount over $10,000 needs to be refunded.

❑ Refund excess amount of contribution over $10,000 from campaign to Executive Committee.

❑ Refund 1/3 of Adjustment Amount from campaign account, accept non-Executive Committee contributions equal to 1/3 of the Adjustment Amount, and candidate contributes 1/3 of Adjustment Amount to campaign account.

Be sure to itemize any additional receipts and any refunds made as a receipt adjustment on Schedule 1C.

CAUCUS CAMPAIGN COMMITTEE RECEIPTS WORKSHEET

CAUCUS CAMPAIGN COMMITTEE RECEIPTS:	Cumulative this election
Caucus Campaign Cmte Receipts (Summary Page, Col. 2, Line 1g)	$8,200
Caucus Campaign Cmte In-Kind (Summary Page, Col. 2, Line 4c)	3,200
A. Total Caucus Campaign Committee Receipts	$11,400

If total Caucus Campaign Committee receipts (Box A) is $10,000 or less, **STOP HERE**. Do not complete remainder of schedule.

If total Caucus Campaign Committee receipts are over $10,000 - **PROCEED**.

NON-CAUCUS CAMPAIGN COMMITTEE RECEIPTS:	Cumulative this election
Itemized Receipts (Summary Page, Col. 2, Line 1a)	$ 9,000
Cash (Summary Page, Col. 2, Line 1c)	2,000
Anonymous (Summary Page, Col. 2, Line 1d)	100
Unitemized (Summary Page, Col. 2, Line 1e)	2,500
PAC (Summary Page, Col. 2, Line 1f)	500
Executive Committee (Summary Page, Col. 2, Line 1h)	25,545
In-Kind (Summary Page, Col. 2, Line 4a)	2,000
In-Kind PAC (Summary Page, Col. 2, Line 4b)	200
In-Kind Executive Committee (Summary Page, Col. 2, Line 4d)	7,900
Candidate Assumed Debt (Schedule 4)	4,000
B. Total Non-Executive Committee Receipts	$53,745

C. Total Receipts Per Election	$65,145

(A. Total Caucus Campaign Committee Receipts + B. Total Non-Caucus Campaign Committee Receipts = C. Total Receipts Per Election)

D. PAC Percentage Calculation

$11,400	÷	$65,145	=	17 %
A. Total Caucus Campaign Cmte Receipts		C. Total Receipts per Election		D. Caucus Campaign Cmte Percentage

If Executive Committee receipts percentage is 50% or less, **STOP HERE.**
Otherwise, calculate adjustment below.

Making the Adjustment

Step 1: Compute the Adjustment Amount

(Line 1) Total PAC Receipts (Box A) _____

(Line 2) Line 1 x 2 x 2

(Line 3) =Total Adjusted Receipts =_____

(Line 4) - Total Receipts (Box C) -_____

(Line 5) = Adjustment Amount =_____

Step 2: Check Your Calculation

To recompute:

_____ ÷	_____	=	50%
A. Total Caucus Campaign Receipts	Line 3: Total Adjusted Receipts		Adjusted %

Step 3: Choose Your Adjustment Option

❑ Candidate contributes entire Adjustment Amount to campaign account.

❑ Accept non-Caucus Campaign Committee contributions to the campaign account up to the Adjustment Amount (must be done by 60 days after the election).

❑ Refund entire Adjustment Amount from campaign account to Caucus Campaign Committee

Note: If the amount of Caucus Campaign Committee receipts over $10,000 is less than the adjustment amount on Line 5, only the amount over $10,000 needs to be refunded.

❑ Refund excess amount of contribution over $10,000 from campaign to Caucus Campaign Committee.

❑ Refund 1/3 of Adjustment Amount from campaign account, accept non-Caucus Campaign Committee contributions equal to 1/3 of the Adjustment Amount, and candidate contributes 1/3 of Adjustment Amount to campaign account.

Be sure to itemize any additional receipts and any refunds made as a receipt adjustment on Schedule 1D.

CAUCUS CAMPAIGN COMMITTEE RECEIPTS WORKSHEET

(SUBSTITUTE FOR PAGE 98 OF THE CANDIDATE GUIDE TO CAMPAIGN FINANCE)

CAUCUS CAMPAIGN COMMITTEE RECEIPTS:	Cumulative this election
Caucus Campaign Cmte Receipts (Summary Page, Col. 2, Line 1g)	$8,200
Caucus Campaign Cmte In-Kind (Summary Page, Col. 2, Line 4c)	3,200
A. Total Caucus Campaign Committee Receipts	$11,400

If total Caucus Campaign Committee receipts (Box A) is $10,000 or less, **STOP HERE**. Do not complete remainder of schedule.

If total Caucus Campaign Committee receipts are over $10,000 - **PROCEED**.

NON-CAUCUS CAMPAIGN COMMITTEE RECEIPTS:	Cumulative this election
Itemized Receipts (Summary Page, Col. 2, Line 1a)	$ 9,000
Cash (Summary Page, Col. 2, Line 1c)	2,000
Anonymous (Summary Page, Col. 2, Line 1d)	100
Unitemized (Summary Page, Col. 2, Line 1e)	2,500
PAC (Summary Page, Col. 2, Line 1f)	500
Executive Committee (Summary Page, Col. 2, Line 1h)	25,545
In-Kind (Summary Page, Col. 2, Line 4a)	2,000
In-Kind PAC (Summary Page, Col. 2, Line 4b)	200
In-Kind Executive Committee (Summary Page, Col. 2, Line 4d)	7,900
Candidate Assumed Debt (Schedule 4)	4,000
B. Total Non-Caucus Campaign Committee Receipts	$53,745

C. Total Receipts Per Election	$65,145

(A. Total Caucus Campaign Committee Receipts + B. Total Non-Caucus Campaign Committee Receipts = C. Total Receipts Per Election)

D. Caucus Campaign Committee Percentage Calculation

$11,400	÷	$65,145	=	17 %
A. Total Caucus Campaign Cmte Receipts		C. Total Receipts per Election		D. Caucus Campaign Cmte Percentage

If Caucus Campaign Committee receipts percentage is 50% or less, **STOP HERE.**
Otherwise, calculate adjustment below.

Making the Adjustment

Step 1: Compute the Adjustment Amount

(Line 1) Total Caucus Campaign Committee Receipts (Box A) _____

(Line 2) Line 1 x 2 x 2

(Line 3) =Total Adjusted Receipts =_____

(Line 4) - Total Receipts (Box C) -_____

(Line 5) = Adjustment Amount =_____

Step 2: Check Your Calculation

To recompute:

_____ ÷	_____	=	50%
A. Total Caucus Campaign Receipts	Line 3: Total Adjusted Receipts		Adjusted %

Step 3: Choose Your Adjustment Option

❑ Candidate contributes entire Adjustment Amount to campaign account.

❑ Accept non-Caucus Campaign Committee contributions to the campaign account up to the Adjustment Amount (must be done by 60 days after the election).

❑ Refund entire Adjustment Amount from campaign account to Caucus Campaign Committee.

Note: If the amount of Caucus Campaign Committee receipts over $10,000 is less than the adjustment amount on Line 5, only the amount over $10,000 needs to be refunded.

❑ Refund excess amount of contribution over $10,000 from campaign to Caucus Campaign Committee.

❑ Refund 1/3 of Adjustment Amount from campaign account, accept non-Caucus Campaign Committee contributions equal to 1/3 of the Adjustment Amount, and candidate contributes 1/3 of Adjustment Amount to campaign account.

Be sure to itemize any additional receipts and any refunds made as a receipt adjustment on Schedule 1D.

MAKING THE ADJUSTMENT

Follow the instructions in Step 1 to compute the amount of adjustment necessary to comply with the 50% limitation on PAC, Executive Committee or Caucus Campaign Committee contributions. The amount on Line 5 is the amount the candidate must contribute to the campaign or the amount of refunds to be made to PACs, Executive Committees, or Caucus Campaign Committees depending on the worksheet being completed.

Check the math. If Step 2 equals 50%, it is time to move to Step 3: "Choose Your Adjustment Option."

It is up to the campaign/candidate to decide which adjustment option to choose. If sufficient funds are not available to make the refund, the candidate may contribute the Adjustment Amount or continue to receive contributions up to the Adjustment Amount. *(Remember - the statute requires that the adjustment must be made within 60 days of the election.)*

Additional receipts received by the campaign should be reported on the appropriate schedule. The amount of contributions this period should be updated on each schedule and in Column 1 of the Summary Page. Column 2 of the Summary Page, Cumulative This Election, should be updated as well.

If the campaign has sufficient funds remaining, the entire amount can be refunded to the committee(s) that put the campaign over the 50% limit. If the amount over the $10,000 is less than the adjustment amount, only the amount over $10,000 needs to be refunded.

EXAMPLE: *(This example uses PAC receipts, but this applies to PACs, Executive Committees and Caucus Campaign Committees.)*

ADJUSTMENT AMOUNT	=$1,145	IF RECEIPTS WERE	=$11,000
		LESS	-10,000
		DIFFERENCE	$ 1,000

In this example, only the $1,000 needs to be refunded. This $1,000 refund brings the PAC receipts to $10,000.

Refunds made to PACs, Executive Committees, or Caucus Campaign Committees should be shown as a "receipt adjustment" on the appropriate schedule. List each committee to whom a refund was made on Schedules 1B, 1C, or 1D, depending on the committee type. The amount of refund will reduce the committee's Cumulative for Election amount on the reporting schedule. The amount of contributions this period should be updated on each schedule and in Column 1 of the Summary Page. Column 2 of the Summary Page, Cumulative This Election, should be updated as well.

MAKING THE ADJUSTMENT

Refunds made to either PACs, Executive Committees, or Caucus Campaign Committees should be shown as a "Receipt Adjustment" on the appropriate schedule. List on Schedule 1B, 1C, or 1D, depending on the committee type. List each committee to whom a refund was made. The amount of refund will reduce the committee's Cumulative for Election amount shown in Column 4.

EXECUTIVE COMMITTEE RECEIPTS SCHEDULE 1C

Receipts in Excess of $100 Must be Itemized

Candidate/Slate of Candidates/Committee: Good People for Joe Candidate

KREF Filer #: 987654 **Period From:** 5 / 12 / 2005 **To:** 6 / 25 / 2005

1. Executive Committee Name and Address	**2.** Date of Receipt	**3a.** Contribution by Check or Written Instrument	**3b.** Description and Value of In-Kind	**4.** Cumulative for Election (per Contributor)
Jefferson Co. Republican Party PO Box 6 Louisville, KY 40200	5/30/2005	$ (600)	Schedule 1C-1 Adjustment	-0-
Kentucky Republican Party 3 Political Blvd. Frankfort, KY 40601	5/30/2005	$ (545)	Schedule 1C-1 Adjustment	$4,805

Subtotal This Page	$(1,145)	
9. Total Cash and Unitemized Executive Committee contributions: (Only on last page of schedule) Cash Amount $ _____ + Unitemized Amount $ _____ =		
Number of Cash Contributors: _____ Number of Unitemized Contributors: _____		
(Only on last page of Schedule) Total This Period	$(1,145)	
	Enter the total on Column 1, Line 1g of Summary Page	Enter the total on Column 1, Line 4c of Summary Page

Page 23 of 23

Closing the Campaign

CLOSING THE CAMPAIGN

If the campaign decides to terminate, it must liquidate all assets. The sale of campaign assets such as furnishings and equipment, are reported as "Other Receipts" on "Itemized Receipts" Schedule 1A, in Column 4c of the Election Finance Statement. Any excess funds in the campaign account must be disposed of in a manner permitted by statute (explained below), and the campaign must file a final report showing a zero balance.

Surplus Campaign Property

Campaign paraphernalia or signs are considered to be of no value to anyone besides the campaign and it is understood that these materials cannot be liquidated.

However, if these materials are stored by the candidate until the next election and are donated to the new campaign, the materials must be assessed at the fair market value and reported as an in-kind contribution from the candidate to his or her campaign.

Disposition of Unexpended Campaign Funds

KRS 121.180(10)

When the campaign is over and there are unexpended funds in your campaign account, those funds may be disposed of in whole or in part as follows:

- Escheat to the State Treasury;
- Be returned pro rata to all contributors;
- Be transferred to the state or county executive committee of your political party, if you were a partisan candidate, or a caucus campaign committee;
- Be retained to seek the same office; or
- Be donated to any charitable, nonprofit, or educational institution recognized under Section 501(c)(3) of the U. S. Internal Revenue Code.

Termination Report

A final report must be filed showing that all outstanding debts have been paid, and that the campaign account has a zero balance. The final report may be filed as soon as these requirements have been met. It is not necessary to wait until the next regular reporting deadline. (The reporting form contains a termination box to mark when the candidate is filing the final report and terminating the account.)

Custodian of Records

The candidate must authorize someone to preserve the campaign's records for six years after the last report has been filed. The Registry should be supplied with the name, mailing address, and phone number of the individual responsible.

INAUGURAL COMMITTEE

If your campaign wishes to have an inaugural event, see the following information concerning the registration and reporting required for an inaugural committee.

How to form a committee
KRS 121.170(1)

Any committee which is organized under KRS Chapter 121 shall register with the Registry, by filing official notice of intention at the time of organization, giving names, addresses, and positions of the officers of the organization and designating the candidate or candidates, or slate of candidates being supported on forms prescribed by the Registry. This may be accomplished by notifying the Registry that you wish to establish an inaugural committee. The Registry will then provide form KREF 010/I for the committee's completion.

What is an Inaugural Committee
KRS 121.015(3)

Inaugural committee means one (1) or more persons who receive contributions and make expenditures in support of inauguration activities for any candidates or slate of candidates elected to any state, county, city, or district office. The committee is then responsible for submitting Election Finance Statements as required by KRS 121.180(6)(d).

Contributions
KRS 121.150

A **contribution is defined in KRS 121.015(6)(a)** as any payment, distribution, loan, deposit, gift of money, or other thing of value, given to a committee.

A contribution **does not include** services provided without compensation by individuals volunteering a portion or all of their time on behalf of a committee.

Corporate contributions under KRS 121.150(21). No inaugural committee nor anyone on its behalf shall knowingly accept a contribution from a corporation, either directly or indirectly.

Anonymous Contributions under KRS 121.150(3). No inaugural committee may accept any anonymous contributions in excess of $50. If an anonymous contribution in excess of $50 is received, the excess must be returned to the donor if the contributor can be traced. If the donor cannot be determined, the excess contribution shall escheat to the state No inaugural committee may accept total anonymous contributions in excess of $1,000 per election. Any anonymous contributions in excess of the aggregate limit must escheat to the state.

Cash Contributions under KRS 121.150(4). No inaugural committee may accept a cash contribution in excess of $50 per contributor in the aggregate in any one election.

Contributions by Minors under KRS 121.150(5). No inaugural committee may accept a contribution in excess of $100 from any person who will not become eighteen (18) years of age on or before the date of the next general election.

Contributions by check or written instruments under KRS 121.150(6). Contribution limits under this statute are not applicable to inaugural committees. Therefore there is *no limit on the amount of a contribution by check or written instrument to an inaugural committee.*

Giving in the name of another under KRS 121.150(12). No person shall make a payment, distribution, loan, advance, deposit, or gift of money to another person to contribute to an inaugural committee or anyone on their behalf.

Duties
KRS 121.160(2); KRS 121.180(6)(a)-(d)

Duties of a Campaign Treasurer and Reports Required of Committees and Treasurers. An inaugural committee's treasurer shall designate a depository bank in which the primary account shall be maintained and deposit all contributions in that account. The treasurer should keep detailed and exact accounts of: (1) all contributions from permanent committees; (2) all contributions in excess of $100 by date, name, address, occupation and employer of each contributor, if committee is the sponsor of a statewide candidate it must also include the contributor's spouse's name, occupation and employer; (3) an aggregate amount of cash contributions, the amount contributed by each contributor, and the date of each contribution; and (4) a complete statement of all expenditures authorized, and incurred or made, including independent expenditures as defined in KRS 121.150 (1). See also KRS 121.170(3)

Expenditures

Expenditures by Check under KRS 121.160(2)(c). All expenditures must be made from the inaugural committee's account. Each expenditure must be recorded to reflect the date, purpose, and amount. Accurate records must be kept and expenditures in excess of $25 must be made by check. Expenditures of $25 or more must be itemized to reflect the name, address and occupation of the person to whom the expenditure was paid, as well as the date and purpose of each expenditure.

Allowable Campaign Expenditures under KRS 121.175. All expenditures should be directly related to the inaugural event.

Depository
KRS 121.220

Each committee shall, before receiving any contributions or expending any money, designate one primary depository for the purpose of depositing all contributions received and disbursing all expenditures made by the committee.

Reporting Dates
KRS 121.180 (6)(d)

Inaugural committees shall report on the last day of the first calendar quarter following the registration of the committee with the registry and on the last day of each succeeding calendar quarter until such time as the committee terminates.

Record Retention
KRS 121.160(2)(d)

The committee's treasurer must retain all receipted bills and records for six (6) years from the date the last report is filed.

Prohibitions
KRS 121.320(1)

No person shall obtain or attempt to obtain money by assessment or coercion from any state or federal employee. Every assessment and each act of coercion shall constitute a separate offense.

Penalties
KRS 121.990

Any person who knowingly violates any of the provisions of KRS 121.150 to 121.230 shall, for each offense, be guilty of a Class D felony.

Registry Procedures

COMPLAINTS

KRS 121.140; 32 KAR 2:030; 32 KAR 2:040; 32 KAR 2:050; 32 KAR 2:210

Upon receipt of a sworn, written complaint, the General Counsel is required to notify the alleged violator (respondent) that a complaint has been filed. The respondent has 15 days to provide a written response. The General Counsel then determines if there is reason to believe that a violation may have occurred or is about to occur. An investigation will be conducted. Upon completion of the investigation, the General Counsel will report his or her findings and make a recommendation to the Registry for further action. The respondent will be notified in writing of any action by the Registry.

If the Registry finds probable cause that a civil violation has occurred, the matter is referred to the General Counsel and Executive Director for conciliation with the respondent. A Conciliation Agreement may require the respondent to comply with one or more of the following:

- To cease and desist violations of the law;
- To file required reports or other documents or information;
- To pay a penalty not to exceed $100 a day, up to a maximum total fine of $5,000, for failure to file any report, payment of an administrative fee, or other document or information required by law until the report, fee payment, document, or information is filed; except that there shall be no maximum total fine for candidates for statewide office; or
- To pay a penalty not to exceed $5,000 per violation for acts of noncompliance with provisions contained in KRS Chapter 121.

If the respondent complies with the Conciliation Agreement and the Registry approves, no further action will be taken in the matter. However, if no Conciliation Agreement is reached, a hearing will be conducted before a retired or former judge or justice appointed by the Chief Justice of the Kentucky Supreme Court. The judge shall render a decision which, upon approval by the Registry, may order the respondent to comply with the same provisions discussed above. Conciliation Agreements and Final Orders of the Registry may be enforced in Franklin Circuit Court or other court of competent jurisdiction.

It should be noted that, pursuant to administrative regulations promulgated by the Registry, failure to comply with the reporting requirements contained in KRS 121.180 shall constitute prima facie evidence of probable cause to believe a violation has occurred. The General Counsel and Executive Director may immediately enter into conciliation negotiations with the respondent.

How to File a Complaint
32 KAR 2:030

If you wish to file a complaint with the Registry, you must comply with the following:

1. The complaint should be filed with the General Counsel of the Registry;

2. The complaint must be in writing;

3. The complainant shall provide his or her full name and address;

4. The contents of the complaint shall be sworn to and signed in the presence of a notary public, and must contain an appropriate notary certification;

5. The statements contained in the complaint shall be made under penalty of perjury.

6. The complaint must clearly identify the respondents and provide their addresses;

7. The statements which are not based on personal knowledge of the complainant must be accompanied by an identification of the source of the information which leads the complainant to believe the truth of his or her statements;

8. The complaint must contain a clear and concise recitation of facts supporting his or her allegations; and

9. The complaint must be accompanied by documentation, if known and available, which supports the allegations.

Referrals for Prosecution
KRS 121.140(5); KRS 121.990

If the Registry determines there is probable cause to believe that a knowing violation has occurred, the Registry will refer the violation to the Attorney General for prosecution. A knowing violation constitutes a Class D felony. The Attorney General may request the General Counsel for the Registry or the appropriate County or Commonwealth's Attorney to prosecute the matter.

Right to Appeal
KRS 121.140(6)

Any person directly involved or affected by a final decision of the Registry, other than a referral for prosecution, may appeal the final decision within 30 days after the date of the Registry's Order. Appeals may be brought in Franklin Circuit Court.

ADVISORY OPINIONS

KRS 121.135; 32 KAR 2:060

Any person may request an Advisory Opinion from the Registry concerning the application of campaign finance laws to a specific transaction or activity by the person. Requests must be in writing, and must identify the person(s) involved in the specific activity. **General questions of interpretation or questions posing a hypothetical situation or regarding actions by a third party shall not be considered for an Advisory Opinion by the Registry**. The Registry is required to issue an Advisory Opinion within 30 days of receipt of the request. If a candidate, slate of candidates or either of their campaign committees request an opinion not more than 30 days before an election which they are to appear on the ballot, the Advisory Opinion must be issued within 20 days after the Registry receives the request.

An Advisory Opinion issued by the Registry is binding only as to the person involved in the specific transaction or activity with respect to which the Advisory Opinion is rendered. If a person or committee to whom an Advisory Opinion has been issued acts in good faith in accordance with the terms of the Advisory Opinion, it shall be a defense against any sanction provided by law or administrative regulation. It shall be no defense in any civil or criminal proceeding for a person to rely on an Advisory Opinion if he or she was not the party involved in the specific transaction or activity with respect to which the Advisory Opinion was rendered.

PENALTIES

KRS 121.990

The penalties for knowing violations of KRS Chapter 121 may result in conviction of a Class D felony. Substantial civil penalties may also be assessed for nonknowing violations.

Corporations convicted of knowingly violating the campaign finance laws stand to have their corporate charters revoked or lose their ability to do business in Kentucky, and face substantial fines. In the case of knowing violations by individuals, a Class D felony conviction may result.

For specific penalty provisions, see KRS 121.990.

Notes:

GLOSSARY

Advisory Opinion: A formal written response by the Registry to a question concerning the application of KRS Chapters 121 to a specific transaction or activity

Advertising (Political): Under KRS 121.190(1), any communication that expressly advocates the election or defeat of a clearly identified candidate or slate of candidates for public office

Affiliate or Subdivision of Political Party: Any organization which is under the control or direction of the state committee and is responsible for the day-to-day operation of the political party at the county or district level

Campaign Committee: A group which is formed to receive contributions and make expenditures to support or oppose a candidate or slate of candidates. (This group must file a Committee Registration Form with the Registry.)

Candidate: A person who has received contributions, made expenditures, appointed a campaign treasurer, or given consent for anyone else to do so on his or her behalf with a view to bring about his or her nomination or election to public office (except Governor and Lieutenant Governor – See "Slate of Candidates")

Caucus Campaign Committee: A caucus group which receives contributions and makes expenditures to support or oppose a candidate or slate of candidates. (This group must file a Committee Registration form with the Registry.)

Contributing Organization: A group which merely contributes to candidates or slates of candidates, campaign committees, executive committees or caucus campaign committees from time to time with funds derived solely from within the group

Contributor: An individual or group who gives something of value to a committee, candidate, or slate of candidates

Disbursement: Any expenditure of money

Disclaimer: The information which is required to identify the purchaser of advertising or other material advocating the election or defeat of a clearly identified candidate, slate of candidates, or group of candidates

Election: Any primary, runoff primary, general, or special election to fill vacancies regardless of whether a candidate or slate of candidates is opposed or unopposed in an election. Each primary, runoff primary, general, or special election shall be considered a separate election

Executive Committee: A state-level executive committee of a political party, or a district or county-level executive committee which is a subdivision or affiliate of the state party. Groups such as women's clubs are not executive committees

Fundraiser Person: An individual who directly solicits and receives contributions on behalf of a candidate for a statewide-elected office or an office in a jurisdiction with a population in excess of 200,000 residents

Fundraising Event: Testimonial affairs, dinners, luncheons, rallies, and similar events, mass collections and the sale of items such as buttons, hats, ties, and literature

Inaugural Committee: One or more persons who receive contributions and make expenditures in support of inauguration activities for any candidate or slate of candidates elected to office

Independent Expenditure: The expenditure of money or other things of value for a communication which expressly advocates the election or defeat of a clearly identified candidate, or slate of candidates and which is made without any coordination, consultation, or cooperation with any candidate, campaign committee, or any authorized person acting on behalf of any of them, and which is not made in concert with, or at the request or suggestion of any candidate, campaign committee, or any authorized person acting on behalf of any of them

In-kind Contribution: A non-monetary contribution such as goods, services, or advertising in excess of $100 per election, per contributor, or a series of similar donations which in the aggregate, exceeds a value of $100 per election, per contributor

Itemized Contribution *(Contributions Exceeding $100 in the Aggregate)*: Listing of a contribution by name, address, date, amount of the contribution, age if under 18, occupation and employer, or if the contributor is self-employed, the name under which the contributor is doing business

KAR: Kentucky Administrative Regulations

KRS: Kentucky Revised Statutes

PAC: Acronym for Political Action Committee; under KRS Chapter 121, committees organized as PACs are called "Permanent Committees" (see "Permanent Committee" below)

Permanent Committee: A group of individuals, including an association, committee or organization, which is intended to be a permanent organization having as a primary purpose expressly advocating the election or defeat of one or more clearly identified candidates, slates of candidates, or political parties, which functions on a regular basis throughout the year

Political Issues Committee: A group of three or more persons joining together to advocate or oppose a constitutional amendment or public question which appears on the ballot if that committee receives or expends money in excess of $1,000

Political Party: An organization that nominates or selects a candidate or slate of candidates for election (also known as an Executive Committee)

Registry: Kentucky Registry of Election Finance

Slate of Candidates: Any two persons who have filed a joint notification and declaration to bring about their nomination for election to the offices of Governor and Lieutenant Governor

Subdivision or Affiliate of Political Party: Any organization that is under the control or direction of the State Committee and is responsible for the day-to-day operation of the political party at the county or district level

Testimonial Affair: An affair held in honor of a person who holds office or who is, or was, a candidate for nomination or election to a political office in this state, designed to raise funds for any purpose not charitable, religious, or educational

Vote Buying: Giving someone something of value to secure his or her vote

Notes:

Complying with Other Laws

In addition to complying with campaign finance law, campaigns may be subject to laws and rules outside the Registry's jurisdiction. This Appendix lists some of the agencies that the campaign may wish to contact.

Employee Information

Federal Withholding Information for Employees, Independent Contractor Rules, Federal Filing and Deposit Requirements for Payroll Tax Returns

Internal Revenue Service
1-800-829-1040

Obtain a Federal Employer Identification Number (EIN)

Internal Revenue Service:	Telephone	1-800-829-4933
	Fax	1-859-669-5760
	http://www.irs.gov/pub/irs-pdf/fss4.pdf	

Social Security and Medicare Taxes

Social Security Administration: 1-800-772-1213

Obtain Kentucky Withholding and Sales Tax Account Numbers

Department of Revenue
Registration Compliance Section
502-564-3371

Assistance Completing Kentucky Withholding Tax Section

Department of Revenue
Withholding Tax Section
502-564-7287

Obtain an Unemployment Insurance Number

Kentucky Office of Employment and Training
Unemployment Insurance
502-564-2272

Sale and Distribution of Campaign Items

Assistance Completing Kentucky Sales Tax Forms

Department of Revenue
Sales and Use Tax Section
502-564-5170

Selling or Serving Alcoholic Beverages at Functions

Cabinet for Environmental and Public Protection
Office of Alcohol Beverage Control

Selling or Serving Liquor
502-564-4850

Selling or Serving Beer
502-564-4850

The Legality of Raffles, Drawings or Other Games of Chance

Cabinet for Environmental and Public Protection
Office of Charitable Gaming
502-573-5528
1-800-729-5672

General Information

Determine Whether a Business is Incorporated

Kentucky Secretary of State
Corporations Division
502-564-7330
http://www.sos.ky.gov/

Registered Voter Lists, Mailing Labels, Campaign Advertising at the Polling Place

State Board of Elections
502-573-7100
http://www.elect.ky.gov/

Political Advertising Broadcast Disclaimer Questions

Federal Communications Commission (FCC)
Political Division
Telephone 202-418-1440
FAX 202-418-1124

Federal Election Regulations

Federal Elections Commission (FEC)
1-800-424-9530
http://www.fec.gov/

Health Permits for Serving Food

Contact the local heath department where the food is being served. A listing of local health departments can be obtained from the Department for Public Health, Food Safety Branch, 502-564-7181

Bulk Mail Postal Permit

United States Postal Service
Contact the local Post Office.

Ethics Questions

Executive Branch Ethics Commission
502-564-7954
http://ethics.ky.gov/

Legislative Ethics Commission
502-573-2863
http://www.lrc.ky.gov/

Judicial Ethics
Judicial Branch
State Law Library
502-564-4193

Political Parties

Democratic Party of Kentucky
260 Democratic Drive
Frankfort, KY 40601
502-695-4828
http://www.kydemocrat.com/

Republican Party of Kentucky
105 W. 3rd Street
Frankfort, KY 40601
502-875-5130
http://www.rpk.org/

Index

A

Abbreviations 1
Advisory Opinions 1, 107
Aggregate 58
Alcoholic Beverages 114
Allowable Expenditures 43
Appointment of Campaign Treasurer & Optional
  Request for Reporting Exemption 7
Appointment of Campaign Treasurer & Optional
  Request for Reporting Exemption Form 10
Audits 47

B

Balance Statement - Summary Page 94
Ballot Access 6
Bank Account 55
Bank Loans 37
Bulk Mail Postal Permit 115
Business, Incorporated 115

C

Campaign Advertising 115
Campaign Bank Account 55
Campaign Property 29
Campaign Treasurer 6
Candidate 3
  Intent/Filing Form
    Acknowledgement 16
Charitable Contributions 40
Circumventing the Limits 41
Citations 1
Closing the Campaign 101
Complaints 105
Contributions
  Accepting 56
  After the Election 52
  Candidate 29
  Definition 27
  Excessive 63
  From Other Candidates 40
  From PACs 59
  From Partnerships 60
  From Spouses 60
  In the Name of Another 40
  In-kind 28
    Discounts 28
    Goods 28
    Services 29
  Individual 61
  Insufficient Funds 63
  Items Not Considered 35-38
  Joint 59
  Limitations
    Anonymous 34
    Cash 34
    Cashier's Check 34
    Executive Committee 35
    Minors 30
    Money Order 34
    PAC 34
  Limits 32
    Limit Chart 33
  Loans
    Individuals 29
  Monetary 27
  Other Receipts 41
  Partnership 60
  Prohibited 39
    Charitable 40
    Circumventing the Limits 41
    Corporate 39
    Federal Campaign Accounts 40
    Foreign Nationals 40
    Name of Another 40
    Other Candidates 40
    Questionable 41
  Refund 63
  Treasurer's Services 36
  Types
    Exceptions to In-kind 28
    In-kind 28
    Monetary 27
  Unwanted 63
  What Is a Contribution? 27
Contributors
  Contributing Organization 31
  Contributing Organization Form (Sample) 62
  Minor 30
  Natural Person 30
  Out-of-State 31
  Partnership 31
  Permanent Committee 31
  Person 31
  State or County Executive Committee 31
Corporation, Status of a Corporation 39, 115
Custodian of Records 102

D

Declaration of Notification 6
Debts and Obligations 67
  Loans 67
  Other than Loans 67
  Owed by the Campaign 67
Democratic Campaign Committee State
  Headquarters 116
Disbursements
  Adjustments 65
  Joint 65
  Multiple Purposes 65
Disclaimers 50
Disposition of Unexpended Campaign Funds 101
Duties of the Treasurer 53

E

Election Finance Statement 77
Electronic Reporting 56
Employee Information 113
Ethics Questions 116
Events 47
Events and Fundraiser Functions 47
Excessive Contribution 63
Executive Branch Ethics Commission 116
Expenditures
  Allowable 43
    General Assembly Members 44
  Independent 37
  NOT Allowable 45
  What Is an Expenditure 43
Expenses
  Disbursements 64
  Expenditures 64
  Treasurer's Responsbility 64
Extension of Credit 30

F

Federal Campaign Accounts 40
Federal Election Regulations 115
Federal Employer Identification Number (FEIN) 113
Filing (Acknowledgement of) 16
Filing Amendments 75
Filing papers 6
Foreign Nationals 40
Free Publications 2
Fundraiser
  Person 47
  Raffle 52, 114

G

Gaming, Games of Chance 52, 114
General Provisions 47

H

Health Permits for Serving Food 115
Help 1

I

Important Dates 71-73
In-Kind Expenditures Under $100 28
Inaugural Committee
  Contributions 102
  Disclaimer 50
  Expenditures 2
  Other Duties 103
  Penalties 104
  Prohibitions 104
  Registering 102
  Reporting Requirements 104
Independent Expenditures 37
Independent Expenditures Form (Sample) 38
Insufficient Funds 63
Interest Income 41
Internal Revenue Code 48
Internet Web Site 2
Investments 64
Disbursements
  Invoices 65
Itemize 58
Items Exempted 51
Items Not Considered Expenditures 46

J

Judicial Candidates 13
Judicial Ethics 116

K

Kentucky Sales Tax Forms 114
Kentucky Withholding and Sales Tax Account
    Numbers 113

L

Legislative Ethics Commission 116
Letter of Intent 17
Letter of Intent (Sample) 18
Loans 29, 37, 67
  Initial Receipt 67
  Repayments 67

M

Mailing Labels 115
Medicare Taxes 113

N

New Treasurer 55

O

Offsets to Operating Expenditures 42

P

Penalties 107
Political Advertising 115
Political Advertising Rate 49
Political Committee Registration 12
Political Committee Registration Form 14
Political Parties 116
Procedures 105
  Complaints 105
  Referrals for Prosecution 106
  Right to Appeal 107
Proceeds From Sales 30
Prohibited Activities 49
  Political Advertising Rate 49
  Solicitation of State Employees 49
  Vote Buying 49
Public Inspection of Reports 48

Q

Questionable Contributions 41
Questions Commonly Asked by Candidates 52

R

Raffles, Drawings or Other Games of Chance 52, 114
Receipts
  Reportable 41
    Bank Loans 41
    Interest Income 41
    Offsets to Operating Expenditures 42
Reconciling the Bank Account 75
Records 102
  Custodian 102
  Public Inspection 48
  Record Retention 48
  Retention 48
Records of Contributions/Receipts 56
Referrals for Prosecution 106
Refund 63
Registry Staff Assistance 1
Reimbursements 66
Reporting & Record Keeping 53
Reporting Forms 55
Reporting Period 56
Reports
  Contributing Organization 61
  When to File
    Annual Reporting 75
    Reporting Period 70
    Supplemental 74
  Where to File 69
Republican Party of Kentucky 116
Review of Expenditures 46
Rescind Optional Request for Exemption 8
Rescind Optional Request for Exemption Form 10
Right to Appeal 107

S

Sale and Distribution of Campaign Items 114
Sample Appointment of Campaign Treasurer Form 6
Sample Campaign Contribution Card 57
Sample Contributing Organization Form 62
Sample Independent Expenditure Form 38
Sample Letter of Intent 18
Sample Political Committee Registration Form 14
Sample Rescind Optional Request for Exemption Form 8
Sample Optional Request for Exemption Form 7
Sample Waiver from Filing Form 15
Social Security 113
Solicitation of State Employees 49
Supplemental Reporting 74
Summary Page - Balance Statement 68, 93, 94
Surplus Campaign Property 101

T

Termination Report 102
Transfers of Funds for Investment 64
Travel 44
Treasurer (New) 55
Treasurer's Duties 53
Treasurer's Services 36

U

Unemployment Insurance Number 114
Unwanted Contributions 63

V

Volunteer Activity 36
Vote Buying 49
Vote Hauling 66
Voter Lists 115

W

Waiver from Filing 12
Waiver from Filing Form (Sample) 15

Notes: