

ADM-2.15 - Matching Funds to Certified Candidates

MATCHING FUNDS TO CERTIFIED CANDIDATES

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

ARB-ADM-2.15

A. Purpose

To provide a process and procedure for requests, determination, and distribution of matching funds to eligible certified candidates.

B. Authority

Code Section 2.10.020 authorizes the Auditor to adopt rules to ensure effective administration of the Campaign Finance Fund. Code Section 2.10.150 also authorizes the Auditor to adopt rules and procedure for matching fund requests, determination and distribution.

C. Rules

1. Matching Funds Available. In addition to the initial primary and general allocations distributed to certified candidates pursuant to Administrative Rule ARB-ADM-2.14, certified candidates may also be eligible to apply for limited matching funds as follows:

a. Nonparticipating Candidate Matching Funds.

1) Matching funds are triggered if a nonparticipating candidate report shows that a nonparticipating candidate for the same position has received contributions or made expenditures in an aggregate amount that exceeds:

a) Primary Election:

i) Mayor Elections - \$200,000

ii) Commissioner Elections - \$150,000

iii) Auditor Elections - \$150,000

b) General Election:

i) Mayor Elections - \$250,000

ii) Commissioner Elections - \$200,000

iii) Auditor Elections - \$200,000

2) Once the trigger amount has been reached, certified candidates may file a request for matching funds to be distributed in an amount equal to 100% of the amount of contributions or expenditures that exceeds the trigger amount, subject to the limitations in C.2. below.

3) For the purposes of this rule, "Nonparticipating candidate reports" include regular campaign finance reports required by ORS 260.058 (1) or 260.068 (1) and 100% Reports and Increment Reports required by Administrative Rule ARB-ADM-2.13.

b. Independent Expenditure Matching Funds.

1) Matching funds are triggered if a City Independent Expenditure Report required by Administrative Rule ARB-ADM-2.14 shows that the aggregate amount of independent expenditures made in support of an opposing candidate or in opposition to the certified candidate for nomination or election to city office exceeds the amounts below:

a) Primary Election:

i) Mayor Elections - \$200,000

ii) Commissioner Elections - \$150,000

iii) Auditor Elections - \$150,000

b) General Election:

i) Mayor Elections - \$250,000

ii) Commissioner Elections - \$200,000

iii) Auditor Elections - \$200,000

2) Once the trigger amount has been reached, the certified candidate may file a request for matching funds to be distributed in an amount equal to:

a) In the case of independent expenditures made in support of a single opposing candidate or in opposition to a single certified candidate, 100% of the amount of contributions or expenditures that exceeds the trigger

amount, subject to the limitations of C.2. below.

b) In the case of independent expenditures made in support of more than one opposing candidate or in opposition to more than one certified candidate, 100% of the amount of contributions or expenditures that exceeds the trigger amount. If the independent expenditure is made in support of or in opposition to candidates for various offices, the amount of the expenditure eligible for matching funds shall only be that portion expended in support of or in opposition to candidates for the same office.

c. Combination Matching Funds.

1) Matching funds may also be triggered by any combination of:

a) Contributions or expenditures reported on a nonparticipating candidate report (as described in a. above).

b) Independent Expenditures reported on a City Independent Expenditure Report and made in support of an opposing candidate for the same office (as described in b. above).

c) Independent Expenditures reported on a City Independent Expenditure Report and made opposing one or more certified candidates (as described in b. above).

2) Matching funds are triggered if the combination exceeds in aggregate the amounts below, as applies to a certified candidate:

a) Primary Election:

i) Mayor Elections - \$200,000

ii) Commissioner Elections - \$150,000

iii) Auditor Elections - \$150,000

b) General Election:

i) Mayor Elections - \$250,000

ii) Commissioner Elections - \$200,000

iii) Auditor Elections - \$200,000

3) No independent expenditures shall be counted more than once in calculating the combination.

2. Matching Fund Limits.

a. Any combination of matching funds distributed to a certified candidate under this rule shall not exceed:

1) In primary elections:

a) Mayor Elections - \$200,000

b) Commissioner Elections - \$150,000

c) Auditor Elections - \$150,000

d) In primary elections where there are more than two candidates appearing on the ballot and one or more nonparticipating candidates for the same office, the maximum amount available shall be divided by all eligible certified candidates for that office.

2) In general elections:

a) Mayor Elections - \$500,000

b) Commissioner Elections - \$400,000

c) Auditor Elections - \$400,000

3. Modifications to Matching Fund Amounts. Per City 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 City 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 City 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.

4. Requests for Matching Funds.

a. To be eligible to receive matching funds, a certified candidate shall file a Matching Fund Request Form (AUD 210-M) with the Auditor. The deadline to file a request for matching funds shall be one week after the applicable election date. The request shall include:

1. The amount of matching funds the candidate believes he or she is eligible to receive;
2. The type of matching funds he or she is requesting (nonparticipating, independent expenditure or combination); and
3. Information about the nonparticipating candidate report or independent expenditure that the candidate believes triggers the matching funds.

b. If the request is from a certified candidate for Auditor and the Auditor is running for re-election, the Auditor shall immediately forward the request to the Citizen Campaign Commission for evaluation and determination.

5. Matching Fund Determinations.

a. Upon receiving a request, the Auditor or Commission shall immediately:

- 1) Examine the original reports filed by the nonparticipating candidate or party making independent expenditure to determine:
 - a) If matching funds have been triggered for the certified candidate; and
 - b) The total amount of matching funds that have been triggered.
- 2) The Auditor or Commission shall then examine any previous matching fund requests from the certified candidate to determine how much of the applicable matching fund limit is still available.

b. Except as provided in c. below, the Auditor shall issue a determination letter within one business day after receiving a Matching Funds Request Form (AUD 210-M) from a certified candidate.

c. If the request is from a certified candidate for Auditor and the Auditor is running for

re-election, the Citizen Campaign Commission shall issue a determination letter within one business day after receiving the request.

d. If the Auditor or Commission determines that the certified candidate is not eligible to receive matching funds, the letter shall detail the reasons for this decision.

e. Matching funds determinations may be challenged under Code Section 2.10.230 and Administrative Rule ARB-ADM-2.21.

6. Manner of Distribution of Funds. The Auditor will authorize distribution of revenues from the Campaign Finance Fund to any candidate for whom a Matching Funds Determination Letter has been issued granting matching funds 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. To provide for prompt distribution of matching funds, the Auditor will notify the candidate and/or treasurer by phone or e-mail when the payment is available to arrange for pickup.

7. Timing of Distribution of Funds. The Auditor shall distribute matching funds within five business days after the Determination Letter is issued granting matching funds. The Auditor shall make every effort to ensure prompt distribution and whenever practicable, distribute the matching funds in less than five business days.

D. City Code References

2.10.150 Limited Matching Funds

2.10.230 Hearings

E. Forms

AUD 210-M Matching Fund Request

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

History

Adopted by the City Auditor August 25, 2005.

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