

**STATE OF WEST VIRGINIA**  
**Candidate's Certificate of Announcement for 2016 Partisan Elections**  
(WV Code §3-5-7)

**THIS FORM MUST BE COMPLETE IN ORDER TO BE ACCEPTED. READ INSTRUCTIONS CAREFULLY.**

(1) **Date of Election:** (Check one)

☐ Primary - May 10, 2016

☐ General - November 8, 2016

☐ Unexpired Term

(2) **Name of office sought:** \_\_\_\_\_

(3) **District:** \_\_\_\_\_

(4) **Candidate's Legal Name:** \_\_\_\_\_  
(First, middle and last name)

(5) **Candidate's Name to appear on Ballot:** \_\_\_\_\_  
(limited to 25 characters)

(6) **I am a resident and legally qualified voter of the county of:** \_\_\_\_\_

(6)(a) **Magisterial District:** (if applicable) \_\_\_\_\_

(7) **Current residence address:** \_\_\_\_\_  
(Specific address where candidate resides at time of filing.)

(8) **Mailing Address:** \_\_\_\_\_  
(if different from residence address above)

\_\_\_\_\_  
Daytime Phone (for public use)

\_\_\_\_\_  
Email Address (for public use)

\_\_\_\_\_  
Campaign Phone (for public use)

\_\_\_\_\_  
Campaign Web Site

\_\_\_\_\_  
Campaign Committee Name (if applicable)

(9) **I am a member of and affiliated with the following political party:** \_\_\_\_\_. I am a member of and affiliated with this political party as evidenced by my current voter's registration and I have not been registered as a member of another political party within 60 days of this date. (W.Va. Code §3-5-7(d)(6))

**I swear and affirm that I am a candidate for this office in good faith, that I am eligible and qualified to hold this office and that the information provided on this form is true.**

\_\_\_\_\_  
Candidate's Signature (Must be notarized)

\_\_\_\_\_  
Date

(Notary Public use only)

State of \_\_\_\_\_, County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public or official authorized to give oaths

# Instructions for completing Candidate's Certificate of Announcement

Any candidate who seeks nomination or election to an office to be filled by election in any primary or general election within the state shall file a complete certificate of announcement, under oath, and pay the required fee with the proper filing officer and within the required time.  
[WV Code §3-5-7]

- (1) The date of the election in which the candidate seeks to appear on the ballot.
- (2) The name of the office sought.
- (3) The district name.
- (4) The legal name of the candidate. This must include first, middle and last name.
- (5) The exact name the candidate desires to appear on the ballot, subject to limitations prescribed in WV Code §3-5-13 and WV CSR §153-14. (Use no more than 25 characters.)
- (6) The county of residence and a statement that the candidate is a legally qualified voter of that county.
- (6) (a) The magisterial district of residence for candidates elected from magisterial districts or under magisterial district limitations. Magisterial district name required only for candidates for County Commission.
- (7) The specific address designating the location at which the candidate resides at the time of filing, including number and street or rural route and box number, and city, state and zip code.
- (8) Mailing address, if different than residence address.
- (9) The name of the candidate's political party, as registered. The candidate must not have been registered as a voter affiliated with any other political party for a period of sixty (60) days before the date of the filing announcement.

## **\*\*IMPORTANT REMINDER\*\***

**YOU ARE SWEARING TO THE TRUTH OF THE INFORMATION PROVIDED AND YOUR SIGNATURE MUST BE NOTARIZED**

### **OTHER IMPORTANT REMINDERS:**

- ▶ Pay the appropriate filing fee in the appropriate office.
- ▶ **File your certificate of announcement within the filing period.** Filings received before January 11, 2016 will be returned. Filings for all offices must be **received** by the correct filing officer or postmarked by the U.S. Postal Service no later than midnight, January 30, 2016.
- ▶ **Do not file for more than one office.** If you file for more than one office and do not withdraw from all but one before the close of the filing period, you will not be placed on the ballot for any office.
- ▶ **Your position on the ballot will be decided by RANDOM DRAWING at 9:00 A.M. FEBRUARY 23, 2016.** Each county clerk in the state will begin a drawing for ballot positions for all offices at this time. You or your representative may attend.

## **THIS IS YOUR NOTICE OF THE BALLOT DRAWING**

- ▶ **If you decide to withdraw, you must do so by filing an application by the deadline.** The law sets February 16, 2016 (third Tuesday following the close of candidate filing) as the last day for your withdrawal to be **received** by the filing officer to remove your name from the primary election ballot.
- ▶ **File your personal financial disclosure form with the West Virginia Ethics Commission.** You should receive the ethics form when you file this certificate. If not, contact the Ethics Commission at 558-0664. This disclosure is due within 10 days after you file your certificate of announcement. Candidates for federal office and Delegate to National Convention are not required to file.

**Filing period:** January 11, 2016 through midnight January 30, 2016. (If mailed, must be post-marked by USPS by midnight on January 30, 2016.)

**Filing location:** Secretary of State's Office for Statewide, Multi-County and ALL State Senate and House of Delegates offices

President	\$2,500.00	County Commission	Filing fee is 1% of annual salary and based on county classification Contact the County Clerk's office for the filing fee amount.
U.S. House of Representatives	\$1,740.00	County Clerk	
Governor	\$1,500.00	Circuit Clerk	
Secretary of State	\$950.00	Prosecuting Attorney	
Auditor	\$950.00	Sherriff	
Treasurer	\$950.00	Assessor	
Commissioner of Agriculture	\$950.00		
Attorney General	\$950.00	Surveyor	\$10.00
State Senate	\$200.00	Greater Huntington Park & Recreation District	\$10.00
House of Delegates	\$100.00		

\* Filing fees are based on figures available at time of printing

**PLEASE RETURN THIS FORM TO YOUR COUNTY CLERK OFFICE BY FEBRUARY 12, 2016. YOUR NAME WILL NOT BE INCLUDED ON THE AUDIO BALLOT IF IT IS NOT RETURNED BY THIS DATE.**

*Pronunciation Instructions*

- In the “NAME ON BALLOT” column, enter the name as it appears on your ballot (First, Middle Last).
- In the “PRONOUNCED AS” column, enter the breakdown of syllables within the name, using rhyming words for each syllable that match the proper pronunciation of the name. If possible, rhyme the entire name. When this is not an option, please rhyme each syllable accordingly. Be sure to capitalize the syllables of the name that are annunciated.
- Please do not pick and choose pronunciations by apparent difficulty. Names that may appear commonplace may have inflections not standard to the name. This will help to alleviate many timely corrections.
- Please see the below example for details:

NAME ON BALLOT	PRONOUNCED AS
Monte Anthony	Monte (Rhyme: Jaunty)
Robert Maniscalco	Maniscalco (Rhyme: Mana – Falco)
Sue Jahn	Jahn (Rhyme: fawn) ‘J’ = ‘H’ sound Hawn
Tangipahoa	TANgi (Rhyme: Tangiers) Pa (Rhyme: Paw) HO (Like the garden tool HOE) A (Rhyme: Sud)
Tanya Smither	Tan (Rhyme: Taught, not Tan) ya
Tim Beauprez	Beauprez (Rhyme: hooray)
William Mishaud	Mishaud (Rhyme: ME-show) ‘d’ is silent

Candidate Name: \_\_\_\_\_

Office: \_\_\_\_\_ District: \_\_\_\_\_

NAME AS IT IS TO APPEAR ON BALLOT	PRONOUNCED AS



# CODE OF FAIR CAMPAIGN PRACTICES

STATE ELECTION COMMISSION

Gary A. Collias, Chair

Taylor B. Downs

Vincent P. Cardi

Vacant

The Hon. Natalie E. Tennant, Secretary of State (Ex-Officio Member)

**The State Election Commission and the Secretary of State invite you to subscribe and adhere to the Code of Fair Campaign Practices. If you decide to participate and are running for a county office, please file this document with your county clerk; for a statewide, legislative or judicial office, please file with the Secretary of State.**

## THIS CODE IS VOLUNTARY; HOWEVER, IT HAS BEEN AUTHORIZED BY CHAPTER 3, ARTICLE 1B OF THE WEST VIRGINIA CODE

There are basic principles of decency, honesty and fair play which every candidate for public office in the United States has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free choice and the will of the people may be fully and clearly expressed on the issues before the country. THEREFORE:

I SHALL CONDUCT this campaign openly and publicly, discussing the issues as I see them, presenting positions and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of candidates or political parties which merit such criticism.

I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.

I SHALL CONDEMN the use of campaign advertising or communication of any sort which misrepresents, distorts, or otherwise falsifies the facts regarding any candidate or issue raised in my campaign.

I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on race, sex, religion, national origin, physical disability, or age.

I SHALL NOT USE OR PERMIT any dishonest or unethical practice which tends to corrupt or undermine our system of free elections, or which hampers or prevents the full and free expression of the will of the voters including acts intended to hinder, prevent or discourage any eligible person from registering to vote, or from voting, or which is intended to affect voting through the buying of influence or votes.

I SHALL NOT COERCE election help or campaign contributions for myself or my committee or for any other candidate or any ballot issue from my employees or from any person under my authority, influence or control.

I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support on behalf of or in opposition to any candidacy deriving from any individual or group which resorts to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any subordinate or associate who violates any provisions of this code or the laws governing elections.

I PERSONALLY SUPPORT a limit on campaign expenditures that when reasonable, sufficient and fairly applied, does not limit or restrict the expression of ideas of the candidate or others on behalf of the candidate, but instead challenges individuals to engage in open dialogue on the issues rather than merely to purchase the excessive repetition of images and slogans.

ACCORDINGLY, IF I AM A CANDIDATE for one of the offices listed below, I will, in conjunction with the committee or committees organized on my behalf, adhere to the following limits on campaign spending specified for the office I seek.

	<u>PRIMARY</u>	<u>GENERAL</u>
<b>Governor</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>
<b>Constitutional Officers</b>	<b>150,000</b>	<b>150,000</b>
<b>Supreme Court of Appeals</b>	<b>150,000</b>	<b>150,000</b>
<b>State Senate</b>	<b>50,000</b>	<b>50,000</b>
<b>House of Delegates</b>	<b>25,000</b>	<b>25,000</b>
<b>Circuit Judge</b>	<b>50,000</b>	<b>50,000</b>

*Expenditures which do not exceed the limits designated for the primary election may not be added to the limits for the general election.*

I SHALL DEFEND AND UPHOLD the right of every qualified voter to full and equal participation in the electoral process.

**I, the undersigned, a candidate for election to public office in the State of West Virginia, or the chairperson of a political committee supporting one or more candidates for election, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct this campaign in accordance with the above principles and practices. I understand that subscription and adherence to the code is voluntary.**

Date

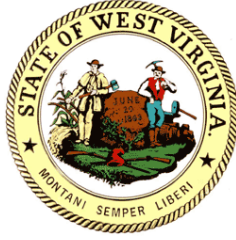
Signature

Committee for/Committee Name

Address and City

**Names of individuals signing this Code will be provided to the public. We encourage you to publicize the fact that you have signed this code and challenge your opponents to do likewise.**





Return completed and signed form to:  
WV Ethics Commission  
210 Brooks Street, Suite 300  
Charleston, WV 25301  
(304)558-0664 or 1(866)558-0664

# WV Ethics Commission Financial Disclosure Statement

## CONTACT INFORMATION & SIGNATURE SHEET

(This sheet will not be made public or placed on the Internet.)

**Please print clearly**

Filer's last name: \_\_\_\_\_ First name: \_\_\_\_\_

Spouse's last name: \_\_\_\_\_ First name: \_\_\_\_\_

County: \_\_\_\_\_

Home/residential address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Mailing address, if different: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

Daytime telephone: ( \_\_\_\_ ) \_\_\_\_\_

Alternate telephone: ( \_\_\_\_ ) \_\_\_\_\_

### Signature and Acknowledgement

I hereby acknowledge, under penalty of perjury, that the information contained in my attached Financial Disclosure Statement, including all attached worksheets, is to the best of my knowledge true, correct and complete.

Filer's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Return completed form to:  
WV Ethics Commission  
210 Brooks Street, Suite 300  
Charleston, WV 25301  
(304)558-0664 or 1(866)558-0664



Candidate information, if applicable

County : \_\_\_\_\_

Candidate for: \_\_\_\_\_

Date you filed for candidacy: \_\_\_\_\_

District or circuit if applicable \_\_\_\_\_

## West Virginia Ethics Commission Financial Disclosure Statement

Revised: 12-9-14

### Directions

- Please read and answer **every question**—even if your answer is “N/A” (not applicable). Incomplete original Statements will be returned to you for completion or correction.
- You must file a new Financial Disclosure Statement each year you hold or run for a public position.
- If this is your annual filing, the Statement is due by February 1.
- If you are a new appointee, this Statement is due within 30 days of the date of your appointment.
- If you are a candidate for public office, this Statement is due within 10 days of filing your *Certificate of Candidacy*.
- The information you provide on this Statement covers the prior calendar year.
- You may attach additional pages to this form if necessary.

### 1. Name of filer and spouse

Filer's last name \_\_\_\_\_ First name \_\_\_\_\_

Spouse's last name \_\_\_\_\_ First name \_\_\_\_\_

County of residence \_\_\_\_\_

Business (employment) address \_\_\_\_\_

City/state/zip \_\_\_\_\_

### 2. Elective Office

Do you currently hold a county, circuit or state elected office? Yes \_\_\_\_ No \_\_\_\_

If yes, title of office: \_\_\_\_\_

Are you a candidate, or do you plan to become a candidate for public office in the next election? N/A \_\_\_\_ Yes \_\_\_\_ No \_\_\_\_

If yes, for what office: \_\_\_\_\_ Date you filed for candidacy: \_\_\_\_\_

### 3. Positions on State Boards, Commissions or Agencies

List all State Boards, Commissions or Agencies on which you now serve or have served in the past 12 months through appointment by the Governor. ☐ Mark here if N/A

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Name: \_\_\_\_\_

#### 4. Business Names

List all names under which you and/or your spouse conduct or do business. If you or your spouse are self-employed, list the name or names under which you or your spouse conducts the business, trade, sole proprietorship or profession.

☐ Mark here if no business names to report

self ☐ spouse ☐

self ☐ spouse ☐

self ☐ spouse ☐

#### 5. Employment

For you and your spouse, list the name and address of each full-time or part-time employer(s) during the preceding calendar year. Include all employment with city, county or state government as well as employment in the private sector. Provide your job title and a general description of your job duties. For purposes of this question, an employer is one who provides you with a W-2 form. This does not include self-employment if listed elsewhere on the Financial Disclosure Statement.

☐ Mark here if neither you nor your spouse were employed during the past year.

Employer Name and Address		Job title and duties of your position
self <input type="checkbox"/> spouse <input type="checkbox"/>	1.	
self <input type="checkbox"/> spouse <input type="checkbox"/>	2.	
self <input type="checkbox"/> spouse <input type="checkbox"/>	3.	
self <input type="checkbox"/> spouse <input type="checkbox"/>	4.	

#### 6. 20% Gross Income Categories for you and your spouse

Did you or your spouse receive more than 20% of your gross income during the past calendar year from any one or more of the categories listed below? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, mark with an 'X' all categories that apply to you and/or your spouse.

self	spouse	self	spouse	self	spouse
<b>COMPANIES</b>		<b>MINING</b>		<b>GOVERNMENT</b>	
<input type="checkbox"/>	<input type="checkbox"/> Advertising	<input type="checkbox"/>	<input type="checkbox"/> Surface mining	<input type="checkbox"/>	<input type="checkbox"/> City or town
<input type="checkbox"/>	<input type="checkbox"/> Beer, wine or liquor (or distributor)	<input type="checkbox"/>	<input type="checkbox"/> Mining equipment	<input type="checkbox"/>	<input type="checkbox"/> County
<input type="checkbox"/>	<input type="checkbox"/> Brokerage/Financial Advisor	<input type="checkbox"/>	<input type="checkbox"/> Deep mining	<input type="checkbox"/>	<input type="checkbox"/> State
<input type="checkbox"/>	<input type="checkbox"/> Cable television	<b>OIL OR GAS</b>		<b>ASSOCIATIONS OR ORGANIZATIONS</b>	
<input type="checkbox"/>	<input type="checkbox"/> Chemical	<input type="checkbox"/>	<input type="checkbox"/> Retail	<input type="checkbox"/>	<input type="checkbox"/> Labor Association/Organization
<input type="checkbox"/>	<input type="checkbox"/> Construction	<input type="checkbox"/>	<input type="checkbox"/> Wholesale	<input type="checkbox"/>	<input type="checkbox"/> Professional Association
<input type="checkbox"/>	<input type="checkbox"/> Insurance	<input type="checkbox"/>	<input type="checkbox"/> Exploration	<input type="checkbox"/>	<input type="checkbox"/> Association that promotes gaming or lottery
<input type="checkbox"/>	<input type="checkbox"/> Interstate transportation	<input type="checkbox"/>	<input type="checkbox"/> Production & Drilling	<input type="checkbox"/>	<input type="checkbox"/> Association of public employees or public officials
<input type="checkbox"/>	<input type="checkbox"/> Intrastate transportation	<b>UTILITIES</b>		<input type="checkbox"/>	<input type="checkbox"/> Trade Association or Organization
<input type="checkbox"/>	<input type="checkbox"/> Manufacturing	<input type="checkbox"/>	<input type="checkbox"/> Electric	<b>OTHER</b>	
<input type="checkbox"/>	<input type="checkbox"/> Media	<input type="checkbox"/>	<input type="checkbox"/> Gas	<input type="checkbox"/>	<input type="checkbox"/> Economic Development
<input type="checkbox"/>	<input type="checkbox"/> Promotional	<input type="checkbox"/>	<input type="checkbox"/> Telephone	<input type="checkbox"/>	<input type="checkbox"/> Hospitals or other health care providers
<input type="checkbox"/>	<input type="checkbox"/> Race tracks	<input type="checkbox"/>	<input type="checkbox"/> Water	<input type="checkbox"/>	<input type="checkbox"/> Information Technology
<input type="checkbox"/>	<input type="checkbox"/> Recreation	<b>FINANCIAL</b>		<input type="checkbox"/>	<input type="checkbox"/> Legal service providers
<input type="checkbox"/>	<input type="checkbox"/> Retail	<input type="checkbox"/>	<input type="checkbox"/> Banks, Savings & Loan Assoc.	<input type="checkbox"/>	<input type="checkbox"/> Lobbying
<input type="checkbox"/>	<input type="checkbox"/> Timber	<input type="checkbox"/>	<input type="checkbox"/> Loan or Finance Companies		
<input type="checkbox"/>	<input type="checkbox"/> Wholesale				
<input type="checkbox"/>	<input type="checkbox"/> Waste disposal				

Name: \_\_\_\_\_

## 7. For-Profit Business

List the name and address of each for-profit business on which either you or your spouse serves on the Board of Directors or as an officer. Describe the type of business.

☐ Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a for-profit business.

Name and address of the business	Description of the business
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	

## 8. Non-Profit Organization

List the name and address of each non-profit organization on which either you or your spouse serves on the Board of Directors or as an officer. Describe the non-profit organization.

☐ Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a non-profit organization.

Name and address of the organization	Description of the non-profit
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	

## 9. Sales or Contracts with State, County or Local Government

During the past calendar year, did you or your spouse have any sales or contracts with any unit of state, county or local government? **Yes** \_\_\_\_\_ **No** \_\_\_\_\_ (Sales or contracts for goods or services may be either direct or through a partnership, corporation or association in which either you or your spouse owned or controlled more than 10 percent.)

**If yes,** identify the government agency that purchased the goods or services, and describe the nature of the goods or services. (See the instruction sheet for more information about the Ethics Act's prohibition against having an interest in a public contract under W. Va. Code § 6B-2-5(d).)

Name of Government organization	Description of goods or services provided
self spouse <b>X</b> Example: State of WV DHHR	Foster home placement studies
self <b>X</b> spouse Example: Clay County Sheriff's Department	Rental of garage space for patrol cars
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	

## 10. Adult Children – Public Employment

List the name and business address of any adult child or step-child employed by any unit of state, county or local government.

☐ Mark here if this question does not apply to you.

Name of child or step-child	Business address

Name: \_\_\_\_\_

## 11. DEBTS

**A. Owed to others:** List the names of all persons residing or transacting business in the state who you owe more than \$5,000 (in the aggregate) on the date of this Statement. Include debts you owe in the name of any other person and debts on which you are a cosigner.

You **DO NOT** have to report:

1. Debts to immediate family members, parents or grandparents
2. Home mortgages for your primary and secondary residences
3. Loans for autos maintained for the use of your immediate family
4. Student loans
5. Debts resulting from the ordinary conduct of your business, profession or occupation
6. Debts to a financial institution or to a credit card company

If any debt over \$5,000, which is otherwise non-reportable, required the approval of the state or any of its political subdivisions, or if a loan was obtained from the "Linked Deposit Program" (W. Va. Code § 12-1A-1 et seq.), you must list the debt.

☐ **Mark here if you owe no debts as described above.**

\_\_\_\_\_  
\_\_\_\_\_

**B. Owed to you:** List the names of all persons residing or transacting business in the state who owe you, in the aggregate, more than \$5,000 on the date of this Statement (either in your name or any other person's name for your use or benefit.)

You **DO NOT** have to report:

1. Debts from immediate family members, parents or grandparents
2. Debts resulting from the ordinary conduct of your business, profession or occupation
3. Demand or saving accounts in banks, savings and loan associations, or other similar depositories
4. Loans by you to any business in which you have an ownership interest

☐ **Mark here if you had no debts owed to you as described above.**

\_\_\_\_\_  
\_\_\_\_\_

## 12. GIFTS

A **gift** is anything with monetary value, including meals and beverages. If you, your spouse, and/or any of your dependents received one or more gifts whose total value is more than \$100 from a person, business or organization which has a direct and immediate interest in a governmental activity over which you have control, then list the name of each giver **UNLESS** it falls into one of the exceptions listed below. "Total value" includes the cumulative fair market value of all gifts from the same source, directly or indirectly, during the previous calendar year.

Gifts from the following sources need **NOT** be reported:

1. your spouse, child, grandchild, parents or grandparents
2. a trust established by your spouse, child, grandchild or ancestor
3. a will or lawful inheritance in the absence of a will
4. a registered lobbyist (*registered lobbyists report these expenditures on the Lobbyist Schedule A form with their Lobbyist Activity Reporting forms*)

☐ **Mark here if you received no gifts as described above.**

\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

**This page applies to questions 13 and 14 on the next page.**

**\*\* If you are an elected official, candidate or state or higher education employee, you do not need to complete Worksheet A. You must, however, answer questions 13 and 14 about you and your spouse.**

**\*\* All other filers:** If you have been appointed to serve on a State Board, Commission or Agency by the Governor and receive no compensation for your service, you may not be required to report certain financial information about your spouse. Complete Worksheet A to determine if this spousal exemption applies. You still must report your own income and business information in questions 13 and 14.

**Worksheet A (for questions 13 and 14)**

**Part 1. Are you a State Board, Commission or Agency member appointed by the Governor?**

**YES** \_\_\_\_\_ Continue to Part 2.

**NO** \_\_\_\_\_ **DO NOT** complete parts 2 or 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.

**Part 2. Do you hold another office or employment position that requires you to file this Financial Disclosure Statement?**

**YES** \_\_\_\_\_ **DO NOT** complete part 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.

**NO** \_\_\_\_\_ Continue to Part 3.

**Part 3. Complete this section to determine if you are exempt from disclosing certain financial information about your spouse in questions 13 and 14 on the next page.**

List the name of the State Board, Commission or Agency of which you are an appointed member:  
Board name: \_\_\_\_\_

**Check each box that applies:**

1. ☐ There is no compensation, per diem, salary or other payment authorized by state law for serving on this Board or Commission. (Excluding travel or expense reimbursement) Note: The test is not whether you decline compensation but whether it is authorized by code, statute or law.
2. ☐ Neither my spouse nor a business with which he or she is associated is regulated by the State Board, Commission or Agency on which I serve by appointment. ("Associated" is defined as a business in which your spouse, or his or her immediate family member, is a director, officer, owner, employee, compensated agent or holder of stock which constitutes five percent or more of the total outstanding stocks of any class. "Immediate family member" means dependent children, grandchildren or parents.)
3. ☐ Neither my spouse nor a business with which he or she is associated has a contract with, or receives any grants or appropriations from, the State Board, Commission or Agency on which I (the filer) serve.

-----  
**➔ If you have checked all three boxes in Part 3 above, then answer questions 13 and 14 on the next page as they pertain only to you.**

**➔ If you did not check all three boxes in Part 3, you must answer questions 13 and 14 in their entirety as they pertain to both you and your spouse.**

Name: \_\_\_\_\_

**13. ALL sources of income over \$1,000 including employment - (To determine if you must disclose income information about your spouse, refer to Worksheet A)**

- List every source or category of income or employment over \$1,000 received by you and/or your spouse during the preceding calendar year in your name, or by any other person for your use or benefit. Include employment even if listed elsewhere on this Statement.
- Include distributions received from retirement and pension accounts.
- Do not list specific names of clients or customers. *For example*, if you are a lawyer or an insurance agent, do not list the names of your clients.
- Do not disclose actual dollar amounts of income, only the source.

**Indicate if the income was received by you or your spouse by marking the appropriate box in the chart below.**

Categories of income over \$1,000		Description (or job title)
self <input checked="" type="checkbox"/> spouse	Example: Social Security	U.S. Government
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Example: Sold real estate	Sold residence in Beckley
self <input checked="" type="checkbox"/> spouse	Example: Farming/timber	Sold timber from my farm
self spouse <input checked="" type="checkbox"/>	Example: Employment	Teacher, Mingo County schools
self <input type="checkbox"/> spouse <input type="checkbox"/>		
self <input type="checkbox"/> spouse <input type="checkbox"/>		
self <input type="checkbox"/> spouse <input type="checkbox"/>		
self <input type="checkbox"/> spouse <input type="checkbox"/>		
self <input type="checkbox"/> spouse <input type="checkbox"/>		
self <input type="checkbox"/> spouse <input type="checkbox"/>		

**14. Business and/or Property Interests - (To determine if you must disclose business or property interests of your spouse, refer to Worksheet A)**

List the name and address of each business in which, during the past calendar year, you or your spouse held an interest with a fair market value of \$10,000 or more including, but not limited to: non-publicly owned businesses, publicly or privately traded stocks, bonds or securities, including those held in self-directed retirement accounts, and commercial real estate. (For purposes of this question, DO NOT include mutual funds or specific holdings in mutual funds or retirement accounts. However, distributions from retirement accounts must be reported in question 13 if they are greater than over \$1,000 annually.)

Attach additional sheets if necessary.

☐ Mark here if neither you nor your spouse had any interest in a business or real estate as described above.

self spouse <input checked="" type="checkbox"/>	Example: Jones Coal Hauling, 123 Main Street, Placeville WV
self <input checked="" type="checkbox"/> spouse	Example: Stonefront Apartment Building, 123 Main Street, Charleston WV 25312
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Example: Acme Bank Stock, 788 Water Street, Cincinnati OH 34343
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	



# Important Dates for the 2016 Primary Election

**January 11<sup>th</sup>, 2015 – January 30<sup>th</sup>, 2015**

- **Candidate Filing Period**

**February 16, 2016**

- **Candidate Withdrawal Deadline**

**February 16<sup>th</sup>, 2016 – May 14<sup>th</sup>, 2016**

- **Accept Applications for Mail-in Absentee Ballot from Eligible Voters**

**February 23, 2016 @ 9:00 AM**

- **Drawing for Order on Ballot**

**March 25<sup>th</sup>, 2016 – May 4<sup>th</sup>, 2016**

- **Mail Absentee Ballots**

**March 26<sup>th</sup>, 2016 – April 1<sup>st</sup>, 2016**

- **Primary-First Campaign Finance Report (or Annual Report) due. (This report covers the transactions from March 28<sup>th</sup>, 2015 through March 25<sup>th</sup>, 2016)**

**April 14<sup>th</sup>, 2016 – April 20<sup>th</sup>, 2016**

- **Publish Sample Ballot for Early Voting**

**April 19<sup>th</sup>, 2016**

- **Voter Registration Deadline**

**April 25<sup>th</sup>, 2016 – April 29<sup>th</sup>, 2016**

- **Pre-Primary Campaign Financial Reports Due (This report covers the transactions from March 26, 2016 through April 24<sup>th</sup>, 2016)**

**April 27<sup>th</sup>, 2016 – May 7<sup>th</sup>, 2016**

- **Early Voting in Person (At Union & Peterstown)**

**May 4<sup>th</sup>, 2016**

- **Deadline for Absentee by Mail Application**

**May 10<sup>th</sup>, 2016**

- **Primary Election Day.** Polls open at 6:30 AM and Close at 7:30 PM

**May 16<sup>th</sup>, 2016**

- **Canvass Returns**



# **Division of Highways Rules for the Placement of Political Signs**

**Please keep the following rules in mind when displaying campaign materials:**

- **Signs or posters cannot be placed on or above a Division of Highways right of way, which normally stretches 20 feet from the center line of a public road. Distances do vary, however, so please contact the West Virginia Division of Highways if you are uncertain (304) 558-3505.**
- **Signs or posters near rights of way must comply with the outdoor advertising statute in Chapter 17, Article 19, Section 1 of the West Virginia Code, and must also conform to any to any municipal ordinances regulating outdoor advertising.**
- **Signs or posters cannot be placed on Division of Highways traffic control signs nor block such signs, and cannot obscure the view of any connecting road or intersection.**
- **Signs or Posters cannot be placed on elements in nature, such as rocks or trees.**
- **Avoid placing material on fence posts, utility poles, or other stationary objects on private property with consent of the property owners.**
- **Political overhead banners cannot be erected over any county, state, or federal highway.**



# 2016

## RUNNING FOR OFFICE IN WEST VIRGINIA



Provided by:  
West Virginia Secretary of State's Office  
Elections Division

# RUNNING FOR OFFICE IN WEST VIRGINIA - 2016

Primary Election – May 10  
(Second Tuesday in May)

General Election – November 8  
(Tuesday following first Monday in November)

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If you have questions concerning this information, please call the West Virginia Secretary of State's Office toll-free at 1-866-767-8683. You can also visit our website at [www.wvsos.com](http://www.wvsos.com) for more information. Some information contained in this publication does not represent settled law but is only the interpretation of the Office of the Secretary of State. Until the West Virginia Supreme Court, or a Federal District or Circuit Court, has issued a ruling, interpretations may be subject to dispute. The West Virginia Secretary of State does not have legal authority to issue binding legal opinion.

**All citations in this document are to the WV Constitution, WV Code, WV Code of State Rules (CSR) or Federal law.**

# THE DECISION TO BE A CANDIDATE

Before you decide to file for office, think carefully about your personal situation and the office you may seek. File for an office that fits your abilities and other responsibilities. Public office is a serious commitment of service to the citizens of West Virginia.

## POLITICAL PARTIES

There are four recognized political parties in West Virginia:

Democratic  
Libertarian  
Mountain  
Republican

These parties will nominate candidates for offices on the General Election ballot by a primary election or by convention. Parties may also elect Delegates to the National Convention during the Primary Election. If you are a member of one of these parties and need more information, please contact your Party Chairperson for information on their nomination process.

## ELECTIONS

**Primary:** An election for political parties to nominate candidates for offices on the General Election ballot.

**The election of candidates for Nonpartisan Offices occurs at the same time as the Primary Election. Candidates for the following offices will be elected:**

- Justice of the Supreme Court\*
- Circuit Court Judge\*
- Family Court Judge\*
- Magistrate\*
- Board of Education Members
- Soil Conservation Supervisors

*\*HB 2010 passed in the 2015 legislative session requires the election for judicial offices be nonpartisan and by division, where applicable. The term of office will begin on January 1, 2017.*

**General:** An election to choose from candidates nominated in the primary election, by party convention, or by certificates of nomination, who are listed on the ballot. Write-in candidates may also be chosen, however, their names are not printed on the ballot. The voter must write the name of the candidate on the ballot if the voter wants to vote for an official write-in candidate.

## ARE YOU ELIGIBLE TO RUN?

It is your fundamental right to run for office; however, some limitations do exist. Review the requirements for the office to make sure you meet the minimum age requirement, residency requirement and other requirements. "Residence" has been defined by the West Virginia Supreme Court as the place where you actually live. A business location is not a residence. Property which you rent to someone else is not a residence. A post office box does not

establish residence. Some offices require you to be a resident for a length of time before election, by the time of filing for office or by the time of taking office.

Also, make sure you are not prohibited from running by reviewing the requirements set by the United States Constitution, West Virginia Constitution, West Virginia State Election laws and Ethics Regulations. The Secretary of State and county and municipal officials do not normally determine disputes about a candidate's eligibility. Such legal disputes are normally resolved in court.

## **CAN YOU RUN FOR OFFICE AND CONTINUE YOUR PRESENT JOB?**

Many factors can affect your ability to run for office, some of which are outlined below:

- Judicial officers and employees may run for judicial office but must resign if they announce their candidacy or file for non-judicial offices.
- Board of education members must resign upon filing for a partisan office, and members of other boards and commissions may also be restricted from political activity.
- The **Hatch Act** covers federal civil service employees and some state employees in programs financed by federal loans or grants. The Hatch Act was amended in 2012. The most current specifics of the Hatch Act can be reviewed on this website:  
<https://osc.gov/Pages/HatchAct.aspx>.

If you think a conflict might exist for you, consult with your human resources or personnel director. You may also contact the West Virginia Ethics Commission at (304) 558-0664 or [www.wv.ethics.gov](http://www.wv.ethics.gov) for more information.

SECTION I

BECOMING  
A  
CANDIDATE

# FILING AS A PRE-CANDIDATE

(WV Code §3-8-5e)

Filing for pre-candidacy is not declaring your candidacy for that office; rather, it is a tool used to better gauge your ability to raise money in support of your possible candidacy.

Before you raise money for a possible candidacy, you must first file a Pre-Candidacy Registration Form. You cannot raise money without filing this registration. On the registration form, you must declare the person who will be responsible for your committee's financial transactions, also known as the treasurer. It is the responsibility of the treasurer to receive, keep and disburse all sums of money. It is important to note that judicial candidates are prohibited from being his or her own treasurer.

## WHEN TO FILE AS A PRE-CANDIDATE

You may file for pre-candidacy no more than four years before the term of a position is up for election. If the term of the position you are seeking is less than four years, then you may file for pre-candidacy the term before the next election.

## REPORTING REQUIREMENTS OF A PRE-CANDIDATE

Every sum of money, item or service of value received, all expenditures made and liabilities incurred must be reported. The pre-candidate is required to file an annual report in accordance with the reporting schedule for campaign finances. The report must identify all contributions and expenditures subsequent to the previous report filed, if applicable.

Since all funds for the committee are the responsibility of the treasurer, it is highly recommended that you choose a treasurer for your committee early in the campaign. Candidates can be their own treasurer except in the case of judicial candidates.

## CREATING A COMMITTEE NAME

The name of your committee can be anything that is relevant to your candidacy. Some common committee names include:

Committee to Elect \_\_\_\_\_

\_\_\_\_\_for Delegate 2016

Friends of \_\_\_\_\_

**Remember that your committee name must be on all printed campaign material and advertisements, indicating that it was paid for by the committee.** No anonymous election material is permitted to be printed or published.

## COMMITTEE BANK ACCOUNT

This office strongly recommends that your committee's bank account be separate and distinct from your personal bank account. It is against the law to use campaign money for personal benefit. Mixing personal and campaign funds may lead to criminal charges.



# THE CERTIFICATE OF ANNOUNCEMENT

The Certificate of Announcement is the document filed to declare your candidacy for a specific office and have your name placed on the ballot. All required information on the form must be provided. The form must be signed and notarized. Any missing information or signatures will cause the form to be rejected. You cannot refile a corrected Certificate of Announcement after the filing deadline.

At the time of filing your Certificate of Announcement, you must also pay a filing fee. Many of the filing fees are based on the salary of the position you are seeking. If the salary of the position you seek changes, the filing fee will change accordingly.

For the 2016 election cycle, candidates must file a Certificate of Announcement during the following period:

**Monday, January 11, 2016 through midnight on Saturday, January 30, 2016.**

The Certificate of Announcement cannot be accepted prior to January 11, 2016. If the form is received or postmarked before January 11, 2016, it will be returned and must be filed only during the proper filing period. Filings that are mailed must be postmarked by the U.S. Postal Service before midnight on January 30. If you use an express shipping service (UPS, FedEx, DHL, etc.) your filing must be **received** by midnight on January 30 in the correct filing office. The dates provided by these services are not equivalent to postmarks. Check with the appropriate filing office for hours of operation on the last day of filing.

## **WHERE TO FILE:**

**Secretary of State:** candidates for Federal office, State office, State Senate, House of Delegates, Judicial office, except Magistrate, and those running for an office in more than one county

**County Clerk:** candidates for an office which is entirely within one county including Magistrate

**Municipal Recorder:** candidates for a municipal office

If you are filing with the Secretary of State, you may pay by check, credit card, cash or money order. If payment is by check and it is returned for insufficient funds, you will not be certified as a candidate. Checks should be made payable to the Secretary of State's Office.

Please contact your county clerk for specific fees for county offices and the type of payment they can accept.

\*\*\* Filing the Certificate of Announcement with the correct office is crucial. If the document is not received in the correct filing office or mailed by the deadline you will not be a candidate. **Late filings will not be accepted.** \*\*\*

**ALLOWABLE NICKNAMES ON THE BALLOT** (WV CSR §153-14-et. seq.)

A nickname may be used on the ballot by using quotation marks, parenthesis, or in lieu of the candidate's first name. A candidate may not use a title or position such as Dr., Rev., Sen., or Sheriff, or a common meaning of status, such as Sarge, Coach, or Doc. A nickname shall also be limited to one word and the length of the name on the ballot cannot be more than 25 characters.

**BALLOT POSITIONING** (WV Code §§3-5-13a and 3-6-2)

A drawing by lot will be conducted in the county clerk's office in each county to determine ballot position. The drawing for the Primary Election will be held at 9:00 a.m. on February 23, 2016 (fourth Tuesday following the close of candidate filing) and for the General Election, at 9:00 a.m. on August 30, 2016 (seventieth day preceding the election). Ballot positions shall be selected for any office or division for which more than one candidate is to be nominated.

**LAST DAY TO WITHDRAW** (WV Code §3-5-11)

The last day to withdraw your name from the ballot and decline to stand as a candidate for the office is February 16, 2016 (third Tuesday following close of candidate filing). You must file the Certificate of Withdrawal in the same filing office where you filed the Certificate of Announcement. This filing must be received in the correct filing office by the deadline. A postmark date does not apply. After that deadline, withdrawals may occur only by the approval of the State Election Commission.

**FILING WITH THE ETHICS COMMISSION** (WV Code §§6B-2-6 and 6B-2-7)

Within ten days of filing the Certificate of Announcement, candidates must file a Candidate Financial Disclosure Statement with the West Virginia Ethics Commission. The Ethics Financial Disclosure Statement is required in addition to campaign finance filings. If this statement is not returned to the Ethics Commission, the candidate's name may not be placed on the ballot or the candidate may not be allowed to take the oath of office. The Ethics forms are available where you file your Certificate of Announcement or you may print the form from the Ethics Commission website at [www.ethics.wv.gov](http://www.ethics.wv.gov). *Please note that political party executive committee candidates are not required to file this form.*

All questions on the Candidate Financial Disclosure Statement must be answered prior to submitting the form to the Ethics Commission. These financial statements are a matter of public record and can be inspected at the Ethics Commission Office. If there are any questions on how to complete this form please call the Ethics Commission at (304) 558-0664 or (toll free) 1-866-558-0664. These forms are to be returned to the following address:

**WV Ethics Commission  
210 Brooks St., Suite 300  
Charleston, WV 25301-1804**

# NONPARTISAN CANDIDATES

Nonpartisan offices are those offices for which the political party affiliation of the candidate is not identified and political parties do not nominate (by primary or other means) candidates for the office. The candidate may be registered with a political party, but that party affiliation will not be shown on the ballot. Candidates for nonpartisan offices must file a Certificate of Announcement and pay the filing fee with the designated filing office listed below. These candidates must also follow the West Virginia campaign finance filing and reporting laws.

## **JUSTICE FOR THE SUPREME COURT OF APPEALS**

<b>Term:</b>	12 years	<b>Minimum Age:</b>	30 years
<b>Salary:</b>	\$136,000	<b>Residence:</b>	Citizen of West Virginia 5 years prior to election
<b>Filing Fee:</b>	\$1,360		
<b>Qualifications:</b>	Be a member in good standing with the West Virginia State Bar; admitted to practice law at least 10 years prior to election (WV Const., Article 4-4 and 8-7)		
<b>Filing Office:</b>	West Virginia Secretary of State		

## **CIRCUIT JUDGE**

<b>Term:</b>	8 years	<b>Minimum Age:</b>	30 years
<b>Salary:</b>	\$126,000	<b>Residence:</b>	Resident of West Virginia 5 years. Must reside in circuit while in office.
<b>Filing Fee:</b>	\$1,260		
<b>Qualifications:</b>	Be a member in good standing with the West Virginia State Bar; admitted to practice law at least 5 years prior to election.		
<b>Filing Office:</b>	West Virginia Secretary of State		

## **FAMILY COURT JUDGE**

<b>Term:</b>	8 years	<b>Minimum Age:</b>	30 years
<b>Salary:</b>	\$94,500	<b>Residence:</b>	Resident of West Virginia 5 years. Must reside in circuit while in office.
<b>Filing Fee:</b>	\$945		
<b>Qualifications:</b>	Be a member in good standing with the West Virginia State Bar; admitted to practice law at least 5 years prior to election		
<b>Filing Office:</b>	West Virginia Secretary of State		

## **MAGISTRATE**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	21 years (by the time the individual takes office)
<b>Salary:</b>	\$57,500	<b>Residence:</b>	Must reside in the county in which they are elected
<b>Filing Fee:</b>	\$575		
<b>Qualifications:</b>	High school education or its equivalent; no more than one magistrate in immediate family; no past felony conviction or any conviction for moral turpitude		
<b>Filing Office:</b>	County Clerk		

## **BOARD OF EDUCATION MEMBER**

**Term:** 4 years                      **Minimum Age:** 18 years  
**Filing Fee:** \$25                      **Residence:** Resident of the county and  
magisterial district with an  
open seat

**Qualifications:** High school diploma or GED; training required prior to taking office.

**Filing Office:** County Clerk

Each of the 55 county school systems is governed by a five-member nonpartisan board of education. **No more than 2 members may be elected or serve from the same magisterial district. The residence of incumbent board members continuing in office after July 1, 2016 will govern which magisterial districts have openings.** New terms begin July 1, 2016.

## **CONSERVATION DISTRICT SUPERVISOR**

**Term:** 4 years                      **Minimum Age:** 18 years  
**Salary:** None  
**Filing Fee:** \$10

**Qualifications:** Landowner in county and an active farmer with a minimum of five years experience or a retired farmer who has had a minimum of five years experience and must have the education, training and experience necessary to carry out the duties.

**Filing Office:** County Clerk

At least 1 supervisor will be elected in each county within the 14 conservation districts in West Virginia. Because of population, Berkeley and Kanawha Counties will elect 2. Candidates for supervisor only run for the office in the county in which they reside.

For any questions regarding this position, contact the West Virginia Conservation Agency at (304) 558-2204 or [www.wvca.us](http://www.wvca.us).

# FEDERAL OFFICES

Candidates for federal office must file a Certificate of Announcement with the Secretary of State's Office to be on the ballot in West Virginia. These candidates must also follow the filing and reporting regulations of the Federal Election Commission (FEC) for campaign finance reporting.

Information on federal candidate filing and reporting requirements can be obtained at [www.fec.gov](http://www.fec.gov) or call the FEC at 800-424-9530 or 202-694-1000.

## **PRESIDENT OF THE UNITED STATES**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	35 years
<b>Salary:</b>	\$400,000*	<b>Residence:</b>	14 years resident of the U.S. and natural born citizen
<b>Filing Fee:</b>	\$2,500		

The President cannot hold office for more than 2 consecutive terms.

## **U.S. HOUSE OF REPRESENTATIVES**

<b>Term:</b>	2 years	<b>Minimum Age:</b>	25 years
<b>Salary:</b>	\$174,000*	<b>Residence:</b>	7-year citizen of the U.S
<b>Filing Fee:</b>	\$1,740		WV inhabitant when elected

One person will be elected from each of the three Congressional Districts. The term begins in January 2017.

## **CONGRESSIONAL DISTRICTS**

### **First**

Barbour  
Brooke  
Doddridge  
Gilmer  
Grant  
Hancock  
Harrison  
Marion  
Marshall  
Mineral  
Monongalia  
Ohio  
Pleasants  
Preston  
Ritchie  
Taylor  
Tucker  
Tyler  
Wetzel  
Wood

### **Second**

Berkeley  
Braxton  
Calhoun  
Clay  
Hampshire  
Hardy  
Jackson  
Jefferson  
Kanawha  
Lewis  
Morgan  
Pendleton  
Putnam  
Randolph  
Roane  
Upshur  
Wirt

### **Third**

Boone  
Cabell  
Fayette  
Greenbrier  
Lincoln  
Logan  
Mason  
McDowell  
Mercer  
Mingo  
Monroe  
Nicholas  
Pocahontas  
Raleigh  
Summers  
Wayne  
Webster  
Wyoming

# STATE OFFICES

Candidates for state office must file a Certificate of Announcement with the Secretary of State's Office to be on the ballot in West Virginia.

## **GOVERNOR**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	30 years
<b>Salary:</b>	\$150,000	<b>Residence:</b>	Resident of West Virginia
<b>Filing Fee:</b>	\$1,500		5 years prior to election

The Governor cannot hold office for more than 2 consecutive terms.

## **SECRETARY OF STATE**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	18 years
<b>Salary:</b>	\$95,000	<b>Residence:</b>	Citizen of West Virginia
<b>Filing Fee:</b>	\$950		

## **STATE AUDITOR**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	18 years
<b>Salary:</b>	\$95,000	<b>Residence:</b>	Citizen of West Virginia
<b>Filing Fee:</b>	\$950		

## **STATE TREASURER**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	18 years
<b>Salary:</b>	\$95,000	<b>Residence:</b>	Citizen of West Virginia
<b>Filing Fee:</b>	\$950		

## **COMMISSIONER OF AGRICULTURE**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	18 years
<b>Salary:</b>	\$95,000	<b>Residence:</b>	Citizen of West Virginia
<b>Filing Fee:</b>	\$950		

## **ATTORNEY GENERAL**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	18 years
<b>Salary:</b>	\$95,000	<b>Residence:</b>	Citizen of West Virginia
<b>Filing Fee:</b>	\$950		

## **STATE SENATE**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	25 years
<b>Salary:</b>	\$20,000	<b>Residence:</b>	Citizen of West Virginia 5 years prior to election and resident of district & county one year prior to election
<b>Filing Fee:</b>	\$200		

17 of the 34 seats in the state senate will be up for election to full terms in 2016. No candidate may file from a county already represented by a seated senator within the same district.

# SENATORIAL DISTRICTS

**Bold** indicates counties that are entirely within the district.

<u>District</u>	<u>Counties in District</u>
1	<b>Brooke, Hancock, Marshall, Ohio</b>
2	<b>Calhoun, Doddridge, Gilmer, Marion, Marshall, Monongalia, Ritchie, Tyler, Wetzel</b>
3	<b>Pleasants, Roane, Wirt, Wood</b>
4	<b>Jackson, Mason, Putnam, Roane</b>
5	<b>Cabell, Wayne</b>
6	McDowell, <b>Mercer</b> , Mingo, Wayne
7	<b>Boone, Lincoln, Logan, Mingo, Wayne</b>
8	Kanawha, Putnam
9	McDowell, <b>Raleigh, Wyoming</b>
10	<b>Fayette, Greenbrier, Monroe, Summers</b>
11	Grant, <b>Nicholas, Pendleton, Pocahontas, Randolph, Upshur, Webster</b>
12	<b>Braxton, Clay, Gilmer, Harrison, Lewis</b>
13	Marion, Monongalia
14	<b>Barbour, Grant, Hardy, Mineral, Monongalia, Preston, Taylor, Tucker</b>
15	Berkeley, <b>Hampshire, Mineral, Morgan,</b>
16	Berkeley, <b>Jefferson</b>
17	Kanawha

## **HOUSE OF DELEGATES**

**Term:** 2 years  
**Salary:** \$20,000  
**Filing Fee:** \$100

**Minimum Age:** 18 years  
**Residence:** Resident of district (and county, if limited) for 1 year prior to election

All 100 seats in the House of Delegates will be on the ballot in 2016. The candidate must know the correct district number before filing. The Secretary of State's Office or your County Clerk can help you identify your district.

## **HOUSE OF DELEGATES DISTRICTS**

**Bold** indicates a county entirely within one district.

*\*District 28 – the 2 members cannot be from the same county*

<b><u>DISTRICT #</u></b>	<b><u># ELECTED</u></b>	<b><u>COUNTIES IN DISTRICT</u></b>
1	2	Brooke, <b>Hancock</b>
2	1	Brooke, Ohio
3	2	Ohio
4	2	<b>Marshall</b> , Ohio
5	1	Monongalia, <b>Wetzel</b>
6	1	<b>Doddridge</b> , Pleasants, <b>Tyler</b>
7	1	Pleasants, <b>Ritchie</b>
8	1	Wood
9	1	<b>Wirt</b> , Wood
10	3	Wood
11	1	Jackson, <b>Roane</b>
12	1	Jackson
13	2	Jackson, Mason, Putnam
14	1	Mason, Putnam
15	1	Putnam
16	3	Cabell, Lincoln
17	2	Cabell, Wayne
18	1	Cabell
19	2	Wayne
20	1	Logan, Mingo
21	1	McDowell, Mingo, Wyoming
22	2	Boone, Lincoln, Logan, Putnam
23	1	Boone
24	2	Boone, Logan, Wyoming
25	1	McDowell, Mercer, Wyoming
26	1	McDowell, Mercer
27	3	Mercer, Raleigh
28*	2	<i>Monroe, Raleigh, Summers</i>
29	1	Raleigh
30	1	Raleigh
31	1	Raleigh, Wyoming



32	3	Clay, <b>Fayette</b> , Kanawha, Nicholas, Raleigh
33	1	<b>Calhoun</b> , Clay, Gilmer
34	1	<b>Braxton</b> , Gilmer
35	4	Kanawha
36	3	Kanawha
37	1	Kanawha
38	1	Kanawha, Putnam
39	1	Kanawha
40	1	Kanawha
41	1	Greenbrier, Nicholas
42	2	Greenbrier, Monroe, Summers
43	2	<b>Pocahontas</b> , Randolph
44	1	Nicholas, Randolph, Upshur, <b>Webster</b>
45	1	Upshur
46	1	<b>Lewis</b> , Upshur
47	1	<b>Barbour</b> , Tucker
48	4	<b>Harrison</b> , Taylor
49	1	Marion, Monongalia, Taylor
50	3	Marion
51	5	Monongalia
52	1	Preston
53	1	Preston, Tucker
54	1	<b>Grant</b> , Mineral, Pendleton
55	1	<b>Hardy</b> , Pendleton
56	1	Mineral
57	1	Hampshire, Mineral
58	1	Hampshire, Morgan
59	1	Berkeley, Morgan
60	1	Berkeley
61	1	Berkeley
62	1	Berkeley
63	1	Berkeley
64	1	Berkeley
65	1	Jefferson
66	1	Jefferson
67	1	Jefferson

### **DELEGATES TO NATIONAL CONVENTION**

Once the political parties have filed their party rules for the selection of delegates that information will be provided here. You may contact your party headquarters for more information.

# COUNTY OFFICES

All candidates for county office must file with their respective county clerk. The filing fee for county offices is one percent of the annual salary, except for the Greater Huntington Park and Recreation District. Because county classification is used to determine salary, please contact your county clerk for the filing fee.

All candidates for county office must be qualified voters and some offices have additional qualifications. For more information, you may contact the West Virginia Association of Counties at (304) 346-0591.

## **COUNTY CLERK**

<b>Term:</b>	6 years	<b>Minimum Age:</b>	18 years
<b>Filing Fee:</b>	Contact County Clerk	<b>Residence:</b>	County

## **CIRCUIT CLERK**

<b>Term:</b>	6 years	<b>Minimum Age:</b>	18 years
<b>Filing Fee:</b>	Contact County Clerk	<b>Residence:</b>	County

## **COUNTY COMMISSION / COUNTY COUNCIL**

<b>Term:</b>	6 years	<b>Minimum Age:</b>	18 years
<b>Filing Fee:</b>	Contact County Clerk	<b>Residence:</b>	Open magisterial district

## **PROSECUTING ATTORNEY**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	18 years
<b>Filing Fee:</b>	Contact County Clerk	<b>Residence:</b>	Must reside in West Virginia

**Other:** Admitted to practice law by the time the term begins

## **SHERIFF**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	18 years
<b>Filing Fee:</b>	Contact County Clerk	<b>Residence:</b>	Must reside in the county in which they are elected

A sheriff may only serve part or all of 2 consecutive terms.

## **ASSESSOR**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	18 years
<b>Filing Fee:</b>	Contact County Clerk	<b>Residence:</b>	Must reside in the county in which they are elected

## **SURVEYOR**

<b>Term:</b>	4 years	<b>Minimum Age:</b>	18 years
<b>Filing Fee:</b>	\$10	<b>Other:</b>	Must be licensed

Each county elects a county surveyor, but the office carries no official duties and no salary, unless the county commission contracts with the elected surveyor for specific work.

## **GREATER HUNTINGTON PARK & RECREATION DISTRICT**

### **SUPERVISORS**

**Term:** 6 years

**Minimum Age:** 18 years

**Salary:** N/A

**Residence:** Must reside in district in which they are elected

**Filing Fee:** \$10

Two commissioners will be elected to full terms and one commissioner will be elected for an unexpired term from Cabell and Wayne Counties in 2016.

COUNTY CLERK PHONE NUMBERS					
BARBOUR	304-457-2232	KANAWHA	304-357-0130	POCAHONTAS	304-799-4549
BERKELEY	304-264-1989	LEWIS	304-269-8215	PRESTON	304-329-0070
BOONE	304-369-7330	LINCOLN	304-824-3336	PUTNAM	304-586-0202
BRAXTON	304-765-2833	LOGAN	304-792-8620	RALEIGH	304-252-8681
BROOKE	304-737-3668	MARION	304-367-5447	RANDOLPH	304-636-0543
CABELL	304-526-8633	MARSHALL	304-845-1220	RITCHIE	304-643-2164
CALHOUN	304-354-6725	MASON	304-675-1997	ROANE	304-927-2860
CLAY	304-587-4259	MCDOWELL	304-436-8544	SUMMERS	304-466-7104
DODDRIDGE	304-873-2631	MERCER	304-487-8338	TAYLOR	304-265-1401
FAYETTE	304-574-4225	MINERAL	304-788-3924	TUCKER	304-478-2414
GILMER	304-462-7641	MINGO	304-235-0339	TYLER	304-758-2102
GRANT	304-257-4550	MONONGALIA	304-291-7230	UPSHUR	304-472-1068
GREENBRIER	304-647-6604	MONROE	304-772-3096	WAYNE	304-272-6370
HAMPSHIRE	304-822-5112	MORGAN	304-258-8547	WEBSTER	304-847-2508
HANCOCK	304-564-3311	NICHOLAS	304-872-7820	WETZEL	304-455-8224
HARDY	304-530-0250	OHIO	304-234-3750	WIRT	304-275-4271
HARRISON	304-624-8675	PENDLETON	304-358-2505	WOOD	304-424-1860
JACKSON	304-373-2232	PLEASANTS	304-684-3542	WYOMING	304-732-8000
JEFFERSON	304-728-3246				

### **UNEXPIRED TERMS**

If a vacancy occurs due to retirement, resignation, disqualification or removal, an election may be required to complete the term. The candidate wishing to run for an unexpired term must file a Certificate of Announcement and specify it is for the unexpired term with the correct filing office. The Certificate of Announcement must be filed during the filing period for full terms and the candidate must pay the required fee for that office, unless a special filing period has been proclaimed. Please check with the appropriate filing office for possible unexpired terms that may be on the ballot in 2016.

# NO PARTY ORGANIZATION CANDIDATES

(WV Code §§3-5-23 and 3-5-24)

An individual may run for public office without belonging to a political party recognized in West Virginia (Democratic, Libertarian, Mountain, and Republican). To run as a candidate with no party organization and have one's name placed on the ballot for the **General Election**, an individual must gather signatures on a nominating certificate. A candidate running with no party organization will not appear on the primary election ballot.

Note: No party organization candidates are commonly referred to as minor party, unaffiliated or independent candidates.

## CREDENTIALS AND NOMINATING CERTIFICATES

The process for individuals seeking to run as no party organization candidates in the general election must follow the procedures outlined below:

- Gain authorization to collect signatures by obtaining the Official Credentials Form from the County Clerk in each county one wishes to gather signatures; this form must be displayed to each voter canvassed or solicited
- Obtain the nominating certificates for gathering signatures, Candidate Nomination Certificate; this form may be acquired at the time an individual obtains his or her credentials
- Obtain the required number of signatures: **not less than one percent of the entire vote cast at the last preceding general election for the office being sought but never less than twenty-five**

## ADDITIONAL REQUIREMENTS

- Individuals seeking an office on the ballot in more than one county must use a separate nominating certificate form for each county
- Any signature gathered must be signed by the voter in his or her own handwriting or by his or her marks duly witnessed
- In order for a voter's signature to count, he or she must be a duly registered resident within the county, district, or other political division represented by the office sought

**Deadline: A candidate with no party organization must file his or her Certificate of Announcement, nominating certificates and filing fee with the appropriate office no later than August 1, 2016.**

# WRITE-IN CANDIDATES

(WV Code §3-6-4a)

An individual may file as an official write-in candidate for offices to be elected in the primary, general, or special election by filing the Write-In Candidate's Certificate of Announcement with the appropriate filing office. A person wanting to file as an official write-in candidate must meet the eligibility requirements for that specific office.

The following information applies to all write-in candidates:

- Write-in candidates are not listed on the ballot; rather, a list of official write-in candidates is posted at each polling place during early voting and on Election Day
- Only votes for the official write-in candidates are counted
- Write-in candidates are not required to pay a filing fee or collect signatures

**Deadline to file a Write-In Candidate's Certificate of Announcement for offices elected in the Primary Election: March 22, 2016**

- **Only those offices elected in the primary (Justice of the Supreme Court, Circuit Court Judge, Family Court Judge, Magistrate, Board of Education, and Conservation District Supervisors) may have write-in candidates in the primary election.**

**Deadline to file a Write-In Candidate's Certificate of Announcement for offices elected in the General Election: September 20, 2016**

# **MUNICIPAL ELECTIONS**

(WV Code - Chapter 8)

Any part of a county or counties may be incorporated as a city, depending upon the population, either as a Class I, Class II or Class III city, or a Class IV town or village. Municipalities generally elect a mayor, municipal recorder or clerk, and councilmen. Together they form the governing body of the municipality. The municipality normally frames and adopts a city charter; providing a method and time for filing of certificates of candidacy, nominating candidates, conducting primary and regular municipal elections, and determining and certifying the results of elections. If a charter does not provide procedures for the administration of elections, municipalities must follow West Virginia State Code.

Since each municipality may have different filing dates and procedures for candidacy and campaign finance reporting other than those contained in this guide for county and statewide offices, you should contact your municipal clerk/recorder for information regarding specific requirements in your city.

## **FILING PRE-CANDIDACY**

Any candidate who wishes to raise money for his/her campaign before the official candidate filing period must first file a Pre-Candidacy Registration Form with the municipal clerk/recorder.

## **FILING THE MUNICIPAL CERTIFICATE OF ANNOUNCEMENT**

The Municipal Candidate's Certificate of Announcement and Municipal Write-In Candidate's Certificate of Announcement must be filed with the municipal recorder/clerk within the appropriate filing periods.

## **CANDIDATE REQUIREMENTS**

Unless otherwise provided by charter provision or ordinance, the mayor, recorder and councilmen must be residents of the municipality and must be qualified voters entitled to vote for members of its governing body. (WV Code §8-5-7)

## **CAMPAIGN FINANCE**

Anyone who files a Candidate's Certificate of Announcement is required to file Campaign Finance Reports. All funds received must be reported by name of contributor and the amount received, no matter how small. There are normally four reports due in relation to each municipal election cycle. Contact your municipal clerk/recorder for specific reporting dates.

# THE CODE OF FAIR CAMPAIGN PRACTICES

(WV Code §3-1B-5)

At the time of filing for office, you will have an opportunity to subscribe to the Code of Fair Campaign Practices. The code is a voluntary pledge to adhere to a few guidelines meant to create an atmosphere of campaigning that is ethical, constructive, and equitable.

Subscription and adherence to the Code of Fair Campaign Practices is voluntary. No person can be required to adhere to or endorse the code. In the event that an opponent to a subscribing candidate of the Code of Fair Campaign Practices exceeds the campaign spending limitations, the candidate who has subscribed to the code and who has not exceeded the spending limitations is automatically released from the portion of the code establishing the campaign spending limitations.

## VOLUNTARY CONTRIBUTION LIMITATIONS

OFFICE		PRIMARY	GENERAL
Governor		\$1,000,000	\$1,000,000
Constitutional Officers		\$150,000	\$150,000
Supreme Court		\$150,000	\$150,000
Circuit Judge		\$50,000	\$50,000
State Senate		\$50,000	\$50,000
House of Delegates		\$25,000	\$25,000

Expenditures that do not exceed the limits designated for the primary election are not added to the limits for the general election.

Highlights of this code include pledging to do the following:

- adhere to campaign spending limitations
- conduct your campaign openly and publicly
- condemn false advertising or communications which are not fact
- refrain from coercing individuals under your authority to give contributions or election help
- defend and uphold the right of every qualified voter to full and equal participation in the electoral process

## SECTION II

# MANAGING CAMPAIGN FINANCES



# FINANCIAL RECORDS

## WHAT MUST BE TRACKED?

Every committee “*shall keep detailed accounts of every sum of money or other thing of value received by him or her, including all loans of money or things of value and of all expenditures and disbursements made, liabilities incurred, by the candidate, financial agent, person, association or organization or committee, for political purposes or by any officers or members of the committee, or any person acting under its authority or on its behalf.*”(WV Code §3-8-5)

## KEEPING FINANCIAL RECORDS

Candidates “*and all persons supporting, aiding or opposing the nomination, election or defeat of any candidate shall keep for a period of six months records of receipts and expenditures which are made for political purposes.*” (WV Code §3-8-2) The committee should keep the receipts of all financial transactions for accounting purposes; however, the Secretary of State or County Clerk may conduct an audit, and the receipts would need to be presented for review. (WV Code §3-8-7) If any violation of code is found, the committee may be held accountable for transactions for up to five years. (WV Code §3-8-5d) Therefore, it is highly recommended that receipts be kept for the entire five-year period.

## FINANCIAL RESPONSIBILITY

The treasurer of the committee is responsible for the committee’s finances. All reporting requirements and financial transactions must be handled through the committee’s treasurer. Agents of the committee may make transactions on behalf of the committee and have the treasurer reimburse the transaction for the lawful expense incurred by the agent. An agent may also accept contributions for the committee; however, the contributions must pass through the hands of the treasurer to ensure the contribution meets the criteria of a lawful contribution.

## AMENDING REPORTS

A report submitted by the committee may be altered to reflect the accurate financial activity if a mistake is discovered. An amended report may be submitted at any time and with no penalty. If an amended report is submitted, it must include the same information as the previously submitted report with the errors corrected. All financial transactions for the reporting period must be included in the amended report, not just the portion that has been changed by the amendment.

# POLITICAL CONTRIBUTIONS

Contribution “means a gift, subscription, loan, assessment, payment for services, dues, advance, donation, pledge, contract, agreement, forbearance or promise of money or other tangible thing of value, whether conditional or legally enforceable, or a transfer of money or other tangible thing of value to a person, made for the purpose of influencing the nomination, election or defeat of a candidate.” (WV Code §3-8-1a)

Remember to get all of the information required for your campaign finance report from your contributors at the time they make their donation. This will prevent you from using precious campaign time to track down this information later.

### **CONTRIBUTION LIMITATIONS**

The contribution amounts that an individual may give to any political committee are set by WV Code §3-8-12 to be valued at \$1,000 per primary election and \$1,000 per general election. It is unlawful for the committee to spend any contributed funds that exceed the contribution limit. When a contribution exceeds the limit, the excess must be returned to the contributor. All items of value (cash and in-kind contributions) given to a committee are counted toward this \$1,000 limit. Candidates may contribute as much as they desire to their own campaign; however, they cannot be reimbursed unless it is treated as a loan instead of a contribution.

Active political committees are restricted to the types of contributions they may give and receive. The capacity to give or receive a contribution is dependent on the type of committee established. Below you will find a list of possible contribution types and if the contributions are acceptable to the committee.

#### **As a State Candidate you may give up to \$1,000 to:**

Executive Committee  
Legislative Caucus Committee

#### **As a State Candidate you may NOT give money to the following:**

Another State Candidate  
PAC  
Federal Committee

#### **As a State Candidate you may receive up to \$1,000 from:**

State Political Action Committee (PAC)  
Executive Committee  
Federal Committee  
Corporation PAC

#### **As a State Candidate you may NOT receive money from an Independent Expenditure PAC**

**A PAC may not contribute to another PAC, unless it is a national affiliate**

### **CASH CONTRIBUTIONS**

A cash contribution can be accepted for up to \$50. The name of the contributor must be recorded and reported or it must be donated to the General Revenue Fund of the State. All contribution amounts above \$50 must be by means other than cash.

## **ANONYMOUS CONTRIBUTIONS**

Anonymous contributions are illegal. Activities such as passing the hat, to bring in contributions are not allowable. All contributions must be identified with the full name of the person or group of persons that gave the contribution. If the identification of the donor of a contribution cannot be determined, the contribution must be given to the General Revenue Fund of the State. (WV Code §3-8-5a) Send an amount equal to the anonymous contribution to:

WV Secretary of State's Office  
Elections Division  
1900 Kanawha Blvd. East  
Building 1 Suite 157-K  
Charleston, WV 25305

## **CANDIDATE COMMITTEE ELECTION CYCLES**

There are two possible contribution periods for a candidate committee within the election year. A contribution to a candidate committee is considered in connection with the primary election if it is received on or before the Primary Election Day. A contribution is considered in connection with the general election if it is received after the day of the primary election and until the committee has paid all of its financial obligations after the general election.

A contribution given after the primary election period can be considered in connection with the primary election if, with the consent of the contributor, it is clearly marked on the financial statement as a contribution for the previous contribution period, provided that the funds are used to repay unpaid bills, loans or debts incurred during that contribution period.

## **FUND-RAISING EVENTS**

As defined by the Election Code, a fund-raising event is “*an event such as a dinner, reception, testimonial, cocktail party, auction or similar affair through which contributions are solicited or received by such means as the purchase of a ticket, payment of an attendance fee or by the purchase of goods or services.*” (WV Code §3-8-1a(15))

A committee may pay for food, drink and entertainment costs that are incurred in holding a fund-raising event. The committee must be careful in determining the methodology of the fund-raising event to be certain that personal gifts are not given to attendees from committee funds. Fund-raising transactions are reported separately from other transactions. The total amount raised, after expenses, is reported as the net receipt of funds for each event. (WV Code §3-8-5a)

# **EXPENDITURE OF FUNDS**

## **SPENDING MONEY**

The committee has now raised money (contributions, transfers of money from previous campaign accounts, loans, out of pocket expenses, etc.) and is ready to spend the funds for electioneering purposes. No money may be spent from committee funds unless it is allowed by WV Code §3-8-9 or WV CSR §146-3-6. The law is: if it's not on the list, then it's not allowed. This is to ensure that the funds are spent on electioneering purposes only, without exception.

Records of all transactions are to be kept for six months after date of the transaction. The information to be kept for reporting purposes are:

- the name of the person or business to which the expenditure was given
- the date of the transaction
- the purpose of the transaction
- amount of the expenditure

**Things to remember about spending money...**

- All expenditures must be reported. Detailed accounts of all expenditures and disbursements made, and liabilities incurred must be reported
- Money spent out-of-pocket on the election must be reported as an expenditure. If money is spent on behalf of a candidate, and is not reimbursed by the committee, it must be reported as an in-kind contribution, and is subject to contribution limitations
- All loans must be listed in the loan section on the campaign finance report
- An active candidate's committee (before the election date of the candidate) cannot give donations to other candidate's committees, political action committees, or charitable organizations
- An active committee (candidate, PAC or executive committee) cannot give a donation to a charitable organization
- All expenditures must be made at a rate and an amount which is "proper and reasonable" to the services purchased
- Expenditures are reported on the date the check is written or the date the transfer of funds takes place
- A contribution is reported "on the date the check, cash or other thing of value is received by the treasurer or agent of the political committee"

## **ALLOWABLE EXPENDITURES**

(WV Code §3-8-9)

**A candidate or political committee may make expenditures only for the following purposes:**

- Office expenses, overhead costs for headquarters, and for costs related to postage
- Candidates who do not have headquarters may purchase or rent filing cabinets, other office equipment and furnishings, computers, computer hardware and software, scanners, typewriters, calculators, audio visual equipment
- Paid legitimate advertisements for the promotion of the candidate on the ballot
- Costs related to public meetings and political conventions such as food, drink, and entertainment
- Necessary travel and hotel expenses
- Costs incurred with petitions for nomination of candidates
- Lists of registered voters, investigating an individual's right to vote and conducting proceedings to prevent unlawful registration or voting
- Taking voters to the polls
- Securing publication in newspapers, radio, and television broadcasting of information that is relevant to an election

- Conducting a public opinion poll or polls
- Legitimate advertising agency services
- The purchase of memorials, flowers or citations by political party executive committees or political action committees representing a political party
- The purchase of nominal, noncash expressions of appreciation following the close of the polls of an election or within thirty days thereafter
- The payment of dues or subscriptions to any national, state, local, or legislative caucus committee of any political party
- To employ persons to perform functions enumerated in WV Code §3-8-9, either on a full-time, part-time, or temporary basis

## CAMPAIGN FINANCE REPORTING

(WV Code §3-8-5)

Every candidate, pre-candidate and elected official is required to file campaign finance reports until the committee is closed. Candidates running for or elected to executive committee positions are not required to file campaign finance statements.

There are two important time periods for campaign finance reports:

- The **transaction period** is the specific time period committees must track all contributions and expenditures for their campaign finance reports
- Financial activity tracked during each transaction period must be recorded on the campaign financial statement and submitted during the appropriate **time period in which the report is due**

### Election Year 2016 Campaign Finance Reporting Schedule

Report	Transaction Period	Report Due
Primary-First	March 28, 2015 - March 25, 2016	March 26, 2016 - April 1, 2016
Pre-Primary	March 26, 2016 - April 24, 2016	April 25, 2016 - April 29, 2016
Post-Primary	April 25, 2016 - May 22, 2016	May 23, 2016 - June 21, 2016
General -First	May 23, 2016 - September 25, 2016	September 26, 2016 - September 30, 2016
Pre-General	September 26, 2016 - October 23, 2016	October 24, 2016 - October 28, 2016
Post-General	October 24, 2016 - November 20, 2016	November 21, 2016 - December 19, 2016
2017 Annual	November 21, 2016 - March 24, 2017	March 25, 2017 - March 31, 2017
**Candidates in past elections (prior to the 2016 election) and pre-candidates for future elections with open campaign accounts will file data for the time periods below.		
2016 Annual	March 28, 2015 - March 25, 2016	March 26, 2016 - April 1, 2016
2017 Annual	March 26, 2016 - March 24, 2017	March 25, 2017 - March 31, 2017

## **Election Year 2016 Non-Partisan Campaign Finance Reporting Schedule**

<b>Report</b>	<b>Transaction Period</b>	<b>Report Due</b>
Primary-First	March 28, 2015 - March 25, 2016	March 26, 2016 - April 1, 2016
Pre-Primary	March 26, 2016 - April 24, 2016	April 25, 2016 - April 29, 2016
Post-Primary	April 25, 2016 - May 22, 2016	May 23, 2016 - June 21, 2016
2017 Annual	May 23, 2016 - March 24, 2017	March 25, 2017 - March 31, 2017

### **CONSEQUENCES FOR EARLY AND LATE REPORTS**

Any report that is filed early will be returned to the committee and will not be considered as received. The committee must then resubmit the report and it must be received by the deadline or it will be considered late and could incur a fine.

- For a report that is mailed, the date of the postmark is considered the date the report is received.
- If the postmarked date is prior to the opening of the filing period, the report will be returned.
- If a report arrives in the office after the close of the filing period, but is postmarked within the filing period, it will be considered timely filed.
- For hand delivery, the filing date is the date of delivery to the proper filing officer during their regular business.

If your committee submits a late report, you may be subject to a fine issued by the Secretary of State of \$25 per day. Furthermore, if a candidate nominated by primary election or appointed by the executive committee or executive committee chair fails to file their campaign finance report by the eighty-fourth day before the general election, he or she will be disqualified and will not appear on the general election ballot. If a committee files late or grossly inaccurate campaign finance reports, the committee will be contacted by a member of the Elections Division with instructions for proper resolution. (WV Code §3-8-7)

## **THE WAIVER**

A waiver may be filed in place of the Annual, First Primary and the First General Report if the committee meets certain criteria. Any activity that is not reported by submitting a waiver must be shown in the next reporting period. (WV Code §3-8-5)

**The Annual or First Primary Report** may be waived if the total amount of all financial activity equals less than \$500 since the last report filed.

**The First General Report** may be waived if the total amount of all financial activity equals less than \$500 since the last report filed and if there are no outstanding loans to report.

## **POLITICAL COMMUNICATIONS**

### **POLITICAL DISCLAIMERS**

No person may publish, issue or circulate any anonymous political advertisement, letter, circular, placard or other publication expressly advocating the election or defeat of a clearly

identified candidate. Any political advertisement or other publication that identifies the person who is responsible for the content will not be considered anonymous. This includes communications such as e-mail.

Political disclaimers must be legible on the face of all political advertisements and other political materials clearly stating the name of the person or organization authorizing the distribution of the material.

### **INDEPENDENT EXPENDITURES**

Any expenditure that is done by a person or organization without the consultation or coordination of a candidate or a candidate's committee is considered an independent expenditure. A disclaimer must be present on any communication paid for by an independent expenditure, which clearly states that the communication is not authorized by the candidate or representative of the candidate and clearly identifies the person making the expenditure. If the communication is made for broadcast, cable or satellite transmission, it must be both spoken clearly and appear in a written format at the end of the communication.

### **ELECTIONEERING COMMUNICATIONS**

Any electioneering communication, defined by WV Code §3-8-1a(12), must have a disclaimer clearly stating the name of the person or organization authorizing the communication. If the communication is made for broadcast, cable or satellite transmission, it must be both spoken clearly and appear in a written format at the end of the communication.

### **SOLICITATION OF FUNDS OR SUPPORT FROM STATE, COUNTY OR MUNICIPAL EMPLOYEES**

Soliciting funds from a state employee or an employee of a political subdivision of the state is not allowable. However, if a mass solicitation is done, it should include a disclaimer such as "Please disregard if you are a public employee" to prevent you from violating this provision. (WV CSR §146-3-10.7)

Written communications, asking for money or other support or votes, delivered to the workplace of state, county or municipal employees are illegal. The "please disregard" disclaimer does not legally excuse knowingly delivering communications to a workplace or government email account. (WV Code §3-8-12(c))

## **INAUGURAL COMMITTEES**

(WV Code §3-8-2a)

After an election, a person, organization or group of persons may organize an inaugural committee to solicit or receive contributions for the purpose of funding an inaugural event for a person elected to a statewide public office. This inaugural event must be held within 90 days of the general election in which the person was elected. Inaugural committees function with contribution limitations and reporting requirements differently than those of a political committee.

## **CONTRIBUTION LIMITATIONS**

Donors may include individuals, organizations and corporations with a contribution limitation of \$5,000. Contributions cannot be made from political action committees, candidate committees (including excess funds), or political party executive committees. However, political party executive committees may host their own inaugural event for a candidate of their party.

## **REPORTING REQUIREMENTS**

**Contributions:** An inaugural committee must report and retain records of all contributions that are in excess of \$250. The committee must obtain the contributor's full name, residence and mailing address, an individual's business affiliation and occupation, and the amount of the contribution. This includes in-kind contributions, which are counted toward the contribution limit of \$5,000. The methodology of fundraising must also be listed.

**Expenditures:** Information listed as expenditures must include the name, address, amount and nature of the expenditure. Any expenditure made must be on behalf of the inaugural event, and not for an individual's personal gain. Funds in possession of the committee after all debts have been paid in relation to the event are considered in excess of the event and may be contributed to an educational, cultural, or charitable organization or to the Governor's Mansion Fund. All funds must be spent by the time of filing the final report.

All contributions received by the inaugural committee are to be reported within 90 days of the event. Every expenditure made up to this date must also be included in this report. Within 60 days of filing the previous report, all funds must be lawfully disbursed and a final report must be filed, closing the committee.

# **REPORTING REQUIREMENTS**

In addition to reporting contributions received and expenditures made, all liabilities incurred by a committee must be reported. The following is a brief description of the requirements for reporting the expenditures or liabilities incurred by a committee.

## **LOANS**

A candidate, spouse of a candidate or a lending institution may give a loan to the committee. When a loan is taken, the treasurer must include a copy of the loan agreement for each loan with the next campaign finance report that is due. The loan agreement must state the date, amount, interest amount (if any), a description of collateral and full names and addresses of all persons involved in the loan.

If a loan is to be forgiven, the loan should then be considered as a contribution from the candidate or spouse to the candidate's committee. To report the forgiving of a loan, report the remaining amount of the loan as a contribution to the committee from the candidate or spouse. In the loans section of the finance report, show such loan as paid; this will show the committee no longer carries the liability.

## **UNPAID BILLS**

All liabilities incurred by a committee must be reported. This includes all bills or promises of payment that have been left unpaid at the end of the reporting period. Listing unpaid bills



will prevent the committee from having a negative ending cash balance and show all transactions that have taken place. The transaction date of an unpaid bill will be the date that the vendor provides a bill for payment.

### **OTHER INCOME**

Receipts of income that are not considered contributions must also be reported. These include refunds on bills paid, interest on investments, checking accounts or saving accounts, sale of equipment, or any income not reported as a contribution or an in-kind contribution.

### **ADVERTISING AGENCIES**

When lump sum payments are made to an advertising firm or campaign management firm that will disburse the money on behalf of a committee, the advertising agency must also file a campaign finance report under the same expenditure guidelines as your own committee. All disbursements of funds must be disclosed and tracked to its final recipient and are subject to West Virginia campaign finance laws.

### **DETERMINING WHAT FORM TO USE**

The Long Form Campaign Financial Statement includes all activities that are required by WV Code §3-8-5a. If a candidate's committee answers YES to any of the following questions, he or she must file the *Long Form*:

- Has your committee received any loans?
- Has your committee held any fundraisers?
- Has your committee received any miscellaneous receipts, such as refunds or checking account interest?
  
- Does your committee have any unpaid bills or loans?
- Have you or anyone else given an in-kind contribution to your campaign?
- Has your committee given or received a transfer of excess campaign funds?

The Short Form Campaign Financial Statement is designed to accommodate committees that do not have transactions beyond simple contributions and expenditures; it does not cover any other reporting requirements, such as loans and in-kind contributions, which are required by WV Code §3-8-5a.

The short and long finance forms require both the candidate or committee name and the treasurer's contact information. The candidate, agent, or treasurer must also sign the oath or affirmation at the end of the form.

### **REPORTING PERIODS**

One must mark the reporting period during the election cycle to which the financial report applies: primary-first, pre-primary, post-primary, general-first, pre-general, post-general. Each election cycle reporting period covers a certain time span during the election cycle for which candidates and committees must report financial transactions. These reports are to be filed in succession of one another.

## **ADDITIONAL REPORT TYPES**

**Annual Report:** Due annually, during off election years. Candidate and committees open during a non-election cycle must check the box for the annual report and fill in the calendar year.

**Amended Report:** Filed to replace a previously submitted report to correct information. Both the amended report box and the reporting period that will be amended must be clearly marked.

**Final Report:** Filed to close your account. The final report box must be marked. If the report is submitted during a required reporting period, the reporting period must also be noted. The committee's ending balance must be zero if filing a final report.

## **REPORTING CONTRIBUTIONS \$250 OR LESS**

For each contribution of \$250 or less, the committee must include (1) the full name of the individual, association, or committee donating; (2) the amount of the contribution; and (3) the date the contribution was made.

## **REPORTING CONTRIBUTIONS OVER \$250**

Once contributions from an individual, association, or committee reach an accumulated total of more the \$250 during an election cycle, the committee must collect and record additional information on the campaign finance report.

### **Required information from contributors of more than \$250:**

Full name

Amount of contribution

Date the contribution was made

Residential and mailing addresses

### Individual contributors only:

- Occupation (e.g., attorney, doctor, homemaker, retired)
- Employer (this is the contributor's primary employer; if self-employed it should be noted; if a homemaker or retired, write "not applicable")

### Political committees only:

- Political affiliation of the committee (or if the donation comes from a business-affiliated PAC, the business that the PAC is sponsored by)

## **REPORTING A FUND-RAISING EVENT**

If a committee hosts a fund-raising event, such as a dinner or reception for the purpose of raising money for the campaign, the Long Form Campaign Financial Statement must be used to report committee finances.

**Fund-Raising Event:** All contributions received at a fund-raising event must only be reported on the fund-raising events page of the campaign financial statement. Committees must report contributor information under the same requirements for reporting contributions as outlined above.

**Total Monetary Contributions:** Total of money received (cash or check) in connection with this particular fund-raising event.

**Total Expenditures:** All committee funds spent in relation to the fund-raising event. These expenditures are to be listed on the itemized expenditures page of the campaign financial statement.

**Net Receipts:** The total amount of funds accumulated in relation to the fund-raising event minus all committee expenses.

**In-Kind Contribution:** A donation of goods or services used toward the fund-raising event that can be assigned a monetary value. In-kind contributions must be itemized in the in-kind contributions section of the campaign financial statement.

### **REPORTING OTHER INCOME AND IN-KIND CONTRIBUTIONS**

If the committee receives “other income” or an in-kind contribution, the Long Form Campaign Financial Statement must be used to report the committee finances.

**Other Income:** Income that does not fit the definition of a contribution, such as interest on a bank account, refunds, or the sale of equipment. Information required for the other income category includes the date of the receipt, source of the income, the type of receipt (brief description), and the amount of the transaction.

**In-Kind Contributions:** a donation of goods or services used toward the campaign. The amount of an in-kind contribution should be reported at the fair market value of the goods received or services rendered. The committee should include the full name of the contributor, date of the transaction, description of the contribution, and the value. If the value of the contribution is over \$250, additional contributor information is required: address; occupation and employer if it is an individual; and affiliation if it is a PAC.

### **REPORTING LOANS**

If a loan is taken for a candidate’s committee, the information required on the loans page of the Long Form Campaign Financial Statement must be completed, and a copy of the loan agreement must be included with the same financial statement.

The following information must be reported on outstanding loans:

- The name and address of the bank, candidate, or candidate’s spouse making the loan
- The balance of the loan carried from the previous report
- The amount of all new loans received during this period
- Repayments made during the reporting period
- The outstanding balance at the end of the reporting period for each loan listed

## **2016 CAMPAIGN PUBLIC FINANCING**

(WV Code §3-12-1 et. seq.)

The West Virginia Legislature has created a program using public monies to finance campaigns for candidates running for the Justice of the West Virginia Supreme Court of Appeals. This program is known as the West Virginia Supreme Court of Appeals Public

Financing Program. The State Election Commission (SEC) is responsible for administering the public campaign financing fund.

Participation is voluntary for any candidate who chooses to receive the public monies. Public monies are provided only to qualified candidates. Candidates accepting public monies cannot raise and spend other contributions and must adhere to the requirements of Chapter 3, Article 12. More information regarding the Supreme Court Public Campaign Financing program can be found at [www.wvsos.com](http://www.wvsos.com).

## AFTER THE ELECTION

(WV CSR§146-3-7)

Amounts of funds received by a candidate as contributions that are in excess of the amount of expenditures for the election are considered “Excess Campaign Funds”. No person may receive or utilize excess campaign funds for personal economic gain.

### ALLOWABLE USES OF EXCESS CAMPAIGN FUNDS

The **only** allowable expenditures of excess campaign funds are outlined below (if it’s not on the list, then it’s not allowed):

- **Transfer of funds from a candidate’s committee to the same candidate’s committee for a subsequent election year**  
The candidate must form a new committee by filing a Pre-Candidacy Statement for the subsequent election year prior to making the transfer of funds. There is no limitation of the amount of funds that may be transferred.
- **Contribution to another candidate’s committee, political action committee, or a local executive committee**  
The limit on these contributions is \$1,000 per cycle.
- **Contribution to any state political party executive committee or a legislative caucus committee**  
The limit on this contribution is \$15,000 in a calendar year.
- **Return of contributions on a pro-rata basis to each donor**
- **Transfer to any national committee of any political party**  
The limit on these contributions is in accordance with federal requirements.
- **Offsetting any usual and customary expense incurred in connection with the duties as a holder of public office**  
Any items purchased will become the property of the State, or the district, county, or municipality of the office that is held.
- **Making a charitable contribution**  
There is no monetary limitation for charitable contributions.

### HOW TO CLOSE A COMMITTEE

When a committee no longer has outstanding debts or liabilities and has a zero balance in their campaign account, the committee may close. To close a committee, one must file a **Final Report** itemizing all transactions made since the last report was filed. The report must reflect the zero balance. Filing a proper Final Report ends all reporting requirements for that particular committee.

# 2016 PRIMARY ELECTION DATES

<b>Jan. 11 - 30</b>	Candidate filing period. Certificates of Announcement & filing fees must be received in appropriate office or postmarked by U. S. Postal Service before midnight, January 30
<b>Jan. 21 - Feb. 9</b>	Candidates file personal financial disclosure with Ethics Commission within 10 days after filing certificate of announcement
<b>Feb. 16</b>	Deadline for candidates to withdraw. Filing officer must receive written notice signed by candidate and notarized by close of business or name may not be removed from ballot
<b>Feb. 16</b>	Secretary of State certifies and posts list of candidates filed with the Secretary of State's Office and begins to prepare a certification for each county
<b>Feb. 23</b>	Uniform drawing date for ballot position begins at 9 a.m. in all counties for all offices
<b>Mar. 1</b>	Secretary of State's certification of candidates must be received at county clerk's Office by this date
<b>Mar. 22</b>	Write-in candidate filing deadline for the election of Justice of the Supreme Court, Circuit Court Judge, Family Court Judge, Magistrate, Board of Education and Conservation District Supervisors Only
<b>Mar. 26 - Apr. 1</b>	First Primary campaign finance report due
<b>Apr. 19</b>	Voter Registration deadline for Primary Election
<b>Apr. 25 – Apr. 29</b>	Pre-Primary campaign finance report due
<b>Apr. 27 - May 7</b>	<b>Early Voting in person</b>
<b>May 10</b>	<b>PRIMARY ELECTION DAY (§3-5-1)</b>
<b>May 16</b>	Primary election canvass begins. If no candidate requests recount, canvass board certifies election results 48 hours after the last county publicly declares results <ul style="list-style-type: none"><li>• Election contest must be filed within 10 days after certification of election</li></ul>
<b>May 23 - June 21</b>	Post-Primary campaign finance report due

## 2016 GENERAL ELECTION DATES

<b>July 1</b>	Board of Education and Conservation District Supervisors terms begin
<b>July 11</b>	Secretary of State and Clerk of County Commission give notice to Prosecuting Attorney for the candidates, agents or treasurers who failed to file required financial reports
<b>Aug. 1</b>	Deadline to file Nominating Petitions, Certificates of Announcement and Pay Fee for no political party organizations
<b>Aug. 24 - 29</b>	Secretary of State certifies names of candidates for the ballot
<b>Aug. 30</b>	Drawing for order of candidate names on the ballot
<b>Sept. 20</b>	Write-in candidate filing deadline for General Election
<b>Sept. 26 - 30</b>	First General campaign finance report due
<b>Oct. 11</b>	Last day for candidate or political committee to file statement of organization and designation of treasurer or financial agent
<b>Oct. 18</b>	Voter registration deadline for General Election
<b>Oct. 24 - 28</b>	Pre-General campaign finance report due
<b>Oct. 26 – Nov. 5</b>	<b>Early Voting in person</b>
<b>Nov. 8</b>	<b>GENERAL ELECTION DAY (WV Const. §4-7)</b>
<b>Nov. 14</b>	General election canvass begins <ul style="list-style-type: none"><li>• If no candidate requests recount, canvass board certifies election results 48 hours after the last county publicly declares results</li><li>• Election contest must be filed within 10 days after certification of election</li></ul>
<b>Nov. 21 – Dec. 19</b>	Post-General campaign finance report due

## 2017 DATES

<b>Jan. 9, 2017</b>	Secretary of State and Clerk of County Commission give notice to Prosecuting Attorney for the candidates, agents or treasurers who failed to file required financial reports
<b>Mar. 25 – Mar. 31</b>	2015 Annual campaign finance report due

## ADDITIONAL RESOURCES

<p>Federal Election Commission 999 E Street, NW Washington, DC 20463 (800) 424-9530 <a href="http://www.fec.gov">www.fec.gov</a> or <a href="mailto:info@fec.gov">info@fec.gov</a></p>	<p>Information on federal campaign laws, financial reporting requirements, and forms for federal candidates.</p>
<p>U.S. Election Assistance Commission 1335 East West Highway, Suite 4300 Silver Spring MD 20910 (866) 747-1471 <a href="http://www.eac.gov">www.eac.gov</a></p>	<p>Serves as a national clearinghouse for information and reviews procedures for federal elections.</p>
<p>Election Division WV Secretary of State, Building 1, Suite 157-K 1900 Kanawha Blvd., East Charleston, WV 25305 (304) 558-6000 <a href="http://www.wvsos.com">www.wvsos.com</a> or <a href="mailto:elections@wvsos.com">elections@wvsos.com</a></p>	<p>Information on state election laws and regulations, candidate filing, campaign finance reporting requirements, forms, official election returns for statewide offices, legislative offices and voter registration information.</p>
<p>State Election Commission c/o WV Secretary of State Building 1, Suite 157-K 1900 Kanawha Blvd., East Charleston, WV 25305 <a href="http://www.wvsos.com">www.wvsos.com</a> or <a href="mailto:elections@wvsos.com">elections@wvsos.com</a></p>	<p>Voter information and voting system approval, filling vacancy on general election ballot when candidate with draws for extenuating circumstances, campaign finance issues.</p>
<p>WV Ethics Commission 210 Books Street, Suite 300 Charleston, WV 25301 (304) 558-0664 <a href="http://www.ethics.wv.gov">www.ethics.wv.gov</a></p>	<p>Forms and information on filing personal financial disclosures, questions regarding conflicts of interest between outside employment and public office.</p>
<p>State Democratic Executive Committee 717 Lee Street, Suite 214 Charleston, WV 25301 (304) 342-8121 <a href="http://www.wvdemocrats.com">www.wvdemocrats.com</a></p>	<p>Information on Democratic Party political activities, functions of executive committees, delegates and party rules.</p>
<p>State Republican Executive Committee PO Box 2711 Charleston, WV 25330 (304) 768-0493 <a href="http://www.wvgop.org">www.wvgop.org</a></p>	<p>Information on Republican Party political activities, functions of executive committees, delegates and party rules.</p>
<p>State Mountain Party Executive Committee RR 1, Box 108 Ripley, WV 25271 (304) 989-1629 <a href="http://www.mtparty.org">www.mtparty.org</a></p>	<p>Information on Mountain Party political activities, functions of executive committees and party rules.</p>
<p>State Libertarian Party Executive Committee PO Box 135 Jane Lew, WV 26378 (855) 687-5798 <a href="http://www.lpwv.org">www.lpwv.org</a></p>	<p>Information on Libertarian Party political activities, functions of executive committees and party rules.</p>





# State of West Virginia

## STATEMENT OF WAIVER

### For Candidates, Political Action Committees, or Political Party Executive Committees Exempt From Filing An Annual, First Primary or First General Campaign Finance Report

Candidates and committees who are not required to file a financial report may instead submit a Statement of Waiver. The purpose of this Statement of Waiver is to report that the candidate or committee is not required to submit a financial statement.

To qualify for a waiver a candidate or committee must meet the following requirements:

- To waive the Annual Report or the Primary - First Report during an election year, the total of all financial transactions relating to an election may not exceed \$500 during the reporting period. (West Virginia Code §3-8-5(b)(1))
- To waive the General - First Report, the total of all financial transactions relating to an election may not exceed \$500 during the reporting period **AND** may not have any outstanding loans. (West Virginia Code §3-8-5(b)(4))

**NOTE: THE STATEMENT OF WAIVER CANNOT BE FILED IN PLACE OF ANY PRE-PRIMARY, POST-PRIMARY, PRE-GENERAL, OR POST-GENERAL ELECTION REPORT.**

Please check appropriate box to indicate which report you are filing:

☐ **Annual Report** \_\_\_\_\_ **Calendar Year**  
Due last Saturday in March or within 6  
days thereafter

☐ **2016 Primary - First:**  
Due **March 26 - April 1, 2016**

☐ **2016 General - First:**  
Due **Sept. 26 - 30, 2016**

### Candidate/Political Committee

Candidate or Committee Name \_\_\_\_\_

Office Sought \_\_\_\_\_ District/Division \_\_\_\_\_ Election Year \_\_\_\_\_  
(Candidate Only) (Candidate Only)

Name of Financial Agent or Treasurer \_\_\_\_\_ Daytime Phone \_\_\_\_\_

Address \_\_\_\_\_

I, \_\_\_\_\_, hereby certify that the campaign/committee for which I am responsible for filing campaign finance reports is exempt from filing those financial reports as described in West Virginia Code §3-8-5(b)(1) or §3-8-5(b)(4).

\_\_\_\_\_  
Signature of Candidate, Treasurer or Financial Agent

Date \_\_\_\_\_

Where to file this form: \* Secretary of State - For statewide and legislative candidates, judicial candidates, and committees that support or oppose candidates on the ballot in more than one county.

\* County Clerk - For county offices and committees that support or oppose candidates on the ballot in only one county.

\* Municipal Clerk/Recorder - For municipal offices and committees that support or oppose candidates on a municipal election ballot.



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elections@wvsos.com  
www.wvsos.com

**OFFICIAL FORM F-12**  
**REVISED 05/15**



# State of West Virginia Campaign Financial Statement (Short Form) in Relation to 2016 Election Year

**IF YOUR ANSWER TO ANY OF THE FOLLOWING QUESTIONS IS "YES," YOU CANNOT USE THIS FORM. YOU MUST USE THE LONG FORM (FORM F-7) TO FILE YOUR CAMPAIGN FINANCE REPORT.**

1. Has your committee received any loans ?
2. Has your committee held any fundraisers?
3. Has your committee received any miscellaneous receipts, such as refunds or checking account interest?
4. Does your committee have any unpaid bills?
5. Have you or anyone else given an in-kind contribution to your campaign?
6. Has your committee given or received a transfer of excess campaign funds?

<b>Candidate or Committee Name</b>		<b>Candidate or Committee's Treasurer</b>	
<b>Political Party (for candidates)</b>		<b>Treasurer's Mailing Address (Street, Route or P.O. Box)</b>	
<b>Office Sought (for candidates)</b>	<b>District/Division</b>	<b>City, State, Zip Code</b>	<b>Daytime Phone #</b>

**Election Cycle Reporting Period (check one):**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> <b>Primary - First Report</b><br>Due March 26 - April 1, 2016 | <input type="checkbox"/> <b>Pre-Primary Report</b><br>Due April 25 - 29, 2016   | <input type="checkbox"/> <b>Post-Primary Report</b><br>Due May 23 - June 21, 2016  |
| <input type="checkbox"/> <b>General - First Report</b><br>Due September 26 - 30, 2016  | <input type="checkbox"/> <b>Pre-General Report</b><br>Due October 24 - 28, 2016 | <input type="checkbox"/> <b>Post-General Report</b><br>Due Nov. 21 - Dec. 19, 2016 |

**Check if Applicable:**

- ☐ **Amended Report**  
You must also check box of appropriate reporting period
- ☐ **Final Report**  
**Zero balance required.**  
PAC must also file Form F-6 Dissolution

**Non-Election Cycle Reporting Period:**

- ☐ **Annual Report Due In \_\_\_\_\_ Calendar Year**  
Due last Saturday in March or within 6 days thereafter

## REPORT TOTALS

(Fill in totals after you have completed page 2)

### CASH BALANCE SUMMARY

<b>Beginning Balance</b> (ending balance from previous report) <b>1.</b>		
<b>Total Contributions</b> (from Page 2) <b>2.</b>	+	
<b>Subtotal</b> (lines 1+2) <b>3.</b>	=	
<b>Total Expenditures</b> (from Page 2) <b>4.</b>	-	
<b>Ending Balance</b> (lines 3-4)	=	
<b>*Cannot have a negative ending balance</b>		

**TOTAL CONTRIBUTIONS  
ELECTION YEAR-TO-DATE  
(Add line 2 from all reports)**

**TOTAL EXPENDITURES  
ELECTION YEAR-TO-DATE  
(Add line 4 from all reports)**

**CONTRIBUTORS OF:****\$250 or Less****More than \$250**

Date	Full Name	Amount	Date	Full Name: Address: Contributor's job: (Individual) Where contributor works: (Individual) Affiliation: (Political committee)	Amount

**Total Contributions:  
(add both columns)****ITEMIZED EXPENDITURES (Itemize 3rd party expenditures/reimbursements)**

Date	Full name, residence address (if person); business address (if firm)	Purpose	Amount

**MAKE AS MANY COPIES  
OF THIS PAGE AS YOU NEED.****Total Expenditures:****OATH OR AFFIRMATION**

I, \_\_\_\_\_, swear or affirm that the attached statement is true and correct, to the best of my knowledge, of all financial transactions occurring within the period covered by this statement, as required by West Virginia Code §3-8-5a.

\_\_\_\_\_  
Signature of Candidate, Agent, or Treasurer

Date \_\_\_\_\_, 20\_\_\_\_.

**Office Use Only****Received By:**\_\_\_\_\_

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<b>Political Party (for candidates)</b>		<b>Treasurer's Mailing Address (Street, Route or P.O. Box)</b>	
<b>Office Sought (for candidates)</b>	<b>District/Division</b>	<b>City, State, Zip Code</b>	<b>Daytime Phone #</b>

**Election Cycle Reporting Period (check one):**

- |  |   |  |
|--|---|--|
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\$250 or Less

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Date	Full Name	Amount	Date	Full Name: Address: Contributor's job: (Individual) Where contributor works: (Individual) Affiliation: (Political committee)	Amount

**Total Contributions:**  
(add both columns)

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Date	Full name, residence address (if person); business address (if firm)	Purpose	Amount

MAKE AS MANY COPIES  
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**Total Expenditures:**

## OATH OR AFFIRMATION

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ELECTION YEAR-TO-DATE  
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(add both columns)

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MAKE AS MANY COPIES  
OF THIS PAGE AS YOU NEED.

**Total Expenditures:**

## OATH OR AFFIRMATION

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Office Use Only

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**Election Cycle Reporting Period (check one):**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> <b>Primary - First Report</b><br>Due March 26 - April 1, 2016 | <input type="checkbox"/> <b>Pre-Primary Report</b><br>Due April 25 - 29, 2016   | <input type="checkbox"/> <b>Post-Primary Report</b><br>Due May 23 - June 21, 2016  |
| <input type="checkbox"/> <b>General - First Report</b><br>Due September 26 - 30, 2016  | <input type="checkbox"/> <b>Pre-General Report</b><br>Due October 24 - 28, 2016 | <input type="checkbox"/> <b>Post-General Report</b><br>Due Nov. 21 - Dec. 19, 2016 |

**Check if Applicable:**

- ☐ **Amended Report**  
You must also check box of appropriate reporting period
- ☐ **Final Report**  
**Zero balance required.**  
PAC must also file Form F-6 Dissolution

**Non-Election Cycle Reporting Period:**

- ☐ **Annual Report Due In \_\_\_\_\_ Calendar Year**  
Due last Saturday in March or within 6 days thereafter

## REPORT TOTALS

(Fill in totals after you have completed page 2)

### CASH BALANCE SUMMARY

<b>Beginning Balance</b> (ending balance from previous report) <b>1.</b>		
<b>Total Contributions</b> (from Page 2) <b>2.</b>	+	
<b>Subtotal</b> (lines 1+2) <b>3.</b>	=	
<b>Total Expenditures</b> (from Page 2) <b>4.</b>	-	
<b>Ending Balance</b> (lines 3-4)	=	
<b>*Cannot have a negative ending balance</b>		

**TOTAL CONTRIBUTIONS  
ELECTION YEAR-TO-DATE  
(Add line 2 from all reports)**

**TOTAL EXPENDITURES  
ELECTION YEAR-TO-DATE  
(Add line 4 from all reports)**

**CONTRIBUTORS OF:****\$250 or Less****More than \$250**

Date	Full Name	Amount	Date	Full Name: Address: Contributor's job: (Individual) Where contributor works: (Individual) Affiliation: (Political committee)	Amount

**Total Contributions:  
(add both columns)****ITEMIZED EXPENDITURES (Itemize 3rd party expenditures/reimbursements)**

Date	Full name, residence address (if person); business address (if firm)	Purpose	Amount

**MAKE AS MANY COPIES  
OF THIS PAGE AS YOU NEED.****Total Expenditures:****OATH OR AFFIRMATION**

I, \_\_\_\_\_, swear or affirm that the attached statement is true and correct, to the best of my knowledge, of all financial transactions occurring within the period covered by this statement, as required by West Virginia Code §3-8-5a.

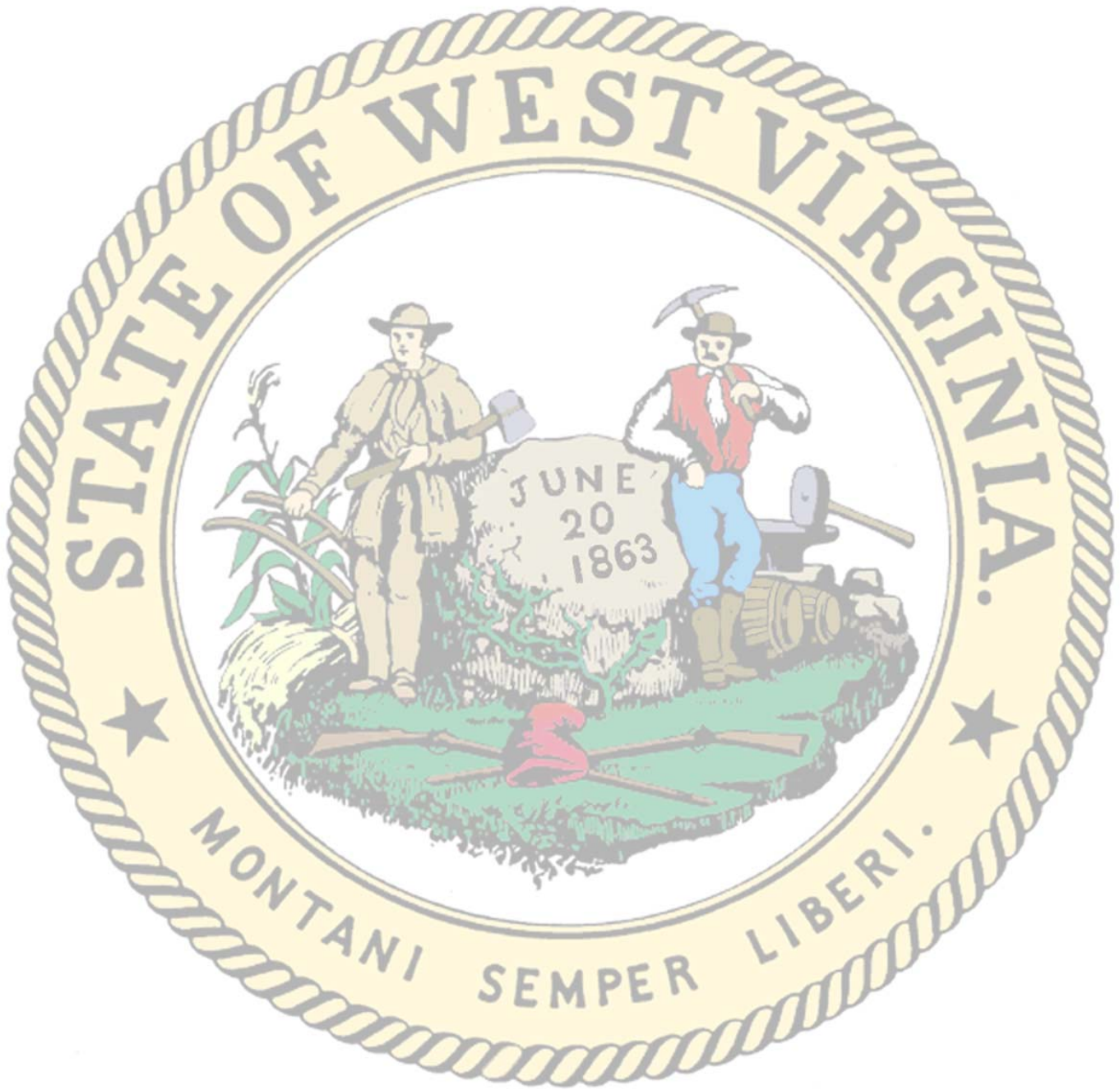
\_\_\_\_\_  
Signature of Candidate, Agent, or Treasurer

Date \_\_\_\_\_, 20\_\_\_\_.

**Office Use Only****Received By:**\_\_\_\_\_

2016 BEST PRACTICES GUIDE FOR

# CAMPAIGN FINANCE



WEST VIRGINIA SECRETARY OF STATE'S OFFICE  
ELECTIONS DIVISION

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## Getting Started

*(a) Every candidate, treasurer, person and association of persons, organization of any kind, including every corporation, directly, or by an independent expenditure, supporting a political committee established pursuant to paragraph (C), subdivision (1), subsection (b), section eight of this article or engaging in other activities permitted by this section and also including the treasurer or equivalent officer of the association or organization, expressly advocating the election or defeat of a clearly identified candidate for state, district, county or municipal office, and the treasurer of every political committee shall keep detailed accounts of every sum of money or other thing of value received by him or her, including all loans of money or things of value and of all expenditures and disbursements made, liabilities incurred, by the candidate, financial agent, person, association or organization or committee, for political purposes, or by any of the officers or members of the committee, or any person acting under its authority or on its behalf. (WV Code §3-8-5)*

## Who must file campaign finance reports?

- **Pre-candidates** for future offices
- All Existing **Candidate Committees**
- **Political Action Committees**
- **Political Party Executive Committees**
- **Legislative Caucus Committees**
- **Inaugural Committees**

## What must be reported?

- **Monetary Contributions** (Money)
- **In-Kind Contributions** (Non-cash contributions of value)
- **Loans Received**
- **Expenditures**
- **Unpaid Bills**
- Transactions Due to a **Fund-raising Event**
- All **Other Income** (Returned checks or contributions, interest on bank accounts, etc.)
- Uses of **Excess Funds**

## Where to file the reports for your committee? (WV Code §3-8-5b)

- With the **Secretary of State** if you are a candidate for a federal, statewide, legislative, judicial (excluding magistrate), or an office encompassing more than one county
- With the **County Clerk** if you are a candidate for an office entirely within one county (not including legislative candidates)
- With the **Municipal Recorder** if you are a candidate running for city office

Every candidate, pre-candidate and elected official is required to file campaign finance reports until the committee is closed. Candidates running for or elected to executive committee positions are not required to file campaign finance statements.

There are two important time periods for campaign finance reports:

- The **transaction period** is the specific time period committees must track all contributions and expenditures for their campaign finance reports.
- Financial activity tracked during each transaction period must be recorded on the campaign financial statement and submitted during the appropriate **time period in which the report is due**.

## Naming a Treasurer

A treasurer must be designated in writing at least 28 days before an election. If a candidate does not appoint a treasurer at least 28 days before an election, the candidate must serve as treasurer. Candidates for judicial offices may not be the treasurer for their own campaign.

All funds for a political committee are the responsibility of the treasurer, and all reporting requirements and financial transactions must be made through the committee's treasurer. Agents of the committee may make transactions on behalf of the committee and have the treasurer reimburse the transaction for the lawful expenses incurred by the agent. An agent may also accept contributions for the committee; however, the contributions must pass through the hands of the treasurer to ensure the contributions meet the acceptable criteria of a lawful contribution.

A treasurer or financial agent may resign, but a new treasurer must be designated before the resignation is official. The old treasurer continues to be responsible for the committee's finances until the new treasurer is appointed. The appointment is not official until a Change of Treasurer form is submitted to the proper filing office.

## Record Keeping

Candidates and all persons supporting, aiding or opposing the nomination, election or defeat of any candidate shall keep for a period of **six months** records of receipts and expenditures which are made for political purposes.

## What must be tracked?

Every committee "shall keep detailed accounts of every sum of money or other thing of value received by him or her, including all loans of money or things of value, and of all expenditures and disbursements made, liabilities incurred, by the candidate, financial agent, person, association or organization or committee, for political purpose or by any officers or members of the committee or any person acting under its authority or its behalf." (WV Code §3-8-5)

## **Records must include** (but are not limited to):

- Contributions of money
- Contributions of items of value as an in-kind contribution
- Loans received by the committee and the loan agreement
- Amount of loans repaid by the committee
- Expenditures from the committee's funds
- Bills that have yet to be paid, including payments for staff
- Transactions related to fundraising events
- Usage of excess funds and receipts of excess funds

## **Opening a Candidate Committee**

### **The Certificate of Announcement**

At the time of filing your Certificate of Announcement, you must also pay a filing fee. If you are filing with the Secretary of State, this fee may be paid by check, credit card, cash or money order. Personal checks may be used; however, if the check is returned for insufficient funds, your candidacy will not be certified. Checks should be made payable to the Secretary of State's Office. Many of the filing fees are based on the salary of the position you are seeking. If the salary of the position you seek changes, the filing fee will change accordingly.

Please contact your County Clerk for specific fees for county offices and the type of payment they can accept.

For the 2016 election cycle, candidates must file a Certificate of Announcement during the period of:

**Monday, January 11, 2016 through midnight on Saturday, January 30, 2016.**

The Certificate of Announcement cannot be accepted prior to January 11, 2016. If the form is filed or postmarked before January 11, 2016, it will be returned and must be filed only during the proper filing period. Filings that are mailed must be post marked by the U.S. Postal Service no later than midnight on January 30, 2016. If you use an express shipping service (UPS, FedEx, DHL, etc.) your filing must be **received** by midnight on January 30, 2016. Dates provided by these services are not equivalent to postmarks.

### **Where to File:**

**Secretary of State** for any Federal office, Statewide office, State Senate, House of Delegates or Judicial office (excluding Magistrate), or if you are running for an office on the ballot in more than one county.

**County Clerk** for any County Office.

**Municipal Recorder** for a candidate running for municipal office.

- Filing the Certificate of Announcement in the proper location is of the highest of importance. If the document is improperly filed, your ability to run for office could be seriously jeopardized. **Late filings cannot be accepted for any reason.**

## Starting a Political Action Committee (PAC)

### Who Must Register

A group must register as a PAC if they are:

- Soliciting contributions or spending funds in support or opposition of candidates or political parties in an election.
- A corporation planning to organize to solicit contributions and spend funds in support or opposition of candidates or political parties in an election.

To register as a Political Action Committee in West Virginia, you must file a Statement of Organization with the Secretary of State's Office, County Clerk's Office, or the Municipal Clerk's Office.

PACs must file their Statement of Organization no later than 28 days before the election in which the PAC will be active.

When organizing your committee, you must designate a treasurer to be responsible for the finances. **Your organization may not receive or spend funds for political purposes if a treasurer has not been designated.**

The Statement of Organization must include the signatures of the chairperson and the treasurer of the committee. The treasurer who is designated will remain the treasurer until a new treasurer is designated.

**Groups of individuals organizing for the purpose of issue advocacy only are not required to register as a PAC.**

### Corporate Political Action Committees

Although some types of corporate political activity are prohibited, a corporation may set up a corporate PAC. The corporation may solicit funds to a separate segregated fund to be used for political purposes only. Corporate PACs are regulated by the same rules and regulations as Non-Corporate PACs with these additional prohibitions:

- Receiving contributions from any other person than its stockholders and their immediate families and its executive or administrative personnel and their immediate families.
- Giving money or anything of value belonging to the corporation to the corporation's PAC.



- Using money gained by job discrimination, financial reprisal or physical force or money gained by a commercial transaction.
- Individuals soliciting a contribution at the time of the solicitation failing to inform those being solicited of their right not to contribute without punishment.

## Contributions

### Contribution Limitations

The contribution amounts that an individual may give to any committee are set by West Virginia State Code §3-8-12 to be valued at **\$1,000 per primary election** and **\$1,000 per general election**. It is unlawful for the committee to accept any contributed funds which exceed the contribution limit. Excess contributions must be returned to the contributor. All items of value (cash and in-kind contributions) given to a committee are counted toward this limitation of \$1,000. A candidate may contribute as much as they desire to their own campaign; however they cannot be reimbursed unless it is a loan, rather than a contribution.

### Reporting Contributions

Contributions of \$250.00 or less must include the name of the contributor and the date the contribution was received by the committee.

Contributions over \$250.00 must include the name of the contributor, date the contribution was received by the committee, the contributor's occupation, the contributor's place of employment, or the affiliation of the political committee if it is not an individual.

### Cash Contributions

The maximum cash contribution a committee may receive from a contributor is \$50. The name of the contributor and date of contribution must be recorded. All contributions over \$50 must be by means other than cash. Cash contributions over the amount of \$50 must be returned to the contributor.

## Loans

A candidate, spouse of a candidate or a lending institution may give a loan to the candidate's committee. When a candidate committee takes a loan, even if it is from the candidate, must include a copy of the loan agreement for each loan with the next campaign finance report that is due. The loan agreement must state the date, amount, interest amount (if any), description of collateral, and full names and addresses of all persons involved in the loan.

A loan by the candidate to his or her committee may be forgiven. Loans from a spouse or lending institution may not be forgiven. If a loan is to be forgiven by a candidate to the committee, the loan should then be considered as a contribution from the candidate to the candidate's committee. To report the forgiving of a loan, the amount of the loan will be reported as a contribution to the committee from the candidate and the loan will be paid for, indicating that the committee no longer carries the liability.

## **In-Kind Contributions**

An **in-kind** contribution is a contribution to a committee which is something of value, with the exception of money. Examples of in-kind contributions are food, drink and entertainment costs that are associated with a fund-raising event, the use of a cell phone, use of a car, discounts of a price, use of a home for a fund-raiser, etc. These contributions are to be reported at the fair market value of the use of the resources, and are subject to the contribution limits of the individual giving the contribution.

## **Other Income**

Other income includes refunds on bills paid, interest on bank account, sale of equipment or any income not reported as a contribution or in-kind contribution.

## **Fund-Raisers** (WV Code §3-8-1a)

A fund-raising event is “an event such as a dinner, reception, testimonial, cocktail party, auction or similar affair through which contributions are solicited or received by such means as the purchase of a ticket, payment of an attendance fee or by the purchase of goods or services.” (West Virginia Code §3-8-1a)

Fund-raising events are to be reported separately from other transactions, with those transactions being grouped by fund-raising event. A total Net Receipt of Funds must also be accounted for.

## **Raffles**

Although raffles are a common way for a charitable organization to raise money, candidate committees and political action committees are prohibited from holding a raffle by West Virginia Code §47-21-2. Political Party Executive Committees are the only political organizations that can hold a raffle after obtaining a license. To organize a raffle the group must have a license from the West Virginia Tax Department.

## **Anonymous Contributions** (WV Code §3-8-5a(j))

“Passing the hat” at a meet-the-candidate dinner or other type of fundraiser is used to bring in contributions anonymously. If a contribution is received anonymously, and the contributor cannot be identified, the money must be turned over to the State of West Virginia General Revenue Fund.

All contributions must be identified with the full name of the person or group which gave the donation. If the identification of the donor of a contribution cannot be determined, the donation must be given to the State of West Virginia General Fund. Send an amount equal to the anonymous contribution to the West Virginia Secretary of State's office.

## Political Contributions

Active Political committees are restricted to the types of contributions they may give and receive. The capacity to give or receive a contribution is dependent on the type of committee established. Below you will find a list of possible contribution types and if the contributions are acceptable to the committee.

### **As a State Candidate you may give up to \$1,000 to:**

Executive Committee  
Legislative Caucus Committee

### **As a State Candidate you may receive up to \$1,000 from:**

State PAC  
Executive Committee  
Federal Committee  
Corporation PAC

### **As a State Candidate you may NOT give money to the following:**

Another State Candidate  
PAC  
Federal Committee

### **As a State Candidate you may NOT receive money from an Independent Expenditure PAC.**

## Persons Entering Into State Contract

*...no person entering into any contract with the state or its subdivisions, or any department or agency of the state, either for rendition of personal services or furnishing any material, supplies or equipment or selling any land or building to the state, or its subdivisions, or any department or agency of the state, if payment for the performance of the contract or payment for the material, supplies, equipment, land or building is to be made, in whole or in part, from public funds may not, during the period of negotiation for or performance under the contract or furnishing of materials, supplies, equipment, land or buildings, directly or indirectly, make any contribution to any political party, committee or candidate for public office or to any person for political purposes or use; nor may any person or firm solicit any contributions for any purpose during any period. (WV Code §3-8-12(d))*

## **Code of Fair Campaign Practices** (WV Code §3-1B-5)

At the time of filing for office, you will have an opportunity to subscribe to the Code of Fair Campaign Practices. The code is a voluntary pledge to adhere to a few guidelines which will create an atmosphere of campaigning that is constructive, ethical, and good-natured. The code has been in existence since 1995.

### **Highlights of the Code Include:**

- A pledge to adhere to campaign spending limitations
- To conduct your campaign openly and publicly
- To condemn false advertising or communications which are not fact
- To not coerce individuals under your authority to give contributions or election help
- To defend and uphold the right of every qualified voter to full and equal participation in the electoral process

### **Voluntary Contribution Limitations**

	<u>PRIMARY</u>	<u>GENERAL</u>
Governor	\$1,000,000	\$1,000,000
Constitutional Officer	\$ 150,000	\$ 150,000
Supreme Court	\$ 50,000	\$ 50,000
Circuit Judge	\$ 50,000	\$ 50,000
State Senate	\$ 50,000	\$ 50,000
House of Delegates	\$ 25,000	\$ 25,000

Contributions which do not exceed the limits designated for the primary election may not be added to the limits for the general election.

### **Voluntary Subscription to the Code**

To subscribe to and to adhere to the Code of Fair Campaign Practices is voluntary. In no event may any person be required to adhere to or endorse the code.

In the event that an opponent to a subscribing candidate of the Code of Fair Campaign Practices exceeds the campaign spending limitations, the candidate who has subscribed to the code who has not exceeded the spending limitations shall be automatically released from the portion of the code establishing the campaign spending limitations.

## Expenditures

All expenditures must be reported. Detailed accounts of all expenditures, disbursements made and liabilities incurred must be reported.

Money spent out-of-pocket on an election must be reported as an expenditure. If money is spent on behalf of a candidate, and is not reimbursed by the committee, it must be reported as an in-kind contribution, and is subject to contribution limitations.

An active candidate's committee (before the election date of the candidate) cannot give donations to other candidates committees or Political Action Committees. This activity is not permitted by West Virginia Code §3-8-9.

All expenditures must be made at a rate and an amount which is "proper and reasonable" to the services purchased.

An expenditure made is to be reported on the date in which the check is written or transfer of funds takes place.

Required information for all expenditures:

- The name of the person or business to which the expenditure was given
- The date of the transaction
- The purpose of the transaction
- The amount of the expenditure

## Allowable Expenditures

**A candidate or political committee may make expenditures only for the following purposes:**

- Office expenses, overhead costs for headquarters, and for costs related to postage.
- Candidates who do not have headquarters may purchase or rent filing cabinets, other office equipment and furnishings, computers, computer hardware and software, scanners, typewriters, calculators, audio visual equipment
- Paid legitimate advertisements for the promotion of the candidate on the ballot
- Costs related to public meetings and political conventions such as food, drink, and entertainment
- Necessary traveling and hotel expenses
- Costs incurred with petitions for nomination of candidates
- Lists of registered voters, investigating an individual's right to vote and conducting proceedings to prevent unlawful registration or voting
- Taking voters to the polls

- Securing publication in newspapers, radio, and television broadcasting of information that is relevant to an election
- Conducting a public opinion poll or polls
- Legitimate advertising agency services
- The purchase of memorials, flowers or citations by political party executive committees or political action committees representing a political party
- The purchase of nominal, noncash expressions of appreciation following the close of the polls of an election or within thirty days thereafter
- The payment of dues or subscriptions to any national, state, local, or legislative caucus committee of any political party
- To employ persons to perform functions enumerated in WV Code §3-8-9, either on a full-time, part-time, or temporary basis.

## **Political Advertisements**

All political advertisements and materials must have a disclaimer on them identifying who the advertising was paid for or on behalf of. When putting a disclaimer on the advertisement you must state the name of the person or committee authorizing its publication.

## **Unpaid Bills**

All liabilities incurred by a committee must be reported. This includes all bills, or promises of payment that have been left unpaid at the end of the reporting period. A listing of unpaid bills will ensure that the committee does not ever have a negative ending cash balance, but still shows all transactions that have taken place. The transaction date of an unpaid bill will be the date that the vendor provides a bill for payment.

## **Excess Funds**

After a candidate withdraws from an election, loses in a primary, loses in a general election or wins the election, the funds in possession of the committee that amount to more than the liabilities incurred for the election are considered Excess Campaign Funds. No person may receive or utilize excess campaign assets for personal economic gain. (WV CSR §146-3-7)

# Completing the Campaign Finance Report

## Determining What Form to Use

The **Long Form Campaign Financial Statement** includes all activities that required by WV Code §3-8-5a. If a committee answers YES to any of the following questions, a **Long Form** must be used:

- Has your committee received any loans?
- Has your committee held any fundraisers?
- Has your committee received any miscellaneous receipts, such as refunds or checking account interest?
- Does your committee have any unpaid bills or loans?
- Have you or anyone else given an in-kind contribution to your campaign?
- Has your committee given or received a transfer of excess campaign funds?
- Has your PAC made any Independent Expenditures within this reporting period?

The **Short Form Campaign Financial Statement** is designed to accommodate committees that do not have transactions beyond simple contributions and expenditures; it does not cover any other reporting requirements, such as loans and in-kind contributions, which are required by WV Code §3-8-5a.

Both the short and long finance forms require both the candidate or committee name and the treasurer's contact information. The candidate, agent, or treasurer must also sign the oath or affirmation at the end of the form.

## Reporting Periods

- The reporting period during the election cycle to which the financial report applies must be indicated: primary-first, pre-primary, post-primary, general-first, pre-general, or post-general.
- Each election cycle reporting period covers a certain time span during the election cycle for which candidates and committees must report financial transactions.
- These reports are to be filed in succession of one another.

## Additional Report Types

- **Annual Report:** Due annually, during off election years. Candidate and committees open during a non-election cycle must check the box for the annual report and fill in the calendar year.
- **Amended Report:** Filed to replace a previously submitted report to correct information. Both the amended report box and the reporting period that will be amended must be clearly marked.

- **Final Report:** Filed to close your account. The final report box must be marked. If the report is submitted during a required reporting period, the reporting period must also be noted. The committee's ending balance must be zero if filing a final report.

## **2016 Election Year Campaign Finance Reporting Schedule**

<b><u>REPORT</u></b>	<b><u>TRANSACTION PERIOD</u></b>	<b><u>REPORT DUE</u></b>
2016 Annual/ Primary-First	March 28, 2015 – March 25, 2016	March 26, 2016 – April 1, 2016
Pre-Primary	March 26, 2016 – April 24, 2016	April 25, 2016 – April 29, 2016
Post-Primary	April 25, 2016 – May 22, 2016	May 23, 2016 – June 21, 2016
General-First	May 23, 2016 – September 25, 2016	September 26, 2016 – September 30, 2016
Pre-General	September 26, 2016 – October 23, 2016	October 24, 2016 – October 28, 2016
Post-General	October 24, 2016 – November 20, 2016	November 21, 2016 – December 19, 2016
2017 Annual	November 21, 2016 – March 24, 2017	March 25, 2017 – March 31, 2017
** 2017 Annual for candidates in past elections with open campaign accounts and pre-candidates for future elections:		
	March 26, 2016 – March 24, 2017	March 25, 2017 – March 31, 2017

## **2016 Election Year Campaign Finance Reporting Schedule** **for Candidates Elected on the Primary Ballot**

<b><u>REPORT</u></b>	<b><u>TRANSACTION PERIOD</u></b>	<b><u>REPORT DUE</u></b>
2015 Annual	March 29, 2014 – March 27, 2015	March 28, 2015 – April 3, 2015
General-First	March 28, 2015 – March 25, 2016	March 26, 2016 – April 1, 2016
Pre-General	March 26, 2016 – April 24, 2016	April 25, 2016 – April 29, 2016
Post-General	April 25, 2016 – May 22, 2016	May 23, 2016 – June 21, 2016
2017 Annual	May 23, 2016 – March 24, 2017	March 25, 2017 – March 31, 2017
2018 Annual	March 25, 2017 – March 30, 2018	March 31, 2018 – April 6, 2018



## Reporting Contributions of \$250 or Less

For each contribution of \$250 or less, the committee must include (1) the full name of the individual, association, or committee donating; (2) the amount of the contribution; and (3) the date the contribution was made.

## Reporting Contributions of Over \$250

Once contributions from an individual, association, or committee reach an accumulated total of more than \$250 during an election cycle, the committee must collect and record additional information on the campaign finance report.

### Required information from contributors of more than \$250:

- Full name
- Amount of contribution
- Date the contribution was made
- Residential and mailing addresses

### Individual contributors only:

- Occupation (e.g., attorney, doctor, homemaker, retired)
- Employer (this is the contributor's primary employer; if self-employed it should be noted; if homemaker or retired, "not applicable" may be used)

### Political committees only:

- Political affiliation of the committee (or if the donation comes from a business-affiliated PAC, the business that the PAC is sponsored by)

## Reporting a Fund-Raising Event

If a committee hosts a fund-raising event, such as a dinner or reception for the purpose of raising money for the campaign, the *Long Form Campaign Financial Statement* must be used to report committee finances.

**Fund-Raising Event:** All contributions received at a fundraising event must only be reported on the fund-raising events page of the campaign financial statement. Committees must report contributor information under the same requirements for reporting contributions as outlined above.

**Total Monetary Contributions:** Total of money received (cash or check) in connection with this particular fund-raising event.

**Total Expenditures:** All committee funds spent in relation to the fund-raising event. These expenditures are to be listed on the itemized expenditures page of the campaign financial statement.

**Net Receipts:** The total amount of funds accumulated in relation to the fund-raising minus all committee expenses.

**In-Kind Contribution:** A donation of goods or services used toward the fund-raising event that can be assigned a monetary value. In-kind contributions must be itemized in the in-kind contributions section of the campaign financial statement.

## Reporting Other Income and In-Kind Contributions

If the committee receives “other income” or an in-kind contribution, the *Long Form Campaign Financial Statement* must be used to report the committee finances.

**Other Income:** Income that does not fit the definition of a contribution, such as interest on a bank account, refunds, or the sale of equipment. Information required for the other income category includes the date of the receipt, source of the income, the type of receipt (brief description), and the amount of the transaction.

**In-Kind Contributions:** a donation of goods or services used toward the campaign. The amount of an in-kind contribution should be reported at the fair market value of the goods received or services rendered. The committee should include the full name of the contributor, date of the transaction, description of the contribution, and the value. If the value of the contribution is over \$250, additional contributor information is required: address, occupation and employer if it is an individual, and affiliation if it is a PAC.

## Reporting Loans

If a loan is taken for a candidate's committee, the information required on the loans page of the *Long Form Campaign Financial Statement* must be completed, and a copy of the loan agreement must be included with the same financial statement.

The following information must be reported on outstanding loans:

- The name and address of the bank, candidate, or candidate's spouse making the loan;
- The balance of the loan carried from the previous report;
- The amount of all new loans received during this period;
- Repayments made during the reporting period;
- The outstanding balance at the end of the reporting period for each loan listed.

## Reporting Expenditures

All expenditures made by a political committee must be reported. The following information is required for all expenditures:

- Date of the expenditure – the date the check is written or the money is transferred to any person to pay for goods or services rendered.
- Name and address of person or vendor to whom the expenditure was given.
- Purpose – The purpose of the expense must be a reason outlined in §3-8-9 of West Virginia code.

## **Online Campaign Finance Reporting System (CFRS)**

Our new online Campaign Finance Reporting System (CFRS) is available for any committees that file campaign finance reports with the Secretary of State's office. Candidates for Governor, Secretary of State, Attorney General, Auditor, Treasurer, Commissioner of Agriculture and Supreme Court of Appeals must file campaign finance reports electronically.

With the CFRS, you can record, sort and submit your campaign finance reports online without organizing, transferring totals to other pages, and tallying totals in the report yourself. The CFRS will not allow many errors to occur and will correct most unnecessary mistakes you may otherwise overlook by mistake.

Submitting your campaign finance reports online will eliminate errors in math, transferring balances between reports, and entering information in the incorrect area of your report. At the touch of a button, you can file your report with the Secretary of State's office, no longer leaving your committee wondering if the reports have been filed accurately.

Please contact the Secretary of State's office if you are interested in using our CFRS.

## **Late, Incomplete or Inaccurate Statements**

If a financial report has not been submitted in a timely manner, your committee may be subject to the penalty provisions of West Virginia Code §3-8-7. If a report is submitted early, it cannot be accepted. A report which is submitted early will not include all financial transactions until the completion of the final day of the reporting period.

Some incomplete or inaccurate reports will also need to be returned to the committee. If a report is returned to your committee, late penalties may be issued until the report is submitted to the proper filing official. The most common incomplete or inaccurate statements that are returned include:

- Committee name and election year are not accurate
- Wrong reporting period box marked
- Contributions and expenditures not for the indicated reporting period
- Final report indicated with an ending balance, unpaid bills or loans
- Oath or Affirmation not signed or not signed by an appropriate person

## **Penalty Provisions**

According to West Virginia Code §3-8-7, failure to file a financial statement is a misdemeanor, punishable by up to a year in jail, a fine of \$500 or both, at the discretion of the court. This penalty also applies to "grossly incomplete or inaccurate" financial statements. Civil penalties of \$25 a day for each day a report is late or grossly inaccurate may also be levied. Candidates who have not filed the required campaign finance reports for the Primary Election will not be placed on the General ballot. Candidates that have not filed the required financial reports for the General Election cannot assume the duties of their office until all required reports are properly filed.

West Virginia law allows the Secretary of State (or the County Clerk or Municipal Recorder) to review or audit financial reports in order to ensure compliance with campaign finance laws. They are required to submit the names of individuals who have failed to file financial statements, or have filed incomplete or inaccurate financial statements, to the county prosecuting attorney for action.

## **Record Keeping**

Candidates “and all persons supporting, aiding or opposing the nomination, election or defeat of any candidate shall keep for a period of **six months** records of receipts and expenditures which are made for political purposes.” (WV Code §3-8-2)

## **After the Election**

After a candidate withdraws from an election, loses in a primary, loses in a general election or wins the election, the funds in possession of the committee that amount to more than the liabilities incurred for the election are considered **Excess Campaign Funds**. No person may receive or utilize excess campaign assets for personal economic gain. (WV CSR§146-3-7)

## **Allowable Uses of Excess Campaign Funds**

The **only** allowable expenditures of excess campaign funds are outlined here:

- **Transfer of funds from a candidate’s committee to the same candidate’s committee for a subsequent election year**  
A new committee must be formed or a Pre-Candidacy Statement filed for the subsequent election year prior to making the transfer of funds. There is no limitation of the amount of funds that may be transferred.
- **Contribution to another candidate’s committee, political action committee, or a local executive committee**  
The limit on these contributions is \$1,000 per cycle.
- **Contribution to any state political party executive committee or a legislative caucus committee**  
The limit on this contribution is \$15,000.
- **Return of contributions on a pro-rata basis to each donor.**
- **Transfer to any national or local committee of any political party**  
The limit on these contributions is \$1,000.

- **Offsetting any usual and customary expense incurred in connection with the duties as a holder of public office**

Any items purchased will become the property of the State, or the district, county, or municipality of the office that is held. Although “usual and customary expense” is not defined, there must be some evidence of a common usage for their purpose.

- **Making a charitable contribution**

There is no monetary limitation for charitable contributions.

## **Closing the Committee**

A committee is considered to be open until a Final Report is filed stating that the committee has no outstanding loans, bills, and an ending balance of zero. Any Final Report which does not meet these criteria will be returned. A Final Report does not need to be filed during a specific reporting period, but must include all activity up to date of the report being filed. Once a Final Report is filed the committee may not raise or spend any funds. A new candidate committee must be created for every election cycle in which a candidate is running for office.

## **Dissolution of a PAC**

In addition to having no unpaid bills or a balance of funds at the time of submitting a Final Report, a political action committee must file a Notice of Dissolution of a Political Committee form. This form affirms the committee will no longer accept contributions or make expenditures, and cease activity as a political committee. This form must be filed at the same time the Final Report is submitted to the proper filing office to finalize the dissolution of a PAC.

## **Independent Expenditures**

Any paid advertisement that is done without the “consultation or coordination” of a candidate or a candidate’s committee is considered an independent expenditure. A disclaimer must be present on all independent expenditures stating “Paid for by (committee or individual’s name)” and also that the advertisement “is not authorized by any candidate or candidate’s committee.”

There is no limit on the amount of funds that can be spent on Independent Expenditures. However, there is an additional reporting requirement for these expenditures. Any individual or organization making independent expenditures must follow the reporting dates set by West Virginia Code §3-8-5.

Any individual, PAC, corporation, or executive committee may make an “independent expenditure” in an attempt to influence the election or defeat of a candidate for office. This expenditure must be made without the consultation or coordination of the candidate or candidate’s committee to be considered independent. If the expenditure is made in consultation or coordination with the candidate or candidate’s committee, the expenditure will be considered an in-kind contribution to the candidate’s committee and will be limited to the \$1,000 contribution limits.

In addition to reports due during regular reporting periods, any individual or organization must file additional reports when making a:

- \$1,000 single time/aggregate expenditure made within a calendar year,
- \$500 or more expenditure for any county office or single county judicial candidate within 15 days and before 12 hours of an election,
- \$1,000 or more expenditure for any statewide, legislative or multi county judicial candidate within 15 days and before 12 hours of an election, or
- \$10,000 or more anytime expenditure.

All independent expenditures must have a “clear and conspicuous public notice” identifying the person who paid for the expenditure and that it had not been authorized by any candidate or candidate’s committee.

## **Electioneering Communications**

Any communication defined as electioneering communications must have a disclaimer clearly stating “Paid for by (committee name)”. If the Electioneering Communication is an Independent Expenditure, the communication must also include that “it is not authorized by any candidate or candidate’s committee.” If the communication is made for television, it must be spoken clearly and appear on the screen at the end of the advertisement.

All independent expenditures and electioneering communications reports will be posted on the Secretary of State’s website at [www.wvsos.com](http://www.wvsos.com).

## **Supreme Court Public Campaign Financing**

The West Virginia Legislature has created a program using public monies to finance some campaigns for elected office. This program is known as the West Virginia Supreme Court of Appeals Public Financing Campaign Program.

The public financing option is only available to candidates the Justice of the West Virginia Supreme Court seat that is up for election in 2016.

Participation is voluntary for any candidate who chooses to receive the public monies. Public monies are provided only to qualified candidates. Candidates accepting public monies cannot raise and spend other contributions. Rules, laws, and explanation of the program may be found on the Secretary of State's website under "Elections" and "2016 West Virginia Supreme Court of Appeals Public Campaign Financing Program Information."

## **Division of Highways Rules for the Placement of Political Signs**

Signs or posters cannot be placed on or above a Division of Highways right of way, which normally stretches 20 feet from the center line of a public road. Distances do vary, however, so please contact the West Virginia Division of Highways if you are uncertain.

Signs or posters near rights of way must comply with the outdoor advertising statute in Chapter 17, Article 19, Section 1 of the West Virginia Code, and must also conform to any municipal ordinances regulating outdoor advertising.

Signs or posters cannot be placed on Division of Highways traffic control signs nor block such signs, and cannot obscure the view of any connecting road or intersection.

Signs or posters cannot be placed on elements in nature, such as rocks or trees.

Avoid placing materials on fence posts, utility poles, or other stationary objects on private property without consent of the property owners.

Political overhead banners cannot be erected over any county, state or federal highway.

## 2016 Election Campaign Finance Deadlines for West Virginia Candidates and Political Committees

*as required by §3-8-5 of the W.Va. Code*

REPORT	REPORTING PERIOD	REPORT DUE	EXEMPTIONS
Primary - First Report (2016 candidates & political committees)	March 28, 2015 through March 25, 2016	March 26, 2016 through April 1, 2016	Candidates and political committees in which the total of all financial transactions during the reporting period does not exceed \$500 may submit a waiver.
2016 Annual Report (for candidates in past elections with open campaign accounts & pre-candidates for future elections)	March 28, 2015 through March 25, 2016	March 26, 2016 through April 1, 2016	
Pre-Primary Report	March 26, 2016 through April 24, 2016	April 25, 2016 through April 29, 2016	No exemptions. All 2016 candidates and political committees must file a report.
Post-Primary Report	April 25, 2016 through May 22, 2016	May 23, 2016 through June 21, 2016	No exemptions. All 2016 candidates and political committees must file a report.
General - First Report	May 23, 2016 Through September 25, 2016	September 26, 2016 through September 30, 2016	Candidates and political committees in which the total of all financial transactions during the reporting period does not exceed \$500 and in which there are no outstanding loans or unpaid bills may submit a waiver.
Pre-General Report	September 26, 2016 through October 23, 2016	October 24, 2016 through October 28, 2016	No exemptions. All 2016 candidates with open campaigns must file a report. All committees must file report.
Post-General Report	October 24, 2016 through November 20, 2016	November 21, 2016 through December 19, 2016	No exemptions. All 2016 candidates with open campaigns must file a report. All committees must file a report.
2017 Annual Report (2016 candidates & political committees)	November 21, 2016 through March 24, 2017	March 25, 2017 through March 31, 2017	Candidates and political committees in which the total of all financial transactions during the reporting period does not exceed \$500 may submit a waiver.
2017 Annual Report (for candidates in past elections with open campaign accounts & pre-candidates for future elections.)	March 26, 2016 through March 24, 2017	March 25, 2017 through March 31, 2017	



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[elections@wvsos.com](mailto:elections@wvsos.com)

**State of West Virginia**  
**NOTICE OF WITHDRAWAL OF CANDIDACY**

I hereby give notice that I am no longer a candidate for the office listed below. I request that my name be officially removed from the ballot for the election in which I was previously a candidate.

I certify that my committee will no longer accept any contributions or make expenditures unless in accordance with the provisions of the West Virginia Code of State Rules on Campaign Finance, Title 146, Series 3, Article 7.

Name of Candidate

Election Year

Committee Name

Office sought

District/Division

Signature of Candidate

Date

*Please note: This request must be received by the appropriate filing officer by the third Tuesday following the close of candidate filing*

STATE OF WEST VIRGINIA

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me on \_\_\_\_\_

(seal)

My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

- Where to file:
- \* Secretary of State - For ALL Legislative candidates and candidates on the ballot in more than one county.
  - \* County Clerk - For candidates on the ballot in only one county.
  - \* Municipal Clerk/Recorder - For candidates on the ballot in one municipality.



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OFFICIAL FORM C-9  
REVISED 11/13



# State of West Virginia TREASURER DESIGNATION For Candidate's Committee

I, \_\_\_\_\_, a candidate in the election year \_\_\_\_\_ for the office of \_\_\_\_\_ in the \_\_\_\_\_ district (if applicable), hereby designate the following person who has agreed to serve as treasurer to be responsible for the campaign financial activity in relation to my or the above office:

**Campaign Committee Name:** \_\_\_\_\_

**Treasurer Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_  
\_\_\_\_\_

**Treasurer County of Residence:** \_\_\_\_\_

**Daytime Phone Number:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

- ☐ Check here to enroll your committee in the Campaign Finance Reporting System which will allow you to file the committee's finances via an internet service provided by the Secretary of State. **This service is only available for committees that file with the Secretary of State.**

It is the responsibility of the treasurer to read and comply with all campaign finance laws, regulations, and other related materials. I understand that every financial transaction related to my precandidacy or candidacy is subject to the requirements of the WV Code and the Rules & Regulations promulgated by the Secretary of State, including all reporting requirements. This document will serve as the oath for all electronically filed reports associated with the above listed campaign, if applicable.

\_\_\_\_\_  
**Signature of Candidate**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature of Treasurer**

\_\_\_\_\_  
**Date**



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www.wvsos.com

File this form with **Secretary of State** if a candidate for statewide, legislative, or judicial office.

File this form with **County Clerk** if a candidate for county office.

File this form with **Municipal Clerk/Recorder** if a candidate for municipal (city or town) office.

**OFFICIAL FORM F-3  
REVISED 5/15**



# State of West Virginia

## Notice of Change of Treasurer For a Campaign Committee, Political Action Committee or Party Executive Committee

Committee Name: \_\_\_\_\_

Authorized person making appointment: \_\_\_\_\_

### Authorized person making appointment, please fill out the following:

I hereby notify you that \_\_\_\_\_ who previously served as treasurer of above  
Name of former financial agent or treasurer  
committee has resigned effective \_\_\_\_\_ and that the following person has agreed to serve in that capacity  
Date  
beginning \_\_\_\_\_.  
Date

\_\_\_\_\_  
Name of new treasurer or financial agent

\_\_\_\_\_  
Daytime phone

\_\_\_\_\_  
Mailing address

\_\_\_\_\_  
Email address

\_\_\_\_\_  
New treasurer county of residence

\_\_\_\_\_  
Signature of person making appointment

\_\_\_\_\_  
Date

### New treasurer please read and sign below:

- ☐ Check here to enroll your committee in the Campaign Finance Reporting System which will allow you to file the committee's finances via an internet service provided by the Secretary of State. **This service is only available for committees that file with the Secretary of State.**

The person listed on this form has agreed to serve as treasurer of this committee. The treasurer acknowledges that he or she is personally responsible for filing the statutorily required campaign finance reports until a Change of Treasurer notice (Form F-5) is submitted to the office that receives this form, or until the committee files a Notice of Dissolution (Form F-6). This document will serve as the oath for all electronically filed reports associated with the above listed campaign, if applicable.

\_\_\_\_\_  
Signature of new treasurer

\_\_\_\_\_  
Date



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File this form with **Secretary of State** if a candidate for statewide, legislative, or multi-county judicial office.

File this form with **County Clerk** if a candidate for county office or single-county judicial office.

File this form with **Municipal Clerk/Recorder** if a candidate for municipal (city or town) office.

