

UNDERSTANDING THE RULES OF THE GAME:

A Campaign Finance Playbook For
Advisory Neighborhood Commission (ANC) Candidates

Office of Campaign Finance

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CANDIDATE STATUS

3DCMR §§ 3002.6

- ❑ The ANC Summary Financial Statement must be filed by:
 - Candidates who qualified for the ballot through the write-in process;
 - Candidates who qualified for the ballot through the nominating petition process;
 - Candidates who accepted contributions or made expenditures, and did not qualify for the ballot; and
 - Candidates who qualified for selection in the ANC vacancy filling process.

Registration Requirements

- **Registration Requirements: Candidates for ANC are automatically registered by the Office of Campaign Finance based on a list of ANC candidates provided by the Board of Elections. Registration documents are not required to be submitted by the candidate.**

MANDATORY FINANCIAL REPORTING REQUIREMENT

3DCMR §§ 3002.6

- The Summary Financial Statement of Candidate for The Office Of Member of An Advisory Neighborhood Commission (ANC), aka ANC Summary Financial Statement (OCF Form 18), shall be filed no later than sixty (60) days after the certification of election results by the DC Board of Elections (BOE).
- This report cannot be filed until after the election or the candidate withdrawing from the election.
- Regardless of the outcome of an election, i.e., Win or Lose; or
- Whether or not a contribution was accepted, or an expenditure was made.

MANDATORY ELECTRONIC FILING REQUIREMENT

D.C. OFFICIAL CODE § 1-1163.04(1a); 3 DCMR §§ 3002.7, 3002.8 and 3002.9

- All reports filed with the Office of Campaign Finance (OCF) are required to be filed online, provided that reasonable accommodations are made where an actual hardship is demonstrated (no later than 15 days prior to the filing deadline).
- Manual filing of the ANC Summary Financial Statement will not be accepted and will be considered a failure to file.
- OCF will provide log-in information to access the online filing system after the election results have been certified by the DC Board of Elections.

RECORDKEEPING REQUIREMENT

3DCMR §3400.1(a), 3400.2 and 3400.7

- ANC candidates must maintain and preserve detailed records of all contributions and expenditures disclosed in reports for a period of three (3) years from the date of filing.

CONTRIBUTION LIMITATIONS

D.C. OFFICIAL CODE § 1-1163.33(a)(7)

- Contributions from Candidates: No contribution limit applies. Candidates may contribute any amount in support of their own campaigns.
- Contributions from Individuals/Organizations: Contributions are limited to a maximum of \$25.00.
- An Expenditure by a Candidate must also be reported as a contribution by the candidate.

LOANS TO CAMPAIGNS

D.C. OFFICIAL CODE §§ 1-1163.09(c)(4) and 1-1163.33(j)(1)

- Loans of \$50 or more by an ANC Candidate to his or her own campaign must be reported on the ANC Summary Financial Statement as “Debts and Obligations owed To the Candidate.”
- A Loan Agreement must be memorialized in writing to include the: (1) full name and address of the ANC candidate; (2) amount of the loan(s); and (3) loan repayment terms.

CAMPAIGN LITERATURE REQUIREMENTS (DISCLAIMERS)

D.C. OFFICIAL CODE § 1-1163.15(a) and (b)

- All campaign literature must include the notice: “PAID FOR BY”, and followed by the name and address of the PAYER; or the name and address of the COMMITTEE; or the name and address of any OTHER PERSON AND THE TREASURER on whose behalf the material appears.

INTERPRETATIVE OPINIONS

3 DCMR § 9900 and § 3305.1

- Legal opinions may be obtained from the Director of the Office of Campaign Finance (OCF) upon WRITTEN REQUEST on issues under OCF's jurisdiction, including:
 - Solicitation of funds;
 - Circulation of campaign literature;
 - Contribution limitations;
 - Permissible use of campaign funds, and more.
- Please visit OCF's website at (www.ocf.dc.gov) for additional information.

ENFORCEMENT

D.C. OFFICIAL CODE § 1-1163.35(a)(4) and (a)(5); 3DCMR §§ 3711.2(s) and 3711.10

- Ministerial fines may be imposed by the Director of Campaign Finance for certain violations of District of Columbia Campaign Finance Laws and OCF regulations.
- Failure to file an ANC Summary Financial Statement may result in a fine of \$50.00 for each day of noncompliance.
- Petitions for Enforcement of the Director's Orders, where compliance has not been obtained, are filed with the DC Board of Elections (BOE). Cases that are not settled by the Board may be referred to the District of Columbia Superior Court for enforcement.

INCREASED CIVIL PENALTIES AND PERSONAL LIABILITY

D.C. OFFICIAL CODE §§ 1-1163.35(a)(1) and (a)(2) and 1-1163.35(c)

- A Candidate or other person charged with responsibility for filing reports and documents (e.g., treasurer), who fails, neglects or omits to file such report or document accurately and timely, may be assessed a civil penalty of not more than \$4,000 for the first offense and not more than \$10,000 for the second and each subsequent offense.
- FELONY PROSECUTIONS FOR KNOWING VIOLATIONS**
 - Any person who knowingly violates provisions of District of Columbia Campaign Finance Laws shall be subject to criminal prosecution and shall be fined or imprisoned for not more than five (5) years or both.

PROSECUTION OF CAMPAIGN FINANCE LAWS

D.C. OFFICIAL CODE § 1-1163.35(d) and (e)

- The United States Attorney for the District of Columbia and the Attorney General for the District of Columbia have concurrent prosecutorial jurisdiction over violations of District of Columbia Campaign Finance Laws.
- Misdemeanor violations of District of Columbia Campaign Finance Laws may be brought by either the United States or the District of Columbia for faster prosecution of these violations.

QUESTIONS AND ANSWERS (Q&A)

For additional information or questions regarding any information contained in this guide, please contact:

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