



City of Centennial
City Council and Mayor Election
Candidate Packet

Updated January 2021



January 15, 2021

Dear Candidate:

This Candidate Packet has been prepared as a general guide for candidates for elective office in the City of Centennial. This packet provides basic information associated with candidacy and other pertinent information about the election process. The City Clerk's Office, however, **cannot provide legal advice, cannot interpret campaign finance laws and does not manage campaigns or directly aid candidates seeking election.** You are encouraged to consult the Centennial Municipal Code and the Centennial Home Rule Charter (www.centennialco.gov), Colorado Revised Statutes (www.colorado.gov), and the Colorado Fair Campaign Practices Act (www.elections.colorado.gov) for specific requirements.

This early version of the Candidate packet assumes the election will be based on previous election practices. Information contained in this packet may be changed or modified prior to the election. Please refer to the City's website, www.centennialco.gov, for up-to-date information.

Each candidate should pay particular attention to the **City of Centennial's Campaign and Political Finance Disclosure Manual** and **Fair Campaign Practices Act**. The candidate is responsible for filing the appropriate documents in a timely manner.

Please note that within ten days after you become a candidate, the "**Candidate Affidavit**" form must be filed with the Centennial City Clerk. The "**Committee Registration Form**" must be filed with the City Clerk before accepting contributions or making any expenditures. Additionally, there are certain requirements imposed by law concerning the collection and deposit of campaign funds.

The City of Centennial will participate in a Coordinated Election with Arapahoe County on November 2, 2021.

If you have any questions, please contact me at 303-754-3324.

Sincerely,

Barbara Setterlind, MMC
City Clerk – Designated Election Official

Should I run?

INTRODUCTION

This memorandum provides general information about life as an elected official in the City of Centennial. It is based in part on legal requirements outlining the duties and responsibilities of the City's elected officials – but is more heavily based on the real-life experiences of elected officials that have lived the role. It provides food for thought as you decide whether to travel down the path toward election and is provided as part of the packet of additional materials which is made available in the City Clerk's Office. Those materials contain the hard facts about how to run, what your candidacy obligations are, and how the election will unfold. This document, on the other hand, addresses the initial questions you personally may have before deciding whether to take the next step.

COUNCIL GENERALLY

The Centennial City Council consists of nine elected officials including the Mayor. The Mayor is a member of the City Council. The Mayor has the same obligations as other members of the Council plus some additional duties as the ceremonial head of the City and required by Centennial's Home Rule Charter. The Mayor represents the citizens of the City at large. Two representatives from each of the City's four Council districts compose the remainder of the Council. These offices are all non-partisan. City elections are designed so that the terms of office of the Council members from the Districts are staggered. Therefore, in 2021, the Mayor and one representative from each Council District is open for election.

Council members receive monthly compensation of \$1000.00. The Mayor Pro Tem, who is appointed by the City Council each March, receives an additional \$84.00 per month. The Mayor receives \$1334.00 per month. These amounts are subject to tax deductions.

WHY SHOULD YOU DO IT?

People seek to serve their cities as elected officials for various reasons. Regardless of the motive, if you're contemplating serving your community as a member of City Council, you should be prepared for the demands, expectations and rewards that come with the role. Although the legal requirements for serving require only that you attend the scheduled meetings of the Council and participate as you desire in policy making, the City of Centennial has a proud tradition of active and involved elected officials who often exceed the minimum requirements.

As an elected official in Centennial, much more so than as a single voter, you will have a say in such important matters as how the City grows, what the street system will be like in the future, where and how development takes place, what the level of City provided services are and will be that benefit you and your neighbors, and how the City's annual budget will be allocated. It is a responsibility best met with energy, enthusiasm, and conscientiousness.

The Council sets public policy and sound policy decisions are the result of hard work. Thus, elected officials in the City are encouraged, albeit not legally required, to do outside-the-meeting work to review meeting materials, educate themselves about the public policy issues, interact with constituents and other elected officials, educate and inform constituents, attend meetings with other agencies and governments, serve on appointed committees, and act as liaisons with staff and other agencies.

YOU'VE GOT A FRIEND

Recalling the old adage that "no good deed goes unpunished," it can sometimes seem like all you ever hear from are aggrieved citizens. Happily (and hopefully just when you need it), you will see the benefits of a Council decision play out for the good of the community or you will occasionally get a much needed "thank-you." You will share the dais with others with a deep concern for the City and its citizens. Sometimes, and for periods even frequently, you won't agree with all of your fellow elected officials but you will be expected to disagree with professionalism and respect. Elected officials come from different backgrounds and have strengths different from yours but you will have a bond with them regardless because you have a common goal.



CENTENNIAL ELECTED OFFICIALS' TIME COMMITMENTS

Your experience as an elected official will be what you make of it. There are few legally required time commitments and those are marked with an asterisk below. The rest of the commitments set forth in this Section are obligations that Council members in the City have traditionally taken on -- and historically with zeal.

Council members and Mayor.

Regular meetings*

City Council meets on the first, second, and third Mondays of the month. On the first and third Monday, study sessions begin at 6 pm and the regular meeting begins at 7 pm. On the second Mondays, work sessions begin at 6 pm and are generally held in the Community Room of the Public Works Facility on Eagle Street. When a meeting falls on weeks containing a Monday holiday, the Council meeting is rescheduled to an alternate date acceptable to a majority of the Council.

On the same nights as Council meetings, Council also optionally meets at the Civic Center pre-meeting for dinner at 5:00, which may include time with Boards/Commission Members, representatives from the Sheriff's Office or Fire Districts.

Special meetings*

From time to time, and relatively infrequently, additional meetings are scheduled, known as "special meetings," when the press of business requires additional meeting time. The Council strives to schedule these meetings on the fourth Monday of a month or on Friday mornings.

Packet review

In advance of Council meetings, packets of meeting materials are delivered to the Council members on the preceding Thursday. Review of the packet can take 1-3+ hours and Council members are requested to send any questions raised by such materials to appropriate City staff by Monday morning to allow time for questions to be addressed before or at the Monday evening meeting.

Training

Newly elected officials are strongly encouraged to attend training sessions with City staff and the City Attorney's Office to become familiar with a variety of important subjects related to their service. These trainings can last 1-2 days. Traditionally, a Council Member Orientation session has occurred at the end of December following the election on two consecutive evenings.

Additionally, City staff and the City Attorney's Office offers "Friday Focus Meetings" starting in January following the election. These are education driven sessions to give newly elected officials and those already serving, a more in-depth training on issues specific to Municipal Government such as: the Budget Process, Municipal Court Operations, Economic Development Strategies, Capital Improvement Projects, or other such topics. "Friday Focus Meetings" are traditionally Friday morning breakfast sessions, held from 7:30am to 9:00am and all Council Members are encouraged to participate.

Council workshops

Council holds occasional full day (Saturday) or 2 consecutive week-night workshops to address comprehensive subjects such as strategic planning and budgets.

Council district meetings

Council members from each District hold evening meetings in a location within the District to address topics with constituents. The agendas of these meetings and the scheduling are handled by the District's Council members. Most Districts have a tradition of scheduling quarterly meetings.

Council liaison

The City has many internal advisory committees to research and provide guidance to Council on setting public policy. In addition, there are special districts and other governmental and quasi-governmental authorities that provide important public services to

the City's citizens. Members of Council are assigned to these committees or organizations to act as liaisons. Time constraints of working Council members are considered when assigning liaison duties; however, each Council member is asked to serve a liaison role. Time commitment will vary and meetings could be day or evenings.

Ad hoc committee or Council subcommittee participation

From time to time, the City convenes committees which include elected councilmembers to review proposals for services contracts, interview candidates for appointments to boards and commissions or consider special issues that come before the city. Each Council member is asked to volunteer some time to one or more of these committees. Time commitment will vary.

Individual constituent interaction

Constituents expect Council members to be available to communicate via electronic mail and phone calls about constituent concerns and to be diligent and consistent in following up and communicating such follow up back to the constituent.

Miscellaneous time commitments

Beyond the duties listed above, Council members are often asked to be present at ribbon cuttings, local ceremonies and community events, and important City traditions like the annual tree lighting.

Additional Mayoral time commitments

The Mayor has all the responsibilities and duties of a Council member as set forth above and some additional time commitments.

District meetings

The Mayor is not required to hold Council District meetings. The Mayor is, however, often invited to speak or present at District meetings.

Liaison/ committee membership responsibilities*

By ordinance, the Mayor is a member of the City's Budget Committee, Audit Committee and Investment Committee and is expected to attend these meetings. The Mayor may also be asked to take on additional liaison responsibilities or subcommittee roles as with any Council member. Time commitment will vary and meetings could be during the day or in the evening.

Other groups requiring Mayoral participation

1. The Mayor serves as the City's representative on the Board of the Denver South Economic Development Partnership and the Metro Mayor's Caucus meetings. Regular meetings of these groups are bi-monthly during the day. In addition, there is usually a full day workshop once per year.
2. The Mayor attends the county-wide Mayors, Commissioners, Managers meetings which occur 4 times per year during morning hours.

Staff intermediary

The Mayor may be asked by staff to participate in regular meetings with staff to address current City issues and projects. These meetings, if requested, are often scheduled during the day on Mondays.

Individual constituent intermediary

In addition to handling individual constituent concerns brought to the direct attention of the Mayor, the Mayor is often called upon to act as an intermediary with constituent concerns of a broader nature or when a constituent is dissatisfied with the level of follow up or solution offered by another at the City.

Regular office hours

Traditionally, the Centennial Mayor holds open publicized office hours at the Civic Center to allow walk-in constituent concerns to be addressed in an informal one-on-one fashion. These office hours have typically been scheduled for weekday business hours.

Miscellaneous time commitments

In addition to attendance at ribbon cuttings, local ceremonies and community events as with other Council members, the Mayor is most often requested to appear and speak at events such as community events, business openings, city events, HOA meetings, and school group meetings.

CAN YOU MAKE IT WORK?

Knowing now what the legal and traditional time commitments are, prospective candidates should evaluate their professional and personal situation and ask:

- Will your job allow the flexibility to be at the City Civic Center by 6:00 most Monday evenings?
- Do you have time late week and over the weekend to review the packets?
- Will your professional and personal life allow for (and hopefully even support) you in attending occasional weekend or evening workshops?
- Will you be able to commit to the occasional working group or focus group meetings, which are sometimes held during afternoon or evening hours?
- Are you organized in a manner which will allow you to interact with your constituents while still allowing you uninterrupted personal and/or professional time? (These constituent interactions can include emails, phone calls, meeting residents for coffee, attending occasional HOA meetings or special meetings called by a couple of residents, and/or being asked to walk an area where there are concerns.)
- Are you willing and able to occasionally serve on City-formed ad hoc committees (for example, selection committees for appointing officials to Boards and Commissions)?
- Do you have an interest in attending various community events? (Ribbon-cutting ceremonies, Sherriff's Office Awards Ceremony, State of the City annual luncheon are examples.)

MAKE AN INFORMED DECISION

If, after evaluation, you decide to go for it, you will learn more about the City, its issues, your neighbors, effective political exchange of ideas, time management, and being a public figure than you can imagine. The City's elected officials feel it is a rewarding important role that they fulfill and, like most important and enriching roles that people take on, it has its hills and valleys. Make the decision to run with your eyes wide open but remember -- most of the City's elected officials choose to run for a second term and that fact alone sums it all up.

Campaign Finance:

FAIR CAMPAIGN PRACTICES ACT REQUIREMENTS:

Candidates and others involved in assisting the candidate must adhere to the provisions of the Colorado Fair Campaign Practices Act, Article XXVII (Amendment 27) of the Colorado Constitution and the Secretary of State's Rules Concerning Campaign and Political Finance.

The Centennial Campaign and Political Finance Manual was created in 2011, and amended in 2020 by the Election Commission and the City Attorney's Office to assist candidates.

All forms must be filed with the City Clerk. Refer to "Filing of Fair Campaign Practices Act Reports" in the 2020 Candidate Manual or contact the City Clerk's Office for details.

Copies of FCPA affidavits, registrations and filings will be available for public review on the City's website as soon as they are filed.

IT IS YOUR RESPONSIBILITY TO BECOME FAMILIAR AND COMPLY WITH THE PROVISIONS OF THE COLORADO FAIR CAMPAIGN PRACTICES ACT.

Links:

Colorado Fair Campaign Practice Act:

http://www.sos.state.co.us/pubs/info_center/laws/Title1Article45.html

Colorado Constitution:

http://www.sos.state.co.us/pubs/info_center/laws/ArticleXXVIII.html

Secretary of State: http://www.sos.state.co.us/pubs/rule_making/rules.html



Campaign and Political Finance Disclosure Manual

October 2020

This Manual was created for reference purposes only and should not be used as a substitute for legal advice and actual knowledge of the campaign finance laws and regulations

Based on and Adopted From
Colorado Campaign and Political Finance Manual

Published by
Colorado Secretary of State
Revised April 2020

Using the Campaign and Political Finance Disclosure Manual

The City of Centennial, while a home rule city, has specifically adopted, by Charter and by Ordinance (2011-O-08), the Fair Campaign Practices Act as set forth in the Colorado Constitution and state statute. This Manual provides guidelines and helpful tips for proper compliance with the following laws governing campaign finance and required disclosures **as relevant to a City of Centennial election only**: (1) Article XXVIII (also known as Amendment 27) of the Colorado Constitution (may be referred to in this Manual simply as the “Constitution”), (2) Title 1 Article 45 of the Colorado Revised Statutes (may be referred to in this Manual simply as “C.R.S.”), (3) the Rules Concerning Campaign and Political Finance law as adopted by the Secretary of State’s Office (may be referred to in this Manual simply as “Rules”), (4) Section 5.5 of the City of Centennial Home Rule Charter, and (5) Article 6 of Chapter 2 of the Centennial Municipal Code. These laws and rules are provided as part of the Centennial candidate packet. As the City has, by ordinance, specifically adopted the state statutes and constitutional provisions on the issues of campaign finance and disclosure (with exceptions only to add an additional filing date and to provide for local enforcement and sanctions as a result of the Secretary of State’s Office advisory opinion placing such obligation on home rule jurisdictions), this Manual follows the interpretations of the Constitution, the C.R.S., and the Rules as promulgated by the Colorado Secretary of State.

NOTICE: If you are considering running for office, you, your agent, fundraisers, and campaign manager should become familiar with the requirements of the Constitution, the C.R.S., the Rules and the City’s ordinances. You must read Article XXVIII of the Colorado Constitution, C.R.S. Title 1, Article 45 and the accompanying Rules Concerning Campaign and Political Finance, and Article 6 of Chapter 2 of the Centennial Municipal Code to understand Colorado Campaign and Political Finance procedures and requirements. The information included in this Manual is based on the Colorado Campaign and Political Finance Manual published by the Colorado Secretary of State as revised in April 2020. Because applicable statutes and rules are subject to change and interpretation, you are advised that this Manual may not accurately reflect the current state of the law governing campaign and political finance disclosure in Colorado. This Manual merely reflects the City’s interpretation of those laws in effect at the time that it was issued. THEREFORE, THIS MANUAL SHALL NOT BE BINDING UPON THE CITY UNDER ANY CIRCUMSTANCES.

Furthermore, campaign and political finance law may undergo changes during the election cycle. The City Clerk may, but is not obligated to, issue updates or addenda to this Manual, and all parties wishing to receive any such documents should ensure that their contact information on file with the Clerk is current and accurate.

Please be advised that failure to comply with the requirements of Colorado law could subject you or your group to enforcement proceedings.

Contacting the City Clerk's Office with Campaign Finance Questions

The City Clerk's Office cannot provide legal advice on interpretations of the Campaign Finance laws as they apply to City of Centennial elections but can answer certain questions concerning compliance and logistics. Please contact the City Clerk, Barbara Setterlind, at:

Phone: (303) 754-3324
Email: bsetterlind@centennialco.gov
Address: 13133 East Arapahoe Road
Centennial, CO 80112

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PART ONE: CANDIDATES AND CANDIDATE COMMITTEES

BECOMING A CANDIDATE

You become a candidate when you publicly announce your intent to run for office *and thereafter* receive a contribution or make expenditures in support of your candidacy for City elective office. The City Clerk's Office recommends that, regardless of when you accept a contribution, if any, or make expenditure, you file a candidate affidavit with the City Clerk's office within 10 days of the day that you publicly announce your intent to run for office.

Public announcement includes, but is not limited to, making a statement a reasonable person would expect to become public signifying an interest in a public office by means of a speech, advertisement, or other communication reported to or appearing in public media or any place that is accessible to the public. This also includes a stated intention to explore the possibility of seeking an office and/or the registration of a Candidate Committee.

Documents and Where to File

Once you become a candidate for City elective office, you must file a *candidate affidavit* with the City Clerk's office within 10 days. The affidavit must be notarized and mailed or hand-delivered in hard copy to the City Clerk's office. The affidavit is an attestation that the candidate has familiarized themselves with campaign finance laws and regulations, so be sure to read the laws before submitting the affidavit.

CANDIDATES WITHOUT COMMITTEES (STANDALONE CANDIDATES)

Standalone candidates are those candidates who do not have a Candidate Committee. You do not need a Candidate Committee if you *will not* seek or accept contributions during your

candidacy or if you will only be spending your own money. You must have a committee if you will accept money from any other person/entity.

Standalone candidates must report all expenditures to the City Clerk.

Standalone candidates must itemize all expenditures of \$20 or more (either one-time expenditures or expenditures greater than \$20 in aggregate during a reporting period). Itemized expenditures must list the name and address of the contributor and the purpose of the expense.

The law does not require standalone candidate who do not make expenditures to file disclosure reports, but candidates may file a zero report if they choose.

Standalone candidates are no longer considered candidates upon losing the election to office. These individuals do not need to take affirmative action to end their candidacy and need not file ongoing disclosure reports. Candidates wishing to exit the race prior to the election must submit a written withdrawal and must file disclosure reports for any reporting periods in which they made expenditures until submitting such a withdrawal or until the election occurs.

CANDIDATE COMMITTEES

A Candidate Committee accepts contributions or makes expenditures under the authority of the candidate. A Candidate committee includes the candidate. A candidate may have *only one* active Candidate Committee. It is not necessary for the Committee to have other members besides the candidate.

Registering your Committee

Under the Colorado Constitution, a person becomes a candidate when he or she:

- publicly announces an intent to run for office and

- receives a contribution or makes an expenditure in support of their candidacy.

The City Clerk recommends registering a Candidate Committee with the City Clerk *before* accepting contributions or making expenditures.

You will need a committee name (usually including the name of the candidate, such as “Jane Doe for District 1 Councilmember”), physical, mailing and e-mail addresses, a description of your committee’s purpose, the details of the office sought, and financial information including the name of the bank where the committee has or will have an account.

Registered Agents

You also need to designate a registered agent who acts as the committee’s representative. The candidate may be the registered agent or may designate another person to serve as registered agent. The registered agent must be reported on the committee registration form, must be a natural person, and is responsible for maintaining all committee records and filing all reports on time. The registered agent must sign the committee’s registration form and all disclosure reports. For candidate committees, the candidate must also sign all registration forms and reports filed.

The registered agent is like a treasurer — he or she keeps track of all contributions and expenditures and can file the committee’s reports. The registered agent has important duties, and access to all the committee’s financial information. The City Clerk communicates primarily with the registered agent via telephone or email.

In addition to the candidate or the registered agent, the committee may also assign the timely filing of Contribution and Expenditure reports to a designated filing agent.

The registered agent can be replaced after a formal resignation, and the committee must file

an amended committee registration within ten (10) calendar days. To resign, a registered agent must file a resignation letter with the City Clerk via mail or hand-delivered in hard copy to the City Clerk’s office. For a candidate committee, upon resignation of the registered agent the candidate becomes the registered agent until a new agent is assigned. A new registered agent must assume the role before the City’s records will reflect a resignation. Please see Rule 9.2 for more information.

Amending your Committee Registration

Committees must report any changes to their committee registration information—including address, phone, email, registered agent, or purpose—*within ten calendar days of the change*. Committees can file amendments by completing and submitting a paper Committee Registration Amendment form to the City Clerk.

Terminating your Committee

Candidates remain candidates for office as long as they have an open Candidate Committee and must file all assigned disclosure reports while the committee is open. Candidates may terminate their committee by filing a termination report that reflects a zero balance with the City Clerk.

Subject to maximums, the City Clerk will impose penalties of \$25 per day, including weekends and holidays, for reports filed after the due date, *even if your committee has no activity during the reporting period*. See Parts Four and Five on Penalties.

A committee which has a loan or outstanding debt, including penalties, if any, cannot be terminated until the loan or debt has been paid and the committee has reached a zero balance.

Inactive candidates are candidates that do not seek access to the ballot in an upcoming election but want to maintain an active candidate committee. Term limited officeholders who choose to maintain an active

candidate committee and solicit contributions must indicate to the appropriate filing officer their intention to be designated as an inactive candidate. This can be done by filing a candidate affidavit but also indicating to the appropriate officer that the candidate is term limited and therefore not seeking access to the ballot in an upcoming election. If, at any time, an inactive candidate decides to run for a different office, the candidate must file a candidate affidavit for the office sought and rollover committee funds to a new candidate committee. Inactive Candidate Committees *must* terminate after nine years from the date the former officeholder's term expired or the date of the election at which the candidate was an unsuccessful candidate for office.

Relevant Laws and Rules for Candidate Committees

Definitions	Art. XXVIII, Sec. 2
Registration and Amendments	1-45-108(3), C.R.S.; SOS Rules 2.2, 8.1, and 12.1
Disclosure Requirements	1-45-108, 1-45-109, 1-45-110, 24-6-202, C.R.S.; SOS Rule 10
Deposits and Records	Art. XXVIII Sec. 3(9); SOS Rule 10
Filing Dates	Home Rule Charter Section 5.5. See also official election calendar.
Unexpended Campaign Funds	Art. XXVIII, Sec. 2(15); 1-45-106, C.R.S.; Rule 2.2.4
Terminating	SOS Rules 2.2.5 and 12.3
Inactive Candidate Committees	1-45-106 (1)(a)(III), C.R.S.

COORDINATION

Once a person becomes a candidate, they are prohibited from coordinating with independent expenditure committees. Furthermore if, during the six month period before becoming a candidate for public office, a person actively solicits funds for an

independent expenditure committee with the intent of benefiting their future candidacy, any expenditures made by that independent expenditure committee in that candidate's race are presumed to be coordinated with that candidate and therefore constitute a contribution to the candidate from the independent expenditure committee and an expenditure by the candidate committee. In addition, the Independent Committee is prohibited from making expenditures in that candidate's race. A person actively solicits funds if they:

- Help to organize, direct, or plan a fundraising event for an independent expenditure committee.
- Encourage or suggest a donation to the independent expenditure committee.
- Know or reasonably should have known that the independent expenditure committee will support their future candidacy.

Relevant Laws and Rules for Coordination

Coordination	1-45-103.7(11)(a), C.R.S.; Rule 21
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CONTRIBUTIONS AND EXPENDITURES

A candidate committee must report all contributions received and all expenditures made to the City Clerk on forms supplied by and filed with the City Clerk's office. Standalone candidates must report all expenditures.

Filing dates for City elections differ from the filing dates for state or county elections as the City's Home Rule Charter (Section 5.5) contains an additional filing deadline 42 days before an election. This date and all other filing dates and reporting periods for every election will be made available in a calendar to be supplied as part of the candidate packet by the City Clerk's Office and shall be posted on the City's web site at www.centennialco.gov/City-Clerk/Elections-information.aspx

A filing deadline is the date upon which a filing must be *actually received* by the City Clerk's Office. All reports must be received by 5:00

p.m. of the filing deadline in order to be considered timely. The date of a postmark is not relevant in determining if a filing date has been met.

Keep your telephone number, address and e-mail address current with the City Clerk's Office because reminders about filings, changes to campaign finance laws and regulations, and other important information may be sent via telephone, U.S. mail, or e-mail.

Contributions for Candidates and Candidate Committees

Candidates in the City are not subject to contribution limits. However, candidates must report all contributions in the amount and manner specified in this section and the amount of a contribution affects the detail level required for reporting contributions.

Remember that it is recommended that you register a committee prior to accepting contributions. Candidate committees must report all contributions they receive to the City Clerk on forms supplied by and filed with the City Clerk's office.

Contribution Amount Thresholds Affecting Reporting Detail Requirements

Depending on the contribution amount, Colorado law requires committees to report certain additional information as follows:

Committees must disclose contributions of less than \$20 on their report although itemization is not required.

Committees must report and itemize contributions of \$20 or more (either one-time contributions or contributions greater than \$20 in aggregate during a reporting period), including non-monetary (in-kind) contributions. Itemization means listing each contribution individually with the name and address of the contributor.

Committees receiving contributions of \$100 or

more from natural persons, including non-monetary contributions, must also include the occupation and employer of the contributor on the report. This requirement applies to any one-time contribution and not to aggregate contributions of \$100.00 or more. (Rule 10.2.3(a)) If a committee does not report occupation and employer information for a contribution of \$100 or more, and the committee is unable to gather the information within 30 days of receipt of the contribution, the committee must return the contribution to the contributor no later than the 31st day after receipt. (Rule 10.2.3(b)) and the committee should file an amended report with the City Clerk. Whenever a committee becomes aware of an error in past reporting, the committee must amend the report as soon as possible by filing an Amended Report of Contributions and Expenditures.

Contributors may make contributions using cash, crypto currencies, check, money order, credit card, EFT, etc.; but cash or coin or crypto currency contributions cannot exceed \$100.

Non-monetary donations of goods, equipment, supplies or services constitute contributions, and require disclosure. Non-monetary contributions count against these contribution amount thresholds affecting reporting detail requirements.

Contributions include anything of value given directly or indirectly to a candidate "for the purpose of promoting the candidate's nomination, retention, recall, or election."

Contributions from natural persons made by check are considered to be from the person who signed the check.

The date the committee deposits the check into its account is the date of receipt. Please see page 31 of this manual for information on contributions from joint account holders.

If a committee receives a donation by check at least five business days before the end of a reporting period, the committee must deposit

the check or return to the contributor before that reporting period closes.

A cash contribution or donation is accepted the date the cash is in the committee's possession.

A contribution or donation made by credit card, PayPal, or other payment intermediary service is accepted on the date the contributor or donor authorizes the payment.

A non-monetary or in-kind contribution or donation is accepted on the date the committee takes possession of the item or has the right to possess or use the item. Please see page 31 of this Manual for information on contributions from joint account holders.

Contributions of \$1,000 or more received within 30 days before a City election must be reported to the City Clerk within 24 hours of receipt as a Major Contribution, separate from regular reports. This includes loans from the candidate to his/her own committee. Candidates not on the ballot are exempt from this reporting requirement in off-election years.

Volunteer services by an individual do not constitute contributions. This includes volunteers who donate time to the campaign at no charge. Keep in mind that donated services that are not time-based may be subject to disclosure and affect contribution amount thresholds affecting reporting requirements. See Rule 1.4.1. As an example, donated printing services or catering services may be in-kind donations of services that are considered contributions subject to reporting.

No person shall act as a conduit for a contribution to a Candidate Committee, and the law prohibits anonymous contributions of \$20 or more. Anonymous contributions are contributions where the identity of the contributor or other required reporting information is unknown. (Rule 10.7.2)

- Prohibited Contributions
Candidates and Candidate Committees may not accept contributions from:

- Corporations (profit or non-profit)
- Labor organizations
- Foreign citizens, foreign corporations, or foreign governments
- Another candidate committee (local, state, or federal)
- Issue committees and small scale issue committees
- Independent expenditure committees
- Anonymous contributions of \$20 or more
- Limited Liability Companies (LLCs), *if any of the LLC members are a:*
 - Corporation or labor organization; or
 - Natural person who is not a U.S. Citizen; or
 - Foreign government; and
 - Professional or volunteer lobbyists, or a principal of a lobbyist prohibited from contributing by 1-45-105.5(1), C.R.S. Note: See definition of LLC in 1-45-103.7(8), C.R.S.
 - Contributions to candidates are prohibited from LLCs whom the I.R.S. treats as corporations and from LLCs with publicly traded shares.

Colorado law prohibits a person from making a contribution with the expectation that the recipient will reimburse all or a part of the contribution.

Colorado law permits LLC contributions subject to the following requirements:

- The LLC must provide the candidate or committee with a written statement affirming the

- permissibility of the contribution via a form provided by the City Clerk.
- Affirmation must include:
 - Name & address of all LLC members
 - Information on how to attribute the contribution among the LLC members. The attributed amount must reflect the capital the member has invested in the company at the time the contribution is made (percentage of ownership).
 - For contributions of \$100 or more attributed to an LLC member, occupation and employer information for that member must also be provided.
- The committee must:
 - Retain affirmation statement for 1 year after the end of the election cycle.
 - Itemize LLC contributions regardless of amount.
 - List both the individual LLC member's name as the contributor as well as the name of the LLC.

• Loans

Candidates and candidate committees may receive loans from financial institutions, "if the loan bears the usual and customary interest rate."

Candidates may not receive loans from other individuals or entities.

Loans from a financial institution do not affect contribution amount thresholds that affect reporting detail requirements.

The candidate must report the loan and show loan payments. Loans from a financial institution cannot be forgiven.

Candidates may forgive loans made by

the candidate to his or her own committee. The amount of unpaid debt forgiven by the candidate remains a contribution and is not considered a returned contribution.

Legal Provisions Related to Contributions

Definitions	Art. XXVIII, Sec. 2 (5)
Registration Required	1-45-108(3), C.R.S.
Date of Contribution	SOS Rule 10.4
Conduits Prohibited	Art. XXVIII, Sec. 3(7)
Reimbursement Prohibited	Art. XXVIII Sec. 3(11)
Major Contributors	1-45-108(2.5), C.R.S.
LLCs	1-45-103.7, C.R.S.
Loans	Art. XXVIII, Sec. 3(8); SOS Rule 10.13

Expenditures by Candidates and Candidate Committees

Simply stated, expenditures refer to the money an individual or committee spends. Money spent on anything for the purpose of expressly advocating the election or defeat of a candidate is considered an expenditure.

An expenditure occurs when it is made, when funds are obligated, or when a contract is established, whichever occurs soonest.

Expenditures that are controlled by or coordinated with a candidate or a candidate's agent are deemed to be both contributions by the maker of the expenditures, and expenditures by the Candidate Committee.

Mileage should be reported as an expenditure using the Internal Revenue Service (I.R.S.) rate.

No committee or candidate may spend more

than \$100 in cash or coin on any single expenditure.

Committees must itemize all expenditures of \$20 or more (either one-time expenditures or expenditures greater than \$20 in aggregate during a reporting period). Itemized expenditures must list the name and address of the payee and the purpose of the expense.

Third-party expenditures are reported as nonmonetary (in-kind) contributions, as are some coordinated expenditures. This does not include reimbursements for expenditures made on behalf of the committee.

Reimbursements

Committees should report reimbursements by the campaign to candidates, staff, and volunteers as expenditures.

Candidate Committees may reimburse the candidate for expenditures the candidate made on behalf of the committee at any time. The disclosure report should list this as a reimbursement and should detail what the original expenditure was for. (For example, if the payee is the candidate’s bank or the candidate because it is a reimbursement for credit card or out-of-pocket expenses, the purpose should include what the candidate purchased and from whom. Simply stating that the purpose is “credit card payment” or “reimbursement” is insufficient.)

Reimbursements can take place at any time during the election cycle. Committees must list reimbursements to service providers that initially paid for goods or services in addition to listing the person receiving the reimbursement.

Each reimbursement of \$20 or more shall be separately disclosed.

Bank Accounts

Candidate Committees must deposit all contributions they receive in a financial

institution in a separate account with a title that includes the name of the committee.

The financial institution may be any bank that you choose, including those outside Colorado. Please consult your bank and I.R.S. regulations concerning account requirements, which may vary depending on the institution.

Independent expenditure committees must have a dedicated bank account solely for their donations and expenditures

Legal Provisions Related to Expenditures

Definitions	Art. XXVIII, Sec. 2 (8 and 9)
Cash/Coin Expenditures	Art. XXVIII, Sec. 3 (10)
Itemized Expenditures	1-45-108(1)(a)(I), C.R.S.; SOS Rule 10.3
Independent Expenditures	Art. XXVIII, Sec. 5; 1-45-108(2.5), C.R.S.
Reimbursement of Expenditures	1-45-108(1)(e), C.R.S.; Rule 10.11.1
Bank Accounts	Art. XXVIII, Sec. 3(9) and 1-45-107.5(7), C.R.S.

Filing Calendars: Dates and Deadlines

Filing dates for City elections differ from the filing dates for state or county elections as the City’s Home Rule Charter (Section 5.5) contains an additional filing deadline 42 days before an election. This date and all other filing dates and reporting periods for every election will be made available in a calendar to be supplied as part of the candidate packet by the City Clerk’s Office and shall be posted on the City’s web site at www.centennialco.gov/City-Clerk/Elections-information/asp.

A filing deadline is the date upon which a filing must be *actually received* by the City Clerk’s

Office. All reports must be received by 5:00 p.m. of the filing deadline in order to be considered timely. The date of a postmark is not relevant in determining if a filing date has been met.

Amended Reports

Whenever a committee becomes aware of an error or change in past reporting, the committee must amend the report as soon as possible by filing an "Amended Report of Contributions and Expenditures" with the City Clerk as soon as possible and the City Clerk shall post such amended report on the City's web site.

After the Election

Candidate Committees remain open until affirmatively closed by the candidate, registered agent, or designated filing agent. Failure to win the election does not automatically close your Candidate Committee. The candidate or agent must file a termination report reflecting a zero balance to close the committee. A committee must pay all outstanding loans and debts before terminating and the committee must file all required reports on time as long as the committee remains open.

Committees must keep financial records for 180 days following any election in which the committee received contributions and keep LLC affirmations for 1 year. Committees subject to a complaint must maintain records and make them available until after the matter is resolved.

Inactive Candidate Committees *must* terminate, and all funds must be disposed of appropriately, after nine years from the date the former officeholder's term expired or the date of the election at which the candidate was an unsuccessful candidate for office.

Unexpended Campaign Contributions

The law places some restrictions on what a candidate committee may do with unexpended campaign funds.

Committees may use unexpended funds in the following ways:

- Contribute to a political party, up to the limit.
- Contribute to a new committee established by the same candidate for a new office. Limits apply as to how much may be contributed to the new committee.
- Donate to an IRS-recognized charitable organization.
- Return to contributors.
- Retain for use in a later campaign by the same candidate.

If elected to office, you may also use your unexpended campaign funds for voter registration, political issue education (the law prohibits contributions to issue committees), postsecondary educational scholarships, or to defray reasonable and necessary expenses related to your official duties as an elected official (including communicating with your constituents).

If you wish to run for a different office or run again for the same office if you are not term limited, you may transfer funds to a committee in a subsequent election cycle, subject to the following restrictions:

- The candidate committee must designate what amount it retains for general campaign use in the next election cycle and what amount it retains for use as unexpended funds
- Funds retained by a candidate committee for general use in the next election cycle are designated as political party contributions and are thus subject to applicable contribution limits. Any remaining funds left over at the end of the election cycle that exceed the political party contribution limit, if

- applicable, must be designated as unexpended funds subject to the restrictions listed above
- You must open a new candidate committee if you run for a different office and terminate the old candidate committee within 10 days of opening the new committee for the new office
 - Candidates seeking election to state or local offices may not transfer funds from a federal candidate committee to a Colorado candidate committee.
 - Committees may not use unexpended funds for personal purposes

Standalone Candidates

Standalone candidates must file disclosure reports for any reporting period up to and including the election during which expenditures were made. Standalone candidates who fail to win their election cease to be candidates once the election is over.

Relevant Laws and Rules

Unexpended Campaign Funds	1-45-106, C.R.S.; Rule 2.2.4
Subsequent Elections	Art. XXVIII, Sec. 3 (3)(e)

PART TWO: NONCANDIDATE COMMITTEES

Political Committees, Small Donor Committees, Issue Committees, Recall Committees, and Independent Expenditure Committees

REGISTERING YOUR COMMITTEE

Colorado law associates different types of political activity with different types of committees. Prior to raising or spending money, read Article XXVIII of the Colorado Constitution, Title 1 Article 45 of the C.R.S., and the Secretary of State Rules Concerning Campaign and Political Finance to determine committee registration requirements.

The type of committee that you register depends on the activities of your committee. Under most circumstances, it is not possible to “choose” the type of committee that you want to register. If your activities meet the definition a committee listed below, you must register with the City Clerk and follow the laws governing activities for that type of committee.

Filing dates for City elections differ from the filing dates for state or county elections as the City’s Home Rule Charter (Section 5.5) contains an additional filing deadline 42 days before an election. The City imposes monetary penalties for every day a required report is late, including weekends and holidays. See pages 32 through 35 of this Manual concerning Penalties.

TYPES OF COMMITTEES

POLITICAL COMMITTEES

Definition: Any person, other than a natural person, or any group of two or more persons, including natural persons that have accepted or made contributions or expenditures in excess of \$200 to support or oppose the nomination or election of one or more candidates.

Features of Political Committees:

- Political Committees support or oppose candidates for City elective office in Colorado.
- Committees advocating for or against candidates for City elective office must register with the City Clerk.

Depending on the type of activity the committee engages in, a political committee may also need to register and file disclosure reports as an Independent Expenditure Committee (IEC). See the section on IEC’s for more information.

Foreign citizens, foreign governments, and foreign corporations may not register or maintain political committees.

Political Committees may accept contributions from corporations and unions but cannot accept contributions from foreign citizens, foreign corporations, or foreign governments. A political committee may not make contributions to an issue committee or small scale issue committee except to the extent that a contribution is for the purchase of items such as event tickets, merchandise or services (Rule 3.1)

Colorado law treats all Political Committees organized, established, maintained and financed by the same labor organization, corporation, or other group of persons as a single political committee. There is no requirement that a Political Committee segregate contributions received from corporations and labor organizations from those received from natural persons.

- Reporting requirements

A Political Committee related exclusively to municipal candidates must report all contributions received and expenditures to the City Clerk and must file amendments or registration changes within 10 days of the change.

Reports must contain the name and address of the contributor for all contributions of \$20 or more, and the contributor’s employer and occupation

for those totaling \$100 or more if the contributor is a natural person. Contributions under \$20 may be combined and reported as one lump sum in a reporting period as “non-itemized” contributions if those individual contributions have not exceeded \$20 in aggregate in the reporting period.

All contributions from Limited Liability Companies (LLCs) must be itemized and attributed to the individual members of the LLC. The LLC must provide the committee with a written affirmation statement at the time of contribution affirming that the contribution is permitted by law via a form provided by the City Clerk. If the affirmation statement is not present at the time of contribution, the recipient committee has 30 days to obtain the affirmation or return the contribution.

Only the registered agent or designated filing agent may sign and file committee reports.

Filing dates for City Political Committees differ from state committees as the City’s Home Rule Charter (Section 5.5) contains an additional filing deadline 42 days before an election. Please be certain you have the correct filing dates. Filing dates and reporting periods for every election will be made available in a calendar to be supplied as part of the candidate packet by the City Clerk’s Office and shall be posted on the City’s web site at [www.centennialcolorado.com/cityservices/cityclerk/regular election](http://www.centennialcolorado.com/cityservices/cityclerk/regular%20election).

A filing deadline is the date upon which a filing must be *actually received* by the City Clerk’s Office. All reports must be received by 5:00 p.m. of the filing deadline in order to be considered timely. The date of a postmark is not

relevant in determining if a filing date has been met.

- Terminating a Political Committee

In order to close a Political Committee, you must submit a termination report to the City Clerk. The committee must have a zero balance, which means there are no funds on hand, and no outstanding debts or other obligations, including any imposed penalties. Committees may file a termination report at any time. As long as the committee remains open, it must file disclosure reports in every reporting period, even those during which the committee has no activity.

Statute does not limit the use of unexpended campaign funds for Political Committees. Committees may refer to Rule 12.4.2 regarding unexpended campaign funds for issue committees for guidance related to unexpended funds.

- Legal Provisions Applicable to Political Committees

Definition	Art. XXVIII, Sec. 2(12);
Registration and Amendments	1-45-108(3), C.R.S.; SOS Rules 8.1, 12.1
Disclosure Requirements	Art. XXVIII, Sec. 7; 1-45-103.7, 1-45-108, 1-45-109, C.R.S.; SOS Rule 10
Filing Dates	Home Rule Charter Section 5.5. See also official election calendar.
Contribution Amount	Art. XXVIII, Sec. 3; 1-45-

Thresholds Affecting Reporting Requirements	103.7, C.R.S.; Rule 10.17
Major Contributions	1-45-108(2.5), C.R.S.

An SDC must report all contributions received and expenditures made to the City Clerk and must file amendments or registration changes within 10 days of the change.

SMALL DONOR COMMITTEES (SDCs)

Definition: A form of political committee that may only accept contributions from natural persons who are U.S. citizens and each contribute no more than fifty dollars in the aggregate per calendar year.

Reports must include the name and address of the contributor for all contributions of \$20 or more (either one-time or in the aggregate during a reporting period).

Corporations and labor organizations may establish SDCs, and their members may contribute. However, corporations and labor organizations themselves cannot contribute to SDCs, and money contributed to an SDC cannot be given back to a corporation or labor organization for general use.

The law prohibits contributions from corporations, unions, and LLCs because they are not “natural persons.”

SDCs established by substantially the same group of persons will be treated as a single committee.

Only the registered agent or designated filing agent may sign and file committee reports.

Colorado law permits SDCs to make larger contributions to candidates and parties than political committees.

Filing dates for City SDCs differ from state small donor committees as the City’s Home Rule Charter (Section 5.5) contains an additional filing deadline 42 days before an election. Please be certain you have the correct filing dates. Filing dates and reporting periods for every election will be made available in a calendar to be supplied as part of the candidate packet by the City Clerk’s Office and shall be posted on the City’s web site at [www.centennialcolorado.com/cityservices/cityclerk/regular election](http://www.centennialcolorado.com/cityservices/cityclerk/regular%20election).

Dues transferred to an SDC from a membership organization (including aggregated dues transfers) are considered pro-rata contributions to the SDC from individual members. The actual transfer itself is not considered a contribution from the membership organization to the SDC. If the pro-rata amount from each individual is \$20 or more (at one time or in the aggregate) in a reporting period, each individual member must be listed as a contributor.

A filing deadline is the date upon which a filing must be *actually received* by the City Clerk’s Office. All reports must be received by 5:00 p.m. of the filing deadline in order to be considered timely. The date of a postmark is not relevant in determining if a filing date has been met.

An SDC may not make contributions to an issue committee or small scale issue committee except to the extent that a contribution is for the purchase of items such as event tickets, merchandise or services (Rule 3.1)

- Terminating a small donor committee

You must submit a termination report to the City Clerk to close an SDC. The SDC must have a zero balance, which means there are no funds on hand, and no outstanding debts or other obligations, including any penalties. As

- Reporting requirements

long as the SDC remains open, it must file disclosure reports *even if it has no activity*.

The termination report may be filed at any time.

Statute does not limit the use of unexpended funds for SDCs. Committees may refer to Rule 12.4.2 regarding unexpended campaign funds for issue committees for guidance related to unexpended funds.

POLITICAL PARTIES

As City elections are non-partisan, candidates are not nominated by party and the campaign finance laws that apply to political parties for state and county elections are not relevant in Centennial elections. Political parties should contact the Secretary of State's office for guidance on campaign finance compliance.

ISSUE COMMITTEES

Definition: Any person, other than a natural person, or any group of two or more persons, including natural persons, that has:

- A major purpose of supporting or opposing any municipal ballot issue or ballot question, *AND*
- Accepted or made contributions or expenditures in excess of \$200 to support or oppose any ballot issue or ballot question *OR*
 - has printed two hundred or more petition sections. (**Issue committees at the state, county, or special district level, or those active in multiple counties or special districts, are subject to statewide regulation and register with and report to the Secretary of State. This Manual does not encompass**

guidance for such committees.)

An organization or group of people who support or oppose an issue in their community should familiarize themselves with the laws concerning issue committees before the group engages in political activity, to ensure compliance with any campaign finance laws that may apply.

You *must* register an Issue Committee if you:

- Are a group of two or more individuals (natural persons) or a business (or both);
- That supports or opposes a ballot issue or ballot question; AND one of the following two criteria has been met:
 - You have accepted or made contributions or expenditures of \$200 or more to support or oppose that ballot issue or ballot question; OR
 - You have printed more than 200 petition sections, or more than 200 petition sections have been accepted.

Foreign citizens, foreign governments, and foreign corporations may not register or maintain an issue committee.

- Registration and Reporting Requirements

For issue committees that support or oppose ballot questions or issues at the municipal level, registration with the City Clerk is required within 10 calendar days of (a) accepting contributions or making expenditures in excess of \$200 to support or oppose any city ballot issue or ballot question, or (b) printing more than 200 petition sections or having more than 200 petition sections accepted.

Filing dates for City elections differ from the filing dates for state or county elections as the City’s Home Rule Charter (Section 5.5) contains an additional filing deadline 42 days before an election. This date and all other filing dates and reporting periods for every election will be made available in a calendar to be supplied by the City Clerk’s Office and shall be posted on the City’s web site at [www.centennialcolorado.com/cityservices/cityclerk/regular election](http://www.centennialcolorado.com/cityservices/cityclerk/regular%20election).

A filing deadline is the date upon which a filing must be *actually received* by the City Clerk’s Office. All reports must be received by 5:00 p.m. of the filing deadline in order to be considered timely. The date of a postmark is not relevant in determining if a filing date has been met.

Only the registered agent or designated filing agent may sign and file the committee’s reports.

Any amendments or changes to your registration must be filed with the City Clerk within ten days of the change.

Colorado law prohibits contributions made with the expectation that the committee will reimburse all or part of the contribution.

Reports must contain the name and address of the contributor for all contributions of \$20 or more (either one-time contributions or contributions greater than \$20 in aggregate during a reporting period), and the contributor’s occupation and employer must be listed for all contributions of \$100 or more if the contributor is a natural person.

An Issue Committee may terminate by filing a termination report, but only if the report indicates a zero balance and no

outstanding obligations. If the committee remains open, it must file disclosure reports *even if it has no activity*.

Issue Committees may return unexpended campaign funds to the contributors or donate them to a charitable organization recognized by the Internal Revenue Service.

- Major Contribution Report

Committees must file a Major Contribution report with the Secretary of State within 24 hours of receiving any contribution of \$1,000 or more within 30 days of a City election *in addition to* reporting such contributions on regularly scheduled disclosure reports. In addition to the required reporting to the Secretary of State, a copy of the report also be filed with the City Clerk’s office within 24 hours of such contribution.

- Ballot Issues and Ballot Questions

A ballot issue is “a ...local government matter arising under section 20 of Article X of the state constitution,” as defined in C.R.S. § 1-1-104(2.3). Essentially, ballot issues are Taxpayer Bill of Rights (TABOR) matters.

A ballot question is “a ... local government matter involving a citizen petition or referred measure, other than a ballot issue.” C.R.S. § 1-1-104(2.7). Ballot questions are non-TABOR ballot measures.

- Legal Provisions Applicable to Issue Committees:

Definitions	Art. XXVIII, Sec. 2(10); 1-45-103, C.R.S.
Major Purpose	Rule 1.12
Registration and amendments	1-45-108(3), (3.3), and (6),

	C.R.S.; SOS Rules 8.1, and 12.1
Disclosure Requirements	Art. XXVIII, Sec. 7; 1-45-108, 108.3, 1-45-109, C.R.S.; SOS Rule 4
Filing Dates	Home Rule Charter Section 5.5. See also official election calendar.
Major Contributions	1-45-108(2.5), C.R.S.
Unexpended Funds	1-45-106(3), C.R.S.
Ballot Issues and Questions	1-1-104(2.3), 1-1-104(2.7), C.R.S.

accepts or makes contributions or expenditures exceeding \$5,000 during an election cycle.

Within 15 days of exceeding the \$5,000 threshold, a small scale issue committee must notify the City Clerk that it has exceeded the limit. At this time, the City Clerk will assign the committee an initial disclosure report which is due five days from the date the committee notified the City Clerk that it exceeded the \$5,000 threshold. This initial report must disclose any contribution and expenditure activity the committee engaged in between \$0 and \$5,000.

Unlike regular campaign finance disclosure reports, only the name, address, and amount of each contribution and expenditure is required on this initial disclosure report. Following the initial report, the small scale issue committee becomes an issue committee.

SMALL SCALE ISSUE COMMITTEES

Definition: An issue committee that does not accept contributions or make expenditures exceeding \$5,000 during an election cycle for the major purpose of supporting or opposing a ballot issue or ballot question.

The notification given to the City Clerk for exceeding the \$5,000 threshold serves as authorization for the City Clerk to convert the committee to an issue committee. The issue committee will then report on a regular reporting schedule.

Registration and Reporting Requirements

Like issue committees, small scale issue committees supporting or opposing ballot issues or questions at the local municipal level only must register with the City Clerk after accepting or making contributions or expenditures in excess of \$200 to support or oppose any ballot issue or question. Small scale issue committee registration must be completed within 10 days of the date in which the aggregate amount of the committee's contributions or expenditures exceed \$200.

If you believe the contribution and expenditure activity you will engage in will exceed \$5,000, you may wish to bypass registration as a small scale issue committee and register an issue committee. It is not necessary to first register a small scale issue committee and then convert to an issue committee. Once you have registered as an issue committee, you may not convert back to a small scale issue committee.

Foreign citizens, foreign governments, and foreign corporations may not register or maintain a small scale issue committee.

A small scale issue committee may terminate at any time by filing an affirmation with the appropriate filing officer that the committee has no outstanding debts, obligations, or penalties and wishes to terminate.

Once registered, a small scale issue committee is not required to file disclosure reports until the small scale issue committee

Legal provisions applicable to small scale issue committees

Definitions	1-45-103 (16.3), C.R.S.
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Registration and amendments	1-45-108(1.5), C.R.S.; Rule 4.4
Disclosure requirements	1-45-108(1.5), C.R.S.; Rule 4.4
Ballot issues and questions	1-1-104(2.3), 1-1-104(2.7), C.R.S.

the election or by the date that the recall petition is deemed insufficient. The City Clerk will prepare and issue the calendar.

- Legal Provisions Applicable to Recall Committees:

Registration and Reporting	1-45-108(6), C.R.S.; SOS Rule 15
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RECALL COMMITTEES

Definition: An issue committee formed to support or oppose the recall of a City elected officer (Mayor or Councilmember). *Note: Committees authorized by a candidate are still Candidate Committees.*

Because Recall Committees are a type of issue or small scale issue committee, please be sure to read the portions of this Manual applicable to such Committees.

An incumbent subject to recall who wishes to oppose the recall election must form an Issue Committee. Depending on the anticipated level of contribution or expenditure activity, an incumbent may also consider registering a small scale issue committee (see above). *An incumbent may not use their Candidate Committee to oppose the recall.*

Persons supporting or opposing candidates to fill the vacancy created by a successful recall must form a Political Committee.

Any person seeking to fill the vacancy created by a successful recall must form a Candidate Committee if they will accept contributions in support of their election.

A Recall Committee must be registered within ten calendar days of accepting or making contributions or expenditures in excess of \$200 to support or oppose the recall. Recall Committees are subject to the same campaign finance requirements as Issue Committees including itemization, termination, etc.

Filing calendars for committees participating in a recall election are determined by the date of

INDEPENDENT EXPENDITURE COMMITTEES

Definition: One or more persons that makes independent expenditures in excess of \$1,000 in an aggregate amount, or that collects in excess of \$1,000 from one or more persons for the purpose of making an independent expenditure.

The requirements applicable to Independent Expenditure Committees apply to *all* persons, groups, businesses, and other entities that meet the definition of Independent Expenditure Committee.

Please see the section of this Manual covering independent expenditures and electioneering communications (page 27) for more information.

- Legal Provisions Applicable to Independent Expenditure Committees:

Definitions	1-45-103(11.5), C.R.S.
Registration and Disclosure Requirements	1-45-107.5, C.R.S.

REGISTERED AGENTS

All committees registered with the City Clerk must have a registered agent. The registered agent must be a natural person and is responsible for maintaining all committee records and filing all reports on time. The City

Clerk will address all correspondence regarding the committee to the agent.

The committee may replace the registered agent upon formal resignation of the agent, but the committee must file an amended registration within 10 calendar days of the change. To resign, a registered agent must file a resignation letter with the City Clerk via certified mail. There must be a registered agent associated with each committee at all times.

• Legal Provisions Applicable to Registered Agents:

Definition	1-45-108(3)(b)
Registration	1-45-108(3), C.R.S.; SOS Rules 2.2.1 and 9
Disclosure requirements	1-45-108, C.R.S.; SOS Rule 10
Filing Dates	Home Rule Charter Section 5.5. See also official election calendar.
Deposits and Record-keeping	SOS Rule 10
Contribution Amount Thresholds Affecting Reporting Requirements	Art. XXVIII, Sec. 3

HOW TO REGISTER

All registration and reporting required by committees subject to campaign finance law is done on forms supplied by and filed with the City Clerk. To register your committee, you will need the following:

- Know which type of committee you will register;
- A committee name (and acronyms you will use);

- A registered agent and such agent's address, phone number and e-mail address;
- The physical and mailing addresses for the committee's principal place of business;
- A description of your committee's purpose (this must include detail, including candidates, ballot measure numbers, or policy positions you will support or oppose); and
- Financial information, including the name of the bank where the committee has (or will have) an account.

Any registration amendments must be promptly reported to the City Clerk's Office within 10 days of the change. Reportable changes include (but are not limited to): name and address changes, a change in the committee's purpose, and changes in the financial institution.

Registration requirements differ for Independent Expenditure Committees. Please see page 27 of this Manual.

CONTRIBUTIONS AND EXPENDITURES

All committees registered with the City Clerk must report contributions and expenditures (and donations, for Independent Expenditure Committees).

Filing dates for City elections differ from the filing dates for state or county elections as the City's Home Rule Charter (Section 5.5) contains an additional filing deadline 42 days before an election. This date and all other filing dates and reporting periods for every election will be made available in a calendar to be supplied as part of the candidate packet by the City Clerk's Office and shall be posted on the City's web site at [www.centennialcolorado.com/cityservices/cityclerk/regular election](http://www.centennialcolorado.com/cityservices/cityclerk/regular%20election).

A filing deadline is the date upon which a filing must be *actually received* by the City Clerk's Office. All reports must be received by 5:00

p.m. of the filing deadline in order to be considered timely. The date of a postmark is not relevant in determining if a filing date has been met.

Contributions and Donations to Committees

Contributions or donations from natural persons made by check come from the person who signed the check. For contributions or donations made by check, the date the committee deposits the check into their account is the date of receipt.

Please see page 31 of this Manual for information on contributions/donations from joint account holders.

Colorado law prohibits contributions made with the expectation that the committee will reimburse all or part of the contribution.

Depending on the contribution amount, Colorado law requires committees to report certain additional information as required:

- Committees must disclose contributions of less than \$20 on their report although itemization is not required.
- Committees must report and itemize contributions (and donations) of \$20 or more (either one-time contributions or contributions greater than \$20 in aggregate during a reporting period) including non-monetary (in-kind) contributions on disclosure reports. Itemization means listing each contribution individually with the name and address of the contributor.
- Committees receiving contributions (and donations) of \$100 or more must also include the occupation and employer of the contributor, including non-monetary contributions.

Contributors may make contributions using cash, check, money order, credit card, EFT,

etc., but cash coin or crypto currency contributions shall not exceed \$100.

Non-monetary (in-kind) contributions of goods, equipment, supplies or services constitute contributions, and require disclosure and itemization to the same extent as equivalent monetary contributions.

Expenditures by Committees

An expenditure occurs when it is made, when it is obligated, or when a contract is established, whichever occurs first.

No committee (except an Independent Expenditure Committee) may spend more than \$100 in cash or coin, and committees must itemize expenditures of \$20 or more (either one-time expenditures or expenditures greater than \$20 in aggregate during a reporting period).

Third-party expenditures are reported as non-monetary contributions, as are some coordinated expenditures. This does not include reimbursements for expenditures made on behalf of the committee.

Committees must report reimbursements to committee staff and volunteers as expenditures. Reimbursements can take place at any time during the election cycle. Committees must list reimbursements to service providers initially paid for goods or services in addition to listing the person who is being reimbursed.

Independent Expenditure committees are subject to additional disclosure requirements. Please see page 27.

Bank Accounts

Committees must deposit all contributions received in a financial institution in a separate account with a title that includes the committee name.

The financial institution with which you have your committee account may be any bank that

you choose, including those outside Colorado. Please consult your bank and I.R.S. regulations concerning account requirements, which may vary depending on the institution.

An Independent Expenditure Committee must have a dedicated bank account to be used solely for its donations and expenditures.

Legal Provisions Related to Contributions and Expenditures:

Definition	Art. XXVII, Sec. 2
Disclosure requirements	1-45-108, C.R.S.; SOS Rule 10
Filing Dates	Home Rule Charter Section 5.5. See also official election calendar.
Contribution Amount Thresholds Affecting Reporting Requirements	Art. XXVIII, Sec. 3; 1-45-103.7, C.R.S.; Rule 10
Bank Accounts	Art. XXVIII, Sec. 3(9) and 1-45-107.5(7), C.R.S.
Reimbursements	1-45-108(1)(e), C.R.S.; Rule 10.11.1

**PART THREE:
INDEPENDENT EXPENDITURES,
ELECTIONEERING COMMUNICATIONS,
AND FUNDRAISING**

**INDEPENDENT EXPENDITURES AND
INDEPENDENT EXPENDITURE
COMMITTEES**

Laws governing independent expenditures apply only to expenditures made to support or oppose a candidate or candidates. They do not apply to expenditures made to support or oppose ballot measures or ballot issues.

Colorado law defines independent expenditures as expenditures made by individuals, businesses, and other entities—without the support of or coordination with a candidate, candidate committee, or candidate’s agent. Independent Expenditure committees differ from Political committees in that Independent Expenditure Committees do no coordinate activity with a candidate or political party.

Expenditures made by a Candidate Committee in support of the candidacy, or those controlled by or coordinated with a candidate or their agent, do not constitute independent expenditures.

No foreign corporations may make independent expenditures in connection with any Colorado election.

An Independent Expenditure Committee must register with the City Clerk within two business days of the time when any person, group, business, or other entity makes independent expenditures totaling more than \$1,000 or accepts donations for independent expenditures in excess of \$1,000 related to any City election. The committee must establish a separate bank account to be used exclusively for independent expenditures.

Independent Expenditure Committees may accept unlimited donations but may not make contributions to candidate committees or coordinate expenditures with candidates.

Independent Expenditure Committees report on the schedule outlined for Political Committees. Independent Expenditure Committees must itemize all expenditures of more than \$20 (either one-time expenditures or expenditures greater than \$20 in aggregate during a reporting period) given for the purpose of making an independent expenditure and must itemize all donations of \$250 or more per year given for the purpose of making an independent expenditure and include the name and address of the donor. Independent Expenditure Committees must also disclose occupation and employer information for donors giving \$250 or more.

Independent Expenditure Committees must file a separate 48 Hour Notice of Independent Expenditure in addition to, not in lieu of, the regular disclosure report within 48 hours of obligating funds for expenditures of more than \$1000 made within thirty days before a City election.

DISCLAIMER STATEMENTS

Independent Expenditures

In addition to other reporting requirements, independent expenditures of more than \$1,000 must contain a disclaimer identifying the person making the expenditure. Broadcast communications must include:

- A statement that “The communication has been paid for by (full name of the persona paying for the communication)”; and
- A statement identifying a natural person who is the registered agent if the person who paid for the independent expenditure is not a natural person.

The statement for broadcast communications must comply with Federal Communications Commission (FCC) requirements for size, duration, and placement.

A disclaimer for a non-broadcast independent expenditure communication must be clear, conspicuous, readable, and contain:

- The name of the person making/paying for the independent expenditure; and
- A specific statement that the advertisement or communication is not authorized by any candidate; and
- Printed text no less than 15 percent of the size of the largest font using the in communication (but no less than 8 point font).

These requirements do not apply to bumper stickers, pins, buttons, pens, and similar small items upon which the disclaimer cannot be reasonably printed.

Failure to file independent expenditure reports on or before the required due date will result in a penalty of \$25 per day until the report is filed, including weekends and holidays

Ballot Issue/Question Communications

Any issue committee, small scale issue committee, or other person making an expenditure in excess of or spending more than \$1,000 per calendar year on a communication that is broadcast, mailed, placed on a website, media service, or online forum, or that is otherwise distributed, supporting or opposing a City ballot issue or ballot question must include a disclaimer statement in the communication.

The disclaimer statement must include:

- A statement that “The communication has been paid for by (full name of the person paying for the communication)”; and
- A statement identifying a natural person who is the registered agent if the person who paid for the communication is not a natural person

The Federal Communications Commission (F.C.C.) regulates political advertising for television and radio and may require a “Paid for by” statement. In some instances, a newspaper or other publication may require, at their own discretion, the inclusion of a “Paid for by” statement as a condition of publishing the communication.

The F.C.C. regulates pre-recorded telephone calls, or robocalls, that involve state candidates and issues. Such calls must state at the beginning of the message on whose behalf the call is made, and regulations prohibit such calls from being made to certain numbers, including emergency numbers, guest/patient rooms at a hospital, etc.

For more information, visit the F.C.C. website at www.fcc.gov.

Relevant Legal Provisions Related to Independent Expenditures:

Definition	Art. XXVIII, Sec. 2(9); 1-45-103 (11), C.R.S.
Registration and Reporting	Art. XXVIII, Sec. 5; 1-45-107.5, C.R.S.; Rule 5

Electioneering Communications

Electioneering communication

(1) Is any communication broadcasted by television or radio, printed in a newspaper or on a billboard, directly mailed or delivered by hand to personal residences or otherwise distributed that:

- (I) Unambiguously refers to any candidate; and
- (II) Is broadcasted, printed, mailed, delivered, or distributed within sixty days before a City election; and
- (III) Is broadcasted to, printed in a newspaper distributed to, mailed to,

delivered by hand to, or otherwise distributed to an audience that includes members of the electorate for such public office. Communications are considered electioneering if they are subject to no reasonable interpretation other than as an appeal to vote for or against a specific candidate.

All electioneering reports must include the name of the candidate unambiguously referred to in the electioneering communication.

Reports must include the name of the candidate and all expenditures made on electioneering communications and the name and address of contributors giving more than \$250 per year for electioneering.

Any person, including a candidate and/or candidate committee, spending \$1,000 or more per calendar year for an electioneering communication involving a City election and distributed within 30 days before such election is required to report these expenditures to the City Clerk and must include the method of communication in the electioneering report.

Electioneering reports must include occupation and employer of “natural persons” contributing more than \$250 per year.

Please note that many electioneering communications may also meet the definition of an independent expenditure, and therefore may be subject to additional legal requirements pertaining to independent expenditures.

Electioneering reports are due at the same time as committee reports for contributions and expenditures. Filing dates for City elections differ from the filing dates for state or county elections as the City’s Home Rule Charter (Section 5.5) contains an additional filing deadline 42 days before an election. This date and all other filing dates and reporting periods for every election will be made available in a calendar to be supplied as part of the candidate packet by the City Clerk’s Office and shall be posted on the City’s web site at [www.centennialcolorado.com/cityservices/cityclerk/regular election](http://www.centennialcolorado.com/cityservices/cityclerk/regular%20election).

Relevant Legal Provisions Related to Electioneering Communications:

Definition	Art. XXVIII, Sec. 2(7); SOS Rule 11
Reporting	Art. XXVIII, Sec. 6; 1-45-108, C.R.S.; SOS Rule 11.5
Sanctions	Art. XXVIII, Sec. 10 Section 2-6-330, 2-6-340 and 2-6-350 of the Municipal Code

A filing deadline is the date upon which a filing must be *actually received* by the City Clerk’s Office. All reports must be received by 5:00 p.m. of the filing deadline to be considered timely. The date of a postmark is not relevant in determining if a filing date has been met.

Persons making electioneering communications must maintain all financial records for 180 days after the general election. If a complaint is filed against the person making electioneering communications, the person must maintain financial records until final disposition of the complaint and any resulting litigation.

FUNDRAISING

Note: The information contained in this section provides only examples of some types of activity related to fundraising. If you have further questions about fundraising activities, please contact an attorney for legal advice.

Fishbowls and Pass the Hat Events

Traditional fishbowls and pass-the-hat events are permissible provided the committee lists all contributions received of \$20 or more during a reporting period individually on the contribution and expenditure report, including names and addresses of the contributors and employer and occupation for contributions totaling \$100 or more. If an individual contributor gives more than \$20 (either one-time contribution or contributions greater than \$20 in aggregate during a reporting period) during a reporting period, the contributor must be listed individually on the report, regardless of the amount of each contribution. It can be helpful to provide envelopes printed with spaces to enter this information at your fundraising event.

Anonymous contributions of \$20 or more are not permitted under any circumstances. Anonymous contributions are contributions where the identity of the contributor or other required reporting information is unknown. (Rule 10.8) A committee must donate an anonymous contribution of \$20 or more to a charitable organization recognized by the Internal Revenue Service or transmit the contribution to the State Treasurer within 30 days after receipt.

If you are required to provide the occupation and employer information for a contribution and fail to do so within 30 days, the contribution must be returned on the 31st day or penalties may result.

Meet and Greet Events

The law treats these events the same whether held in a rented space or someone's private home. Anything of value given to a committee

must be reported, even if it is food brought for attendees to eat while they mingle. The committee should report the food as a contribution at the fair market value.

Cost of Admission to Fundraising Events

Any amount paid for a ticket to a fundraising event in excess of the value of the meal or other amenities provided (which is typically stated) constitutes a contribution to the organization benefitting from the event. For example, if a ticket to an event is \$100 and the cost of the meal is stated to be \$25, the ticket purchaser makes a \$75 contribution to the entity hosting the event.

Silent Auctions

When reporting items donated for silent auctions, committees may choose to:

- Report the estimated fair market value of the item at the time it is received as a nonmonetary in-kind contribution and then report any bid over that amount as a contribution from the purchaser; or
- Wait to report receipt of the item until someone purchases it at an auction and then report the purchase price as the fair market value of the non-monetary, in kind contribution from the donor.

A donated item is not considered a "pledge" and therefore a committee does not have to report it until it is "purchased" at an auction.

Committees that receive an item in a different reporting period from when it is auctioned should estimate and report the fair market value in the reporting period in which the item is received.

Unless the committee decides to count any over-bid as a contribution from the purchaser, all contributions are counted against the person or organization that donated the item according to the fair

market value which is set by the purchase price.

If the committee estimates the fair market value of an item and then someone purchases the item for a different amount, the committee should amend the contribution amount on any previous disclosure reports.

Non-monetary (in-kind) Contributions of Goods or Services

The use of a space (room, building, etc.), telephones, office equipment, printed material, or any other good or service by a committee is considered to be a contribution to the committee from the person who owns the space, office equipment, business providing the service, etc. Such a donation is subject to contribution prohibitions and must be disclosed and itemized to the same extent as equivalent monetary contributions. For example, the law typically prohibits the donation of the use of a ballroom at a corporate-owned hotel (whether donated outright or given for use at a reduced rate) as a corporate contribution with the possible exception if, and only if, the hotel provides free use to other entities in the usual course of its business.

Contributions from a Couple or Joint Account Holders

A contribution cannot come from two people. Therefore, couples and joint account holders should each write their own separate checks and note in the "memo" space which person the contribution is from. If committees receive a contribution or donation from a joint account and the contributors or donors are not specified, the committee may choose to either apportion the entire amount to the member of the joint account who signed the check or apportion the contribution or donation between members of the joint account. If the committee apportions a contribution or donation between joint account holders, the committee must notify each member of the joint account of the apportionment. The apportionment must also comply with individual contribution limits as it

affects reporting requirements. no notation is made, the recipient committee

Online Contributions: PayPal and other Payment Intermediary Services

PayPal or other payment intermediary services may be used to accept campaign contributions. The amount the contributor agrees to contribute is the contribution amount. The committee should report any fees charged by the service provider for the transaction as expenditures.

Candidate Committees Sharing Expenses

Candidate Committees may share expenses for the cost of brochures, offices, office equipment, etc. so long as each committee pays for its proportionate cost of the expense. If one committee pays for the entire cost initially and the other committee reimburses the paying committee within 30 days, then the purchase and reimbursement do not constitute a contribution by one candidate committee to the other. Contributions from one candidate committee to another are prohibited.

PART FOUR: LATE FILINGS

LATE FILING PENALTIES

The City Clerk is required to impose penalties upon candidates or committees for failure to file disclosure reports or for disclosure reports filed past the due date. If the City Clerk knows that a filing was due because the City Clerk becomes aware that a person has become a candidate or a committee has been formed but such person or committee has failed to file a registration, the City Clerk shall notify any person against whom penalties for late filings under this Section accrue within four (4) business days from the date the City Clerk learns that the filing was due. In issuing such notice, the City Clerk will use the e-mail address, phone number or mailing address on file, if any.

A penalty of \$25 per day, including weekends and holidays, will be imposed on a candidate or committee for every day that a report remains outstanding beyond the due date. These \$25/day penalties shall accrue only up to 100 calendar days, or \$2500 for any individual late filing.

WAIVERS AND WAIVER REQUESTS

The City Clerk has the discretion to grant penalty waivers for municipal candidates and committees for failure to timely file or other campaign finance penalties upon a showing of good cause. Waivers require submission of a written request, addressed to the City Clerk, showing good cause why a waiver or reduction in the penalty should be granted.

The City Clerk's office must receive the request **no later than 5 days after the date the notice of the imposed penalty was delivered**. Waiver requests may be submitted to the City Clerk, 13133 E. Arapahoe Road, Centennial, CO 80112.

Waiver requests must state the reason for the delinquency. The request should provide an explanation that includes all relevant factors relating to the delinquency and any mitigating

circumstances, such as measures taken to avoid future delinquencies. Before a request will be considered, the City Clerk's office must have received a written request containing the information required by this paragraph.

The City Clerk will review the request and make a determination in accordance with the guidelines on page 36. The City Clerk may consider any additional factors that establish good cause or may otherwise be relevant to the request for waiver or reduction of campaign finance penalties. In considering a request, the City Clerk may request additional information, including but not limited to financial or other records maintained by the filer. For waiver requests that apply to more than one penalty, the guidelines will be applied separately to each penalty in chronological order using the single request as the basis for each waiver requested.

Legal provisions for penalties:

Late Penalties	Colo. Const. Art. XXVIII, Sec. 10(2)(a); Section 2-6-330 of the Municipal Code
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PART FIVE: THIRD PARTY COMPLAINTS OF VIOLATIONS

Initial Review

COMPLAINTS

Any person who believes that there has been a violation of campaign finance laws and regulations related to any City election (City elective office, ballot measure or ballot issue election) may file a complaint with the City Clerk's Office within 90 calendar days after the complainant knew or should have known by the exercise of reasonable diligence of the alleged violation. The City Clerk shall provide the complaint cover sheet form which must be included. If an incomplete complaint is received, the date on which the originally filed complaint was received is considered the filed date if a complete copy is received within three (3) business days of notification from the City Clerk that the complaint was incomplete. A complaint may be submitted by fax or electronic mail if a signed original is received by the City Clerk no later than three (3) business days thereafter.

The City Clerk will review the complaint and act within 10 business days. This initial review will determine:

- Whether the complaint was timely filed,
- Whether the complainant specifically identified one or more violations of Colorado Constitution Article XXVIII, the Fair Campaign Practices Act, or any rules adopted and promulgated by the City Clerk concerning campaign and political finance, and
- Whether the complainant alleged sufficient facts and/or provided sufficient information to support a legal and factual basis for the complaint.

Within 10 business days of receiving the complaint, the City Clerk must take one or more of the following actions:

COMPLAINTS MUST INCLUDE:

- ❖ The name, address, e-mail address, telephone number and signature of the complainant (if represented by counsel, also counsel's name, address, e-mail address, telephone number and signature);
- ❖ The name and, if known, the telephone number and address of each person alleged to have committed a violation ("respondent"); and
- ❖ The particulars of the violation (Sufficient facts to support a legal and factual basis for the complaint); and
- ❖ Optionally, documentation or other evidence supporting the allegation.

- If the complaint was not timely filed, has not specifically identified one or more violations, or the complainant did not assert facts or provide information sufficient to support the alleged violations, the City Clerk will dismiss the complaint and notify the complainant and respondent of the reasons for dismissal.
- If the complaint alleges one or more curable violations, the City Clerk will notify the respondent(s) and provide an opportunity to cure.
- If the complaint alleges one or more violations, asserts facts or provides information sufficient to support the alleged violations but that may require additional factual finding(s) or legal interpretation, and the asserted violations are not curable, the complaint shall be referred to an

independent hearing officer to hear and determine such complaint.

Hearings

Curing violations

If the City Clerk determines that a complaint alleges a failure to file or otherwise disclose required information, or other curable violation, the City Clerk will notify the respondent(s) by email, or by mail if email is unavailable, of the curable deficiencies alleged in the complaint and respondents shall have 10 business days from the date the notice is mailed to file a report or an amendment to the relevant report or reports that cures any deficiencies specified in the notice.

Respondent(s) must provide the City Clerk with notice of intent to cure on the form provided by the City Clerk and include a copy of any amendments. The City Clerk may ask the respondent to provide additional information and may grant an extension of time to file a notice of intent to cure in order to respond to such a request.

After the period for cure, the City Clerk will determine, within 5 Business Days, whether the respondent(s) cured the violation(s), and if so, whether the respondent(s) substantially complied or acted in good faith.

If the City Clerk determines that the respondent(s) substantially complied or acted in good faith, the City Clerk will dismiss the complaint and notify the complainant and the respondent.

If the City Clerk determines that the respondent neither substantially complied nor acted in good faith or cured the alleged deficiency, or that additional factual finding or legal interpretations are required, the complaint shall be referred by the City Manager to an independent hearing officer to hear and determine such complaint and the City Clerk will notify the complainant and the respondent of such action.

With due regard for the convenience of both parties, an informal hearing shall be scheduled to be held within 15 calendar days of referral of any complaint to a hearing officer. Within 2 business days of the date of referral of the complete complaint to the hearing officer, a notice of the hearing and any applicable rules governing the hearing shall be sent to the complainant and to the respondent, who shall also receive a copy of the entire complaint, including any accompanying documentation.

If the respondent submits a written motion showing good cause therefore, the hearing officer may grant up to 30 additional calendar days to hold the hearing.

Complainants are expected to gather evidence related to the complaint and present that evidence at the hearing as if they were prosecuting a case. The City Attorney's Office cannot offer legal advice or interpret the law and will only advise with regard to the procedures for filing a complaint. At the request of either party, the hearing officer may issue an administrative subpoena requiring the attendance of a witness or party at the hearing. Failure to comply with any such subpoena shall be a violation of the Municipal Code.

Legal Provisions for Complaints:

Complaint Procedure and Sanctions	Art. XXVIII, Sec. 9(2) and 10; Sections 2-6-330, 2-6-340 and 2-6-350 of the Municipal Code
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PENALTIES

Following a hearing, if the hearing officer determines that a violation has occurred, the hearing officer may order, without limitation, sanctions as follows:

- (1) Impose a civil penalty of at least double and up to five times the amount contributed, received or spent in violation of any

contribution prohibition or limitation or in violation of a contribution reporting requirement.

(2) Impose a civil penalty of \$25 per day for each day that a statement or other information required to be filed is not filed by the close of business on the day due.

(3) Order disclosure of the source and amount of any undisclosed contributions or expenditures.

(4) Order the return to the donor of any contribution made which was the subject of the violation.

Unpaid civil penalties may be collected in the similar manner as a Municipal Court judgment, including the use of a private collection agency.

GUIDELINES FOR WAIVER REQUESTS

GUIDELINES FOR CONSIDERING WAIVER REQUESTS Based on SS Guidelines as Reduced to Reflect Reduced City Imposed Penalties (SOS Rule 18.1.2)		
Scenario – applied in numerical order (i.e., if #1 doesn't apply, move to #2)	Result	
#1	A waiver is requested and establishes good cause that made timely filing impracticable (For example, -was in the hospital, got in a car accident, was stranded by a blizzard, etc.). The event or events that made timely filing impracticable must occur within a reasonable time of the date on which the report was filed.	Waive penalty in full. A waiver will be granted without consideration of previous delinquencies.
#2	A waiver is requested but does not present circumstances that made timely filing impracticable (For example, forgot, was out of town, electronic calendar crashed), and:	.
	(a) Filer had contributions and/or expenditures during the reporting period. The penalty imposed is \$50 or more	<p>First delinquency in 24 months: The penalty will be reduced to \$25.</p> <p>Second delinquency in 24 months: The penalty will be reduced by 50%.</p> <p>Third (or subsequent) delinquency in 24 months: A reduction in penalty will not be granted.</p> <p>Penalties imposed under this section are capped at the higher of the contributions or expenditures made during the reporting period. If a delinquency is found to be willful, the penalty cap may be increased to two to five times the higher of the contributions or expenditures made during the reporting period.</p> <p>For purposes of this analysis, previous delinquencies exclude those for which a waiver under scenario #1 was granted.</p>
	(b) Filer has no activity (contributions OR expenditures) during the reporting period and the committee balance is zero. The penalty imposed is \$50 or more	The penalty will be reduced to \$25.
	(c) Filer has a fund balance greater than zero and filer has no activity (contributions OR expenditures) during the reporting period. The penalty imposed is \$50 or more	<p>First delinquency in 24 months: The penalty will be reduced to \$25.</p> <p>Second delinquency in 24 months: The penalty will be reduced by 50%, subject to a cap of 10% of the fund balance (but not less than \$50)</p> <p>Third (or subsequent) delinquency in 24 months: The penalty is capped at 10% of the fund balance, and a minimum penalty of \$50 will be imposed.</p> <p>If a delinquency is found to be willful, the penalty cap may be increased to 20% to 50% of the fund balance.</p> <p>For purposes of this analysis, previous delinquencies exclude those for which a waiver under scenario #1 was granted.</p>
	(d) Filer seeks to terminate active status, has a fund balance of \$1,000 or less, and has no activity (contributions OR expenditures) during the reporting period(s) in question.	Penalties are subject to a cap equal to the total amount of the filer's fund balance as of the date on which the delinquent report was filed, if the committee is promptly terminated.
#3	A waiver is requested but submitted more than 30 days after the date of penalty imposition. For purposes of this analysis, a filer has 30 days from the date on which the final notice of penalty imposition is issued following the filing of the delinquent report. Until an outstanding report is filed, penalties shall continue to accrue at a rate of \$25 per day and no request for waiver will be considered.	A request will not be considered unless good cause has been shown for failure to meet the 30-day waiver filing requirement.

GLOSSARY OF TERMS AND ACRONYMS

Amendment 27

Refers to what is now Article XXVIII of the Colorado Constitution, a voter-approved constitutional amendment providing campaign finance laws for the state of Colorado.

Article XXVIII

A voter-approved amendment to the Colorado constitution providing campaign finance laws for the state of Colorado.

Candidate Affidavit

Notarized form filed with the City Clerk to certify one's intent to run for public office.

Committee

A person or group of persons that raises and spends money for the purpose of supporting or opposing candidates running for office or supporting or opposing ballot measures.

Contribution

A contribution is money given to, or received by, a campaign entity such as a candidate or a committee. Non-monetary contributions, such as in-kind donations of goods or services, are also considered contributions.

C.R.S. -- Colorado Revised Statutes

The laws enacted by the Colorado General Assembly.

Electioneering

Any communication broadcast in some form within 60 days of an election, to members of the electorate urging a vote for or against a candidate for public office.

Expenditure

Money spent by a candidate, committee, other political entity, or individual in the case of Independent Expenditures.

FCPA -- Fair Campaign Practices Act

Title 1, Article 45 of the Colorado Revised Statutes.

Fair Market Value

The normal or average price that a good or service would ordinarily command in the marketplace.

FCC -- Federal Communications Commission

Federal agency responsible for oversight of broadcast communications, including television, internet, and radio.

Foreign Citizen

Any natural person who is not a citizen of the United States.

Independent Expenditure

A campaign finance expenditure that is not controlled or coordinated by the candidate that it references.

Independent Expenditure Committee

Person, business, group, or other entity that spends more than \$1,000 on independent expenditures.

Issue Committee

A person or group of persons that raises and spends money in excess of \$200, or prints 200 or more petition sections, to support or oppose ballot measures.

Major Contribution Report

Separate report that must be filed by the recipient of any contribution of \$1,000 or more, naming the contributor and his or her address, occupation, and employer.

P.C. -- Political Committee

A person or group of people that raises and spends money (more than \$200) to support or oppose the nomination or election of one or more candidates.

Political Party

A group of registered electors that nominates candidates for the general election ballot, whether by petition or by assembly.

Recall Committee

A recall committee is an issue committee established for the purpose of recalling an elected official.

Registered Agent

The agent authorized to act on behalf of a committee. Only the agent (and, in the cases of Candidate Committees, the candidate) may file committee reports and engage in other activities related to the control of a committee. The agent is also the person responsible for penalties and responding to complaints lodged against the committee.

Report of Contributions and Expenditures

Report outlining all of the contributions received, and expenditures made by, a candidate, committee, or other entity governed by campaign and political finance laws. Required by Colorado law. Independent expenditure committees file a similar report called a report of donations and expenditures.

Rules -- Rules Concerning Campaign and Political Finance

These are legally-binding regulations promulgated by the Colorado Secretary of State that govern campaign and political finance activities in Colorado.

SOS – Secretary of State

SDC -- Small Donor Committee

Political committee that accepts contributions of \$50 or less from natural persons only.

SSIC - Small Scale Issue Committee

A person or group of persons that has a major purpose of supporting or opposing any ballot issue or ballot questions and raises or spends money in excess of \$200 but less than \$5,000.

TABOR- Taxpayer's Bill of Rights

Article X, Section 20 of the Colorado Constitution

Return to:
Barbara Setterlind, City Clerk
13133 E. Arapahoe Rd.
Centennial, CO 80112
303-754-3324
Fax: 720-488-0933



Space Below For Office Use Only

CANDIDATE AFFIDAVIT

[Art. XXVIII, Sec. 2(2) & 1-45-110(1), C.R.S.]

- State, County, School District, and Special District Candidates file with the Secretary of State
- Municipal Candidates file with the Municipal Clerk

This affidavit shall certify that I, _____, am a candidate
(Name*)
for the _____ election, [Art. XXVIII, Sec. 2(2)] for the office of _____,
(Year*) (Office*)
District # _____ (if applicable), County _____ (if applicable).
(District*) (County*)

I understand that campaign finance activities in Colorado are governed by Article XXVIII of the Colorado Constitution, Article 45, Title 1 of the Colorado Revised Statutes (C.R.S.) (also known as the Fair Campaign Practices Act (FCPA)), and the Secretary of State's Rules Concerning Campaign and Political Finance.

I further certify that I am familiar with the provisions of the Colorado Fair Campaign Practices Act (FCPA) as required in §1-45-110 of the Colorado Revised Statutes.

Signature of Candidate* _____ Date*: _____

Physical Address of Candidate*: _____
(Street/City/St/Zip*)

Mailing address: _____

Business Phone: _____ Residence Phone*: _____

Fax: _____ Web Address: _____

E-Mail Address*: _____

Fields marked with * are required unless they do not apply to the race for which you are submitting this affidavit. The notary section below must be completed in full.

STATE OF COLORADO
COUNTY OF _____

Before me, _____, a notary/officer duly authorized to administer oaths, in and for said State, personally appeared _____, whose name is subscribed to the foregoing Candidate Affidavit, and who affirms, that said statements are true and that he/she acknowledges the execution of said instrument to be of their own free act and voluntary deed for the uses and purposes therein set forth.

Subscribed and affirmed to before me this _____ day of _____, 20_____.

(Seal)

(Notary/Official Signature)

(Commission Expires)

CANDIDATE AFFIDAVIT INSTRUCTIONS

Colorado Constitution Reference: Section 2(2), article XXVIII

Colorado Revised Statutes: 1-45-110(1), C.R.S.

Who uses this form? All Candidates for public office.

Purpose of form: This form is to be used by all candidates seeking an elected office.

Is this form required for all candidates, including judges? YES, except that candidates in Special District elections may file a self-nomination and acceptance form instead.

When should this form be filed? Form must be filed with the appropriate election official within ten (10) days of becoming a candidate.

When does an individual become a candidate? When the individual publicly announces an intent to seek public office and thereafter receives a contribution or makes an expenditure in support of the candidacy.

What is the definition of Public announcement? Campaign and Political Finance Rule 1.12 states: “ ‘Publicly announced an intention to seek election to public office or retention of a judicial office’ means that a person has made a statement signifying an interest in the office by means of a speech, advertisement, or other communication reported or appearing in public media or in any place accessible to the public. Such statement includes a stated intention to explore the possibility of seeking an office. The registration of a candidate committee shall also constitute a public announcement of an intention to seek election or retention.”

COMPLETING THE FORM

1. Print or type the name of candidate on the first line.
2. Print or type the political affiliation of the candidate, only if seeking a partisan office (one which has a party identification on the ballot). Do not complete for school district, special district or municipal candidates.
3. Print or type the year the office is up for election and the office being sought.
4. Indicate the district number of the office being sought, if applicable.
5. The candidate must sign and date the form. **Signature must be notarized.**
6. Print or type the physical address of the candidate.
7. Print or type the mailing address of the candidate if different than physical address.
8. Print or type the candidate’s business or residential telephone number.
9. Print or type the candidate’s E-Mail address. The Secretary of State’s office will use this address to send notices and correspondences.
10. **The remainder of the form must be completed by a Notary Public.**

Please note that this form and the information contained within are considered public information. All information is required (except party and district where they do not apply).

Return to:
Barbara Setterlind, City Clerk
13133 E. Arapahoe Rd.
Centennial, CO 80112
303-754-3324
Fax: 720-488-0933



NEW COMMITTEE REGISTRATION FORM

(1-45-108, C.R.S.)

Please use this form if you are registering a new committee for Colorado campaign finance purposes.

Select Only One Committee Type:

- Candidate Committee
 Political Party
 Small Donor Committee
 Political Committee
 Issue Committee
 527 Political Organization
 Federal PAC

Committee Name: _____

Name should be descriptive. Include office, organization name, etc. Note: CO does not have PACs, only political committees.

Committee Address (Physical): _____

Committee Address (Mailing): _____

Phone Number: _____ Alternate Phone Number: _____

Fax Number: _____ Web Address: _____

Check Only One Jurisdiction:

- Federal
 State
 County
 Municipal
 Multi-County
 Other: _____

Purpose/Office Sought (include party, office, district & election year, if applicable): _____

Financial Institution Information:

Institution Name: _____

Institution Address: _____

Agent / Contact Information:

Name of Person Acting As Registered Agent: _____

Under Colorado law, only the registered agent (or the candidate in the case of candidate committees) may file the committee reports.

Phone Number: _____ Registered Agent E-Mail: _____

Alternate E-Mail 1: _____

Alternate E-Mail 2: _____

Authorization

Registered Agent's Signature: _____ Date: _____

Print Candidate Name: _____

Candidate Address (include mailing): _____

Candidate Signature: _____ Date: _____

Return to:
Barbara Setterlind, City Clerk
13133 E. Arapahoe Road
Centennial, CO 80112
bsetterlind@centennialco.gov
Fax (720) 488-0933



REPORT OF CONTRIBUTIONS AND EXPENDITURES Revised Reporting Forms

The Report of Contributions and Expenditures is a financial report required for all committees or parties that accept contributions or make expenditures to support or oppose a candidate or an initiative seeking access to the ballot and/or a referendum placed on the ballot by the general assembly. The report is comprised of 7 basic data entry pages along with several informational and instructional pages. The data entry forms consist of the Report of Contributions and Expenditures with the Detail Summary, Schedules A, B, C, D and the Statement of Non-Monetary Contributions. Completion of Schedules A, B, C, D and the Statement of Non-Monetary Contribution forms should be done prior to completion of the Report of Contributions and Expenditures and Detail Summary pages. Listed below are brief descriptions of what each data entry page accomplishes to help you complete and finalize this report.

Report of Contributions and Expenditures (page 1)

A summary page of the committee or party name, address, financial institution, registered agent and the contribution/expenditure totals for a specific reporting period with the **Detailed Summary page** (page 2) that summarizes totals for all other data entry forms. Complete this 2-page form last.

Schedule A

This form is used to report monetary contributions received by the committee or party that exceed \$19.99. (Money received into the committee/party.)

Schedule B

This form is used to report expenditures paid out by the committee or party that exceed \$19.99. (Money expended/paid out by the committee/party.)

Schedule C

This form details loans received and repaid by the committee/party. (Money received by committee from a financial institution and/or repayment of a loan to a financial institution.)

Schedule D

This form allows the committee/party to account for either a contribution or expenditure that has been made and is being returned to the committee/party.

Statement of Non-Monetary Contributions

This form details contributions received that are tangible and can be assessed a fair market value. Expenditures on behalf of a candidate that are coordinated with or controlled by the candidate, candidate's agent or the political party shall be counted as a contribution to and expenditure by the candidate committee or the political party.

If filing the Report of Contributions and Expenditures manually, it **MUST** be received by the appropriate officer on or before the manual due date. Postmark dates are not recognized. A faxed

report **MUST** be followed up with the original document within seven calendar days. If you wish to file electronically, please log onto our web site at www.sos.state.co.us and select Campaign Finance and then select Campaign Finance Filing and Inquiry. Instructions for electronic filing may be found on the Campaign Finance page. The candidate and/or registered agent are responsible for the content and accuracy of the report.

Other items available on the Secretary of State website are: Electronic filing instructions, Campaign and Political Finance forms, filing calendars and the Campaign and Political Finance FAQs (Frequently Asked Questions) fact sheet. Please note the Microsoft excel spreadsheet version of the report is no longer available.

State and county committees requiring assistance should contact the Secretary of State's Campaign and Political Finance Support Team at 303-894-2200 ext. 6383. **Municipal** committees should contact their municipal/town clerk for assistance.

Thank you

Instructions for
**REPORT OF CONTRIBUTIONS AND EXPENDITURES
DETAILED SUMMARY**

Reference Colorado Revised Statute:	1-45-108, C.R.S.
Who uses this form?	All Committees
Purpose of form:	This form is used to summarize the information from all other forms.
Is this form required?	Yes
When do I file this form?	This form must be received by the designated election official on or before the filing due date for the reporting period. Postmarks are not accepted.

COMPLETING THE FORM

This form uses information contained on other forms; all other applicable forms must be completed prior to filing this summary form.

STEP 1. Completely fill out the Report of Contributions and Expenditures page until you reach Line 1.

- Print or type the full name of the committee
- Print or type the address of your committee. Print or type the city, state and zip code of your committee.
- Print or type the name of the financial institution where the committee funds are deposited. [1-45-108(1)(a)(IV)(b), C.R.S.]
- Print or type the address of the financial institution including city, state and zip code.
- Print or type the Secretary of State-issued committee number. This is the committee ID number that was mailed to you shortly after registering with the Secretary of State. If you registered with an election official other than the Secretary of State, you do not file with the Secretary of State's office.
- Determine what type of report is being filed.
 - **Regularly Scheduled Filings** are normal reporting periods as required in 1-45-108 & 1-45-109, C.R.S. (These dates are available through the Campaign and Political Finance manual, your local election official, the calendars provided and the Secretary of State web site www.sos.state.co.us)
 - **Amended Filings** are reports that correct a previously filed report.
 - **Termination Reports** are filings that close a committee, indicating the committee is no longer in existence. You **must** report a zero balance on line #5. (Art. XXVIII, Sec. 2(3), 1-45-106, C.R.S., and the *Rules Concerning Campaign and Political Finance* 3.3)
- Check () the appropriate box next to the type of report filed. If this report is an *amended filing*, print or type the date of the originally filed report being amended.
- Print or type the Reporting Period being covered. (The beginning and ending dates)

- Print or type the Declared Total Spending Limit if applicable. (Art. XXVIII, Sec. 4)
This is only for candidates that have accepted the Voluntary Spending limits.

STEP 2. Skip Lines 1-5 and the Authorization portion of the Report of Contributions and Expenditures page (page 1) and go to the Detailed Summary page (page 2).

STEP 3. On the Detail Summary page of the Report of Contributions and Expenditures form completely fill out the header information and lines 6 through 20.

- Line #6 – Enter the total amount from Schedule A.
- Line #7 – Enter the total amount of contributions received this reporting period that were \$19.99 or less.
- Line #8 – Enter the total amount of all loans received this reporting period. (Schedule C)
- Line #9 – Enter the total amount of all other receipts. (Example: Interest, Dividends)
- Line #10 – Enter the total amount of all expenditures returned or refunded to the committee. (Schedule D - money coming back to the committee).
- Line #11 – Enter the sum of Lines #6 **through** #10.
- Line #12 – Enter the total amount of all Non-Monetary Contributions from the Statement of Non- Monetary Contributions form.
- Line #13 – Enter the sum of Line #11 **and** #12.
- Line #14 – Enter the total amount from Schedule B.
- Line #15 – Enter the total amount of all Expenditures \$19.99 or less.
- Line #16 – Enter the total amount of all loan payments paid this reporting period. (Schedule C)
- Line #17 – Enter the total amount of contributions returned to the donor. Example: A contributor exceeded contribution limits and the amount exceeding that limit must be returned. (Schedule D - money going out of the committee).
- Line #18 – Enter the total amount of expenditures by a third party that are controlled by or coordinated with a candidate, candidate committee or political party. (Statement of Non-Monetary Contribution form)
- Line #19 – Enter the sum of Lines #14 **through** #17.
- Line #20 – Enter the sum of lines #18 **and** #19. [Art. XXVIII, Sec. 5(3)]

STEP 4. Return to the Report of Contributions and Expenditures form and complete Lines 1-5.

- Line #1 – If this is your first Report of Contributions and Expenditures as a committee enter zero (0). If you have previously filed enter the ending balance from line #5 of your most recently filed report.
- Line #2 – Enter the total amount from Line #11.

- Line #3 – Enter the sum of Lines #1 **and** #2.
- Line #4 – Enter the total amount from Line #19.
- Line #5 – Enter the difference of Line #3 **minus** Line #4.

STEP 5. Complete the Authorization portion of the Report of Contributions and Expenditures form by printing the name of the registered agent and then sign and date the report.

Space Below For Office Use Only

Return to:
Barbara Setterlind, City Clerk
13133 E. Arapahoe Road
Centennial, CO 80112
bsetterlind@centennialco.gov
Fax (720) 488-0933



REPORT OF CONTRIBUTIONS AND EXPENDITURES
(1-45-108, C.R.S.)

Full Name of Committee/Person: _____

As Shown On Registration

Address of Committee/Person: _____

City, State & Zip Code: _____

Committee Type: _____

Name and Address of Financial Institution _____

SOS ID NUMBER (state and county committees): _____

Type of Report

- Regularly Scheduled Filing.
- Amended Filing. This amends previous report filed on (date) _____
Submit changes or new information ONLY
- Termination Report. (Termination Reports MUST Have a Monetary Balance of Zero in Line 5)
- Check this box if this Report Contains Electioneering Communications Information

Reporting Period Covered: _____ **Through** _____
Date Date

Declared Total Spending (if applicable) \$ _____
[Art. XXVIII, Sec. 4(1)]

		Totals Detailed Summary Page
1	Funds on Hand at the Beginning of Reporting Period (monetary only)	\$ _____
2	Total Monetary Contributions (line 11)	\$ _____
3	Total of Monetary Contributions & Beginning Amount (line 1 + line 2)	\$ _____
4	Total Monetary Expenditures (line 19)	\$ _____
5	Funds on Hand at the End of Reporting Period (monetary) (line 3 – line 4)	\$ _____

The appropriate officer shall impose a penalty of \$50 per day for each day that a report is filed late.
[Art. XXVIII Sec. 10(2)(a)]

Authorization (Must be completed by either the Registered Agent OR the Candidate): *I hereby certify and declare, under penalty of perjury, that to the best of my knowledge or belief all contributions received during this reporting period, including any contributions received in the form of membership dues transferred by a membership organization, are from permissible sources.*

Print Registered Agent's Name: _____

Registered Agent's Signature: _____ Date: _____

Print Candidate Name: _____

Candidates Signature: _____ Date: _____

DETAILED SUMMARY

Full Name of Committee/Person: _____

Current Reporting Period: **Through**

	Funds on hand at the beginning of reporting period (Monetary Only)	\$
6	Itemized Contributions \$20 or More [C.R.S. 1-45-108(1)(a)] (Please list on Schedule "A")	\$
7	Total of Non-Itemized Contributions (Contributions of \$19.99 and Less)	\$
8	Loans Received (Please list on Schedule "C")	\$
9	Total of Other Receipts (Interest, Dividends, etc.)	\$
10	Returned Expenditures (from recipient) (Please list on Schedule "D")	\$
11	Total Monetary Contributions (Total of lines 6 through 10)	\$
12	Total Non-Monetary Contributions (From Statement of Non-Monetary Contributions)	\$
13	Total Contributions (Line 11 + line 12)	\$
14	Itemized Expenditures \$20 or More [C.R.S. 1-45-108(1)(a)] (Please list on Schedule "B")	\$
15	Total of Non-Itemized Expenditures (Expenditures of \$19.99 or Less)	\$
16	Loan Repayments Made (Please list on Schedule "C")	\$
17	Returned Contributions (To donor) (Please list on Schedule "D")	\$
18	Total Coordinated Non-Monetary Expenditures (Candidate/Candidate Committee & Political Parties only)	\$
19	Total Monetary Expenditures (Total of lines 14 through 17)	\$
20	Total Spending (Line 18 + line 19)	\$

Schedule A Instructions

NOTE: In addition to the reporting requirements of 1-45-108, C.R.S., please note provisions for specific Committee type, as follows:

Candidate, Issue, Political Party and Political Committee (PC)

- Required to disclose occupation **and** employer for all \$100 or more contributions made by natural persons. (Art. XXVIII, Sec. 7)

Small Donor Committee

- Accepts contributions of no more than \$50 per year, FROM NATURAL PERSONS ONLY. [Art. XXVIII, Sec. 2(14)(a)]

Electioneering Communications Reporting

- Reporting required by persons spending \$1,000 or more on Electioneering Communications,
- Required to disclose occupation **and** employer for all \$250 or more contributions made by natural persons. (Art. XXVIII, Sec. 6)
- Corporate and Labor Organization funding are prohibited. (Art. XXVIII, Sec. 6)

Contribution Limits – State Candidates

(Art. XXVIII, Sec. 3)

Candidates:

- **\$525** ♦ Primary, \$525 ♦ General if nominated to general election ballot – Gov*, Gov/Lt. Gov**, Secretary of State, Attorney General and State Treasurer
- **\$200** Primary, \$200 General if nominated to general election ballot – State Senate, State House of Representative, State Board of Education, CU Regent, and District Attorney.

Note: Candidates may receive the primary and general election contributions at one time, the contributor must note that the contribution is for both the primary and general election contribution. Candidates must note both contributions on their report. It is preferred that each contribution be given separately; one check written for the primary and one check written for the general, and so noted by the contributor on the check and by the recipient on the report.

Political Committees (State, County, District & Local):

- **\$525** ♦ per House of Representatives Election Cycle

Political Party (From any person other than Small Donor):

- **\$ 3,175** ♦ per year no more than \$2,650 ♦ to state party.

Political Party (From Small Donor):

- **\$15,900** ♦ per year no more than \$13,250 ♦ to state party.

Prohibitions on next page. Please refer to Article XXVIII, Section 3 of the Colorado Constitution for complete contribution limits and prohibited contributions.

* Primary Election

** General Election

♦ Contribution Limits reflect adjustments made by CPF Rule 12 pursuant to Article XXVIII, Sec. 3(13) of the Colorado Constitution.

PROHIBITED CONTRIBUTIONS

[Art. XXVIII, Sec.3 & C.R.S. 1-45-105.5]

- No candidate's candidate committee shall accept contributions from, or make contributions to, another candidate committee.
- No person shall act as a conduit for a contribution to a candidate committee.
- It shall be unlawful for a corporation or labor organization to make contributions to a candidate committee or a political party, and to make expenditures expressly advocating the election or defeat of a candidate; except that a corporation or labor organization may establish a political committee or small donor committee which may accept contributions or dues from employees, officeholders, shareholders, or members.
- No candidate committee, political committee, small donor committee, or political party shall knowingly accept contributions from:
 - Any natural person who is not a citizen of the United States;
 - A foreign government; or
 - any foreign corporation that does not have the authority to transact business in this state pursuant to article 115 of title 7, C.R.S., or any successor section.
- No candidate committee, political committee, small donor committee, issue committee, or political party shall accept a contribution, or make an expenditure, in currency or coin exceeding one hundred dollars.
- No person shall make a contribution to a candidate committee, issue committee, political committee, small donor committee, or political party with the expectation that some or all of the amounts of such contribution will be reimbursed by another person. No person shall be reimbursed for a contribution made to any candidate committee, issue committee, political committee, small donor committee, or political party, nor shall any person make such reimbursement except as provided in subsection (8) of this section. [Art. XXVIII, Sec. 3(8)]
- Contributions from professional and volunteer lobbyists to any member of or candidate for the general assembly, or the governor or candidate for governor are prohibited during regular legislative session.
- Political Committees may contribute to a legislator during session, unless the political committee employs, retains, engages, or uses, with or without compensation, a professional or volunteer lobbyist.

Schedule A – Itemized Contributions Statement (\$20 or more)

[C.R.S. 1-45-108(1)(a)]

Full Name of Committee/Person: _____

WARNING: Please read the instruction page for Schedule “A” before completing!

PLEASE PRINT/TYPE

1. <u>Date Accepted</u>	4. Name (Last, First): _____
2. <u>Contribution Amt.</u> \$	5. Address: _____
3. <u>Aggregate Amt. *</u> \$	6. City/State/Zip: _____
<input type="checkbox"/> Check box if Electioneering Communication	7. Description: _____
	8. Employer (if applicable, <u>mandatory</u>): _____
	9. Occupation (if applicable, <u>mandatory</u>): _____

1. <u>Date Accepted</u>	4. Name (Last, First): _____
2. <u>Contribution Amt.</u> \$	5. Address: _____
3. <u>Aggregate Amt. *</u> \$	6. City/State/Zip: _____
<input type="checkbox"/> Check box if Electioneering Communication	7. Description: _____
	8. Employer (if applicable, <u>mandatory</u>): _____
	9. Occupation (if applicable, <u>mandatory</u>): _____

1. <u>Date Accepted</u>	4. Name (Last, First): _____
2. <u>Contribution Amt.</u> \$	5. Address: _____
3. <u>Aggregate Amt. *</u> \$	6. City/State/Zip: _____
<input type="checkbox"/> Check box if Electioneering Communication	7. Description: _____
	8. Employer (if applicable, <u>mandatory</u>): _____
	9. Occupation (if applicable, <u>mandatory</u>): _____

1. <u>Date Accepted</u>	4. Name (Last, First): _____
2. <u>Contribution Amt.</u> \$	5. Address: _____
3. <u>Aggregate Amt. *</u> \$	6. City/State/Zip: _____
<input type="checkbox"/> Check box if Electioneering Communication	7. Description: _____
	8. Employer (if applicable, <u>mandatory</u>): _____
	9. Occupation (if applicable, <u>mandatory</u>): _____

* For contribution limits within a committee’s election cycle or contribution cycle, please refer to the following Colorado Constitutional cites: Candidate Committee Art. XXVIII, Sec. 2(6); Political Party Art. XXVIII, Sec. 3(3); Political Committee Art. XXVIII, Sec 3(5); Small Donor Committee Art. XXVIII, Sec. 2(14).

Schedule B – Itemized Expenditures Statement (\$20 or more)

[1-45-108(1)(a), C.R.S.]

Full Name of Committee/Person: _____

PLEASE PRINT/TYPE

1. <u>Date Expended</u>	4. Name: _____
2. <u>Amount</u> \$	5. Address: _____
3. Recipient is (optional): <input type="checkbox"/> Committee <input type="checkbox"/> Non-Committee	6. City/State/Zip: _____
	7. Purpose of Expenditure: _____
	<input type="checkbox"/> Check box if Electioneering Communication

1. <u>Date Expended</u>	4. Name: _____
2. <u>Amount</u> \$	5. Address: _____
3. Recipient is (optional): <input type="checkbox"/> Committee <input type="checkbox"/> Non-Committee	6. City/State/Zip: _____
	7. Purpose of Expenditure: _____
	<input type="checkbox"/> Check box if Electioneering Communication

1. <u>Date Expended</u>	4. Name: _____
2. <u>Amount</u> \$	5. Address: _____
3. Recipient is (optional): <input type="checkbox"/> Committee <input type="checkbox"/> Non-Committee	6. City/State/Zip: _____
	7. Purpose of Expenditure: _____
	<input type="checkbox"/> Check box if Electioneering Communication

1. <u>Date Expended</u>	4. Name: _____
2. <u>Amount</u> \$	5. Address: _____
3. Recipient is (optional): <input type="checkbox"/> Committee <input type="checkbox"/> Non-Committee	6. City/State/Zip: _____
	7. Purpose of Expenditure: _____
	<input type="checkbox"/> Check box if Electioneering Communication

1. <u>Date Expended</u>	4. Name: _____
2. <u>Amount</u> \$	5. Address: _____
3. Recipient is (optional): <input type="checkbox"/> Committee <input type="checkbox"/> Non-Committee	6. City/State/Zip: _____
	7. Purpose of Expenditure: _____
	<input type="checkbox"/> Check box if Electioneering Communication

Schedule C - Loans

Full Name of Committee/Person: _____

LOANS - Loans Owed by the Committee

(Use a separate schedule for each loan. This form is for line item 8 and 16 of the Detailed Summary Report.)

[No information copied from such reports shall be sold or used by any person for the purpose of soliciting contributions or for any commercial purpose. [Art. XXVIII, Sec. 9(e)] Notwithstanding any other section of this article to the contrary, a candidate's candidate committee may receive a loan from a financial institution organized under state or federal law if the loan bears the usual and customary interest rate, is made on a basis that assures repayment, is evidenced by a written instrument, and is subject to a due date or amortization schedule [Art. XXVIII, Sec. 3(8)]

LOAN SOURCE

Name (Last, First or Institution): _____

Address: _____

City/State/Zip: _____

Original Amount of Loan: \$ _____ Interest Rate: _____

Loan Amount Received This Reporting Period: \$ _____

Total of All Loans This Reporting
Period: \$ _____
(Place on line 8 of Detailed Summary Report)

Principal Amount Paid This Reporting Period: \$ _____

Interest Amount Paid This Reporting Period: \$ _____

Amount Repaid This Reporting Period: \$ _____

(Amount Repaid is sum of Principal & Interest entered on Detail Summary)

Total Repayments Made: \$ _____
(Sum of Schedule C pages, Place on line 16 of
Detailed Summary)

Outstanding Balance: \$ _____

TERMS OF LOAN: _____

Date Loan Received Due Date for Final Payment

LIST ALL ENDORSERS OR GUARANTORS OF THIS LOAN

Full Name	Address, City, State, Zip	Amount Guaranteed

Schedule D – Returned Contributions & Expenditures

Full Name of Committee/Person: _____

Returned Contributions

(Previously reported on Schedule A – Contributions accepted and then returned to donors)

PLEASE PRINT/TYPE

1. <u>Date Accepted</u>	4. Name (Last, First): _____
2. <u>Date Returned</u>	5. Address: _____
3. <u>Amount</u>	6. City/State/Zip: _____
\$	7. Purpose: _____

1. <u>Date Accepted</u>	4. Name (Last, First): _____
2. <u>Date Returned</u>	5. Address: _____
3. <u>Amount</u>	6. City/State/Zip: _____
\$	7. Purpose: _____

Returned Expenditures

(Previously reported on Schedule B – Expenditures returned or refunded to the committee)

PLEASE PRINT/TYPE

1. <u>Date Expended</u>	4. Name (Last, First): _____
2. <u>Date Returned</u>	5. Address: _____
3. <u>Amount</u>	6. City/State/Zip: _____
\$	7. Comment (Optional): _____

1. <u>Date Expended</u>	4. Name (Last, First): _____
2. <u>Date Returned</u>	5. Address: _____
3. <u>Amount</u>	6. City/State/Zip: _____
\$	7. Comment (Optional): _____

Statement of Non-Monetary Contributions
 [Art. XXVIII, Sec. 2(5)(a)(II)(III) & Sec. 5(3) & 1-45-108(1), C.R.S.]

Full Name of Committee/Person: _____

PLEASE PRINT/TYPE

1. <u>Date Provided</u>	4. Name (Last, First): _____
2. <u>Fair Market Value</u> \$	5. Address: _____
3. <u>Aggregate Amt.</u> \$	6. City/State/Zip: _____
<input type="checkbox"/> Check box if Electioneering Communication	7. Description: _____
	8. Employer (if applicable, <u>mandatory</u>): _____
	9. Occupation (if applicable, <u>mandatory</u>): _____
	10. <input type="checkbox"/> Check box if Coordinated with a Candidate/Candidate Committee or Political Party. *

1. <u>Date Provided</u>	4. Name (Last, First): _____
2. <u>Fair Market Value</u> \$	5. Address: _____
3. <u>Aggregate Amt.</u> \$	6. City/State/Zip: _____
<input type="checkbox"/> Check box if Electioneering Communication	7. Description: _____
	8. Employer (if applicable, <u>mandatory</u>): _____
	9. Occupation (if applicable, <u>mandatory</u>): _____
	10. <input type="checkbox"/> Check box if Coordinated with a Candidate/Candidate Committee or Political Party. *

1. <u>Date Provided</u>	4. Name (Last, First): _____
2. <u>Fair Market Value</u> \$	5. Address: _____
3. <u>Aggregate Amt.</u> \$	6. City/State/Zip: _____
<input type="checkbox"/> Check box if Electioneering Communication	7. Description: _____
	8. Employer (if applicable, <u>mandatory</u>): _____
	9. Occupation (if applicable, <u>mandatory</u>): _____
	10. <input type="checkbox"/> Check box if Coordinated with a Candidate/Candidate Committee or Political Party. *

* Note: If coordinated, then contribution must also be reported as a non-monetary expenditure on Detailed Summary. Art. XXVIII, Sec. 2(9) states: "...Expenditures that are controlled by or coordinated with a candidate or candidate's agent are deemed to be both contributions by the maker of the expenditures, and expenditures by the candidate committee."