

ADM-2.14 - Distribution of Funds to Certified Candidates

DISTRIBUTION OF FUNDS TO CERTIFIED CANDIDATES

Administrative Rule Adopted by the City Auditor Pursuant to Rule-Making Authority

ARB-ADM-2.14

A. Purpose

To provide a process and procedure for the timely distribution of funds to certified Campaign Finance Fund candidates.

B. Authority

Code Section 2.10.020 authorizes the Auditor to adopt rules to ensure effective administration of the Campaign Finance Fund, including distribution of funds to certified candidates.

C. Rules

1. City Accounts Payable Setup.

a. Upon the issuance of a determination letter granting certification status to a participating candidate pursuant to Administrative Rule ARB-ADM-2.10, the Auditor shall provide the Accounting Division of the Office of Management & Finance with information necessary to establish the candidate's principal campaign committee in the City's accounts payable system.

b. To facilitate the timely submission of required information to the Accounting Division, the Auditor shall require all participating candidates to file a "Substitute W-9" form at the time of filing a Request for Certification. This form provides information necessary to establish the candidate's principal campaign committee in the City's accounting system.

1) The candidate must include the principal campaign committee's federal employer identification number on the form. The IRS requires all political committees, including candidates for local office, to have an employer identification number. See the IRS website at www.irs.gov and the Secretary of State's Campaign Finance Manual for more information about IRS reporting requirements.

2) The candidate should check the "Other" box and write in "Political Committee/Tax Exempt" on the form. It is the candidate's responsibility to ensure that all State and Federal Tax Reporting requirements, if any, are met. The City will not provide 1099 Reports for payments to certified candidates from the Campaign Finance Fund.

2. Manner of Distribution of Funds. The Auditor will authorize distribution of revenues from the Campaign Finance Fund to the principal campaign committees of certified candidates by the most expeditious means practicable that ensures accountability and safeguards the integrity of the Fund. Such means may include, but are not limited to, checks payable to the certified candidate's principal campaign committee.

3. Timing of Distribution of Funds. Per City Code Section 2.10.100, the Auditor will distribute funds to certified candidates as follows:

a. Initial Primary Allocation.

1) If the determination letter granting certification status is issued before the 90th day immediately preceding the primary election:

a) The Auditor shall distribute 30% of the initial primary allocation amount available within 10 business days of issuance of the letter.

b) The Auditor shall distribute the remaining 70% of the initial primary allocation amount available within 5 business days after the 90th day immediately preceding the primary election.

2) If the determination letter granting certification status is issued on or after the 90th day immediately preceding the primary election, the Auditor shall distribute 100% of the initial allocation amount available within 10 business days after issuance of the letter.

b. Initial General Allocation. Certified candidates who are nominated under the provisions of Code Chapter 2.08 at the primary election are eligible for additional funds from the Campaign Finance Fund as follows:

1) The Auditor shall distribute 30% of the initial general allocation amount available within 30 days after the primary election except that:

a) For Mayor, Commissioner or Auditor elections where the Auditor is not a candidate, the Auditor may extend the deadline for distributing funds in the case of a recount or other circumstances that make distribution impracticable within the established timeline.

b) For Auditor elections where the Auditor is running for reelection, the Citizen Campaign Commission may extend the deadline for distributing funds in the case of a recount or other circumstances that make

distribution impracticable within the established timeline.

- 2) The Auditor shall distribute the remaining 70% of the initial general allocation amount available within 5 business days after the 120th day immediately preceding the general election.
- c. In the case of special elections to fill a vacancy in office, the Auditor shall establish a similar schedule by rule.

4. Initial Fund Allocations.

a. Initial Primary Allocation. Except as outlined in c. below, the amount of funds to be distributed to each certified candidate in the primary election is as follows:

- 1) Mayor candidates - \$200,000
- 2) Commissioner candidates - \$150,000
- 3) Auditor candidates - \$150,000

b. Initial General Allocation. Except as outlined in c. below, the amount of funds to be distributed to each certified candidate who is nominated under the provisions of Code Chapter 2.08 at the primary election is as follows:

- 1) Mayor candidates - \$250,000
- 2) Commissioner candidates - \$200,000
- 3) Auditor candidates - \$200,000

c. Modifications to Allocation Amounts.

1) Per Code Section 2.10.110 B., the amount of the initial primary allocation shall be reduced by an amount equal to the aggregate total of:

a) Seed money contributions received by the candidate during the applicable exploratory and qualifying periods, as indicated on Form AUD 210-S; and

b) Qualifying contributions received by the candidate during the applicable qualifying period, as indicated on Form AUD 210-S.

2) Per Code Section 2.10.100 F, the Auditor shall not distribute revenues from the

Campaign Finance Fund to certified candidates in excess of the total amount of monies available in the Fund.

a) Per Code Section 2.10.170 B., if the Auditor determines that the amount deposited in the Campaign Finance Fund will be insufficient, the Auditor shall request the additional amount the Auditor estimates will be necessary from the City Council subject to the annual appropriation limit detailed in Code Section 2.10.040 A.

b) If the City Council does not authorize sufficient additional appropriation, the Auditor shall reduce the amount of monies distributed to certified candidates per Administrative Rule ARB-ADM-2.18.

3) Per Code Section 2.10.160 B., if the first post-election statement filed by a certified candidate who was nominated at primary election shows any unspent revenues from the initial primary allocation, the initial general allocation shall be reduced by an amount equal to the aggregate amount of unspent revenues received in the initial primary allocation.

4) Per Code Section 2.10.110 C., if after the candidate withdrawal deadline the certified candidate is the only candidate qualified to appear on the ballot for that particular office:

a) No revenues shall be distributed to that candidate.

b) If the certified candidate previously received part or all of the initial primary allocation:

i) The candidate shall deliver to the Auditor an amount of money equal to the funds distributed to the candidate from the Campaign Finance Fund.

ii) The deadline to return the funds to the Auditor is no later than the filing deadline of the first pre-election statement required under ORS 260.058(1).

iii) The Auditor shall deposit the funds in the Campaign Finance Fund pursuant to Administrative Rule ARB-ADM-2.18.

5. Matching Fund Distributions. Matching funds shall be distributed to eligible certified candidates pursuant to Administrative Rule ARB-ADM-2.15.

D. City Code References

2.10.100 Timely Distribution of Funds

2.10.110 Campaign Spending Limits for Certified Candidates.

2.10.160 Return of Unspent Funds to Campaign Finance Fund.

E. Forms

Substitute W-9 (from OMF Accounting Division)

AUD 210-S (Seed Money Report).

[Forms are available for download on City Elections website.](#)

History

Adopted by the City Auditor August 25, 2005.

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