



OKLAHOMA ETHICS COMMISSION

TRANSITIONING TO A NEW COUNTY CAMPAIGN COMMITTEE CHECKLIST

Read through the entire checklist before completing any items and use it with the Candidate Guide (County Office) and Ethics Rules.

ITEM	DESCRIPTION
<input type="checkbox"/> New Candidate Campaign for County Office	<p>Is the county candidate running for another county level office? County campaign committees cannot transfer funds to a committee for federal, state, municipal or school district/technology center office.</p> <p>YES: Use this checklist and ensure the current account is closed within 60 days.</p> <p>NO: This committee must be dissolved in accordance with the Ethics Rules. See “Dissolving a County Campaign Committee Checklist” available at www.ethics.ok.gov under the “Campaigns” tab, “Local Campaigns” link.</p> <p>Note: A new campaign committee will not have surplus funds available until the office for which the committee is formed has been decided. Candidates may wait to form a new committee until they are ready to raise/spend funds for the next election.</p>
<input type="checkbox"/> Register New County Campaign Committee	<p>Register a new county campaign committee for the next campaign by (1) filing a Notarized Statement of Organization with the County Election Board & (2) paying the \$50 filing fee using a check from the Committee’s depository.</p> <ul style="list-style-type: none"> • Candidates are required to register within 10 calendar days of receiving funds or contributions or making expenditures in excess of \$1,000 for the new campaign (this includes the candidate’s personal funds.) • Review the “Guide for Candidates (County Office)” and the “Registration Checklist for County Campaign Committee,” available on the Ethics Commission website at www.ethics.ok.gov under the “Campaigns” tab, “Local Campaigns” links. • Open a new depository (bank) account in the name of the new campaign committee (candidate name & year of election). • Resolve debt and transfer surplus funds and assets to the new county committee, if applicable. <p>NOTE: After a new committee is registered, the “old” committee must be dissolved within 60 days and can no longer accept contributions. The new campaign committee is the only committee that may accept contributions.</p>
<input type="checkbox"/> Sell Committee Assets	<p>Does the campaign committee have any of the following assets?</p> <ul style="list-style-type: none"> • Office equipment (laptops, copier, printer, etc.) • Electronics (iPad, cell phones, cameras, etc.) • Furniture (desk, chairs, file cabinets, etc.) • Appliances (coffee makers, microwave, refrigerator, etc.) • Any other tangible asset(s) <p>YES: A campaign committee that has assets must dispose of the assets as follows:</p> <ul style="list-style-type: none"> • Sell the Asset(s). Sell asset(s) for Fair Market Value only (including sell to the candidates, committee officers or their family member(s) of the candidate or officer). <ul style="list-style-type: none"> ○ Deposit funds into committee depository (bank). Report funds on the final report in Schedule B as “other funds,” not contributions. ○ Keep records. Keep records of the sale for FOUR years, including how the committee determined Fair Market Value. For example, search for the asset on-line and print out a reseller’s on-line price. • Transfer Asset(s) to the new committee. Report the transfer of assets in both committees’ reports: (1) report in the old committee as an “in kind” expenditure to the new committee using Schedule E and (2) report in the new committee as an “in kind” contribution from the old committee using Schedule D. <p>NO: Move on to the next step.</p>
<input type="checkbox"/> Resolve Debt	<p>Does the campaign committee have any of the following debt?</p> <ul style="list-style-type: none"> • Outstanding invoices for services (consulting fees, payroll, etc.) • Loans with outstanding balances • Outstanding invoices for goods (signs, t-shirts, etc.) • Any other debt <p>YES: The campaign committee must perform the following to resolve debt.</p> <ul style="list-style-type: none"> • Sell Assets. Pay off the debt through funds raised through sale of assets. See <i>Sell Committee Assets</i> section. • Loan Forgiveness. A loan may be forgiven if unable to be repaid. Reported on both Schedules A & C. <ul style="list-style-type: none"> ○ Candidate Loan: A candidate can forgive any amount of outstanding loan balances to their own committee.

<p>Resolve Debt Continued</p>	<ul style="list-style-type: none"> ○ Other 3rd Party (Individual(s)). The forgiven debt is considered a contribution to the campaign committee and subject to contribution limits. Individuals can only lend up to the per election contribution limits of up to \$2,800. ○ Commercial Lender. Commercial lenders will not usually be able to “forgive” debt due to the prohibition against corporations making contributions to campaign committees. ● Resolve Debt in a Commercially Reasonable Manner. <ul style="list-style-type: none"> ○ Generally, this would be the way the vendor would resolve any outstanding debt by an entity in the normal course of business. ○ Report the resolution of debt by checking the box for “Debt” at the top of the Contributions and Expenditures Summary Report and add each debt to be resolved on Schedule J. ● Not Resolved in a Commercially Reasonable Manner. <ul style="list-style-type: none"> ○ The amount of the debt not resolved in a commercially reasonable manner and not repaid is a contribution to the committee and must be reported as a contribution. ○ CAUTION: Resolving debt in a non-commercially reasonable way when the vendor is a corporation is a prohibited corporate contribution. ● Transfer to New Committee. When a county campaign committee will be immediately transitioning to a new county campaign committee, the committee for the prior campaign may transfer debt to the new committee. Transferred debt must be reported as follows: <ul style="list-style-type: none"> ○ Prior Committee. The transfer of “debt” is noted on Schedule J. Check the box for “Debt” on the existing committee’s final report; and ○ New Committee. The transfer of “debt” must also be reported on the new committee’s first report on the Contributions & Expenditures Summary Report on Line #18 “Debt from Prior Committee.” <p>NO: Move on to the next step.</p>
<input type="checkbox"/> Dispose of Surplus Funds	<ol style="list-style-type: none"> 1) Has the office for which the committee was formed been decided? 2) Does the committee have funds in excess of what is needed to pay any campaign expenses? <p>YES: A committee that answers “yes” to BOTH questions has surplus funds and can use them as described below:</p> <ul style="list-style-type: none"> ● Transfer to New County Committee. Transfer the funds for use in a future campaign for <u>county</u> office only (cannot transfer to federal, state, or any non-county level campaign). ● Current Officeholders: May use up to the amount of funds transferred to a new committee for officeholder expenses of the current term. ● Donate to a 501(c)(3). Donate surplus funds or auction item to a charitable organization that is registered as a 501(c)(3) organization (NOTE: Not all “non-profit” organizations are 501(c)(3) organizations). ● Return to Contributors. Return funds to the contributor(s) of the current committee by any method; however, a contributor cannot receive more money than the contributor contributed to the committee. ● Contribute to a Party Committee. Up to \$25,000 total may be contributed to political party committees. ● Donate to a State or Political Subdivisions. Surplus funds may be donated to the State of Oklahoma, an agency, or to any county, city, town or school district following provisions of Title 60 O.S. §381 et seq.
<input type="checkbox"/> Preserve Documents	<p>Print off or save electronic or other copies of all bank documents before closing the account. Keep bank documents for FOUR years. The committee must provide those documents to the Commission upon request.</p>
<input type="checkbox"/> File a Final Report	<p>Final Reports of Contributions and Expenditures are required for all committees & are filed after filing any currently due or outstanding reports with the County Election Board. Committees have 60 days to transition to a new committee.</p> <p>To file a Final Report:</p> <ul style="list-style-type: none"> ● Check the “Final” box at the top of the Contributions and Expenditures Summary Report. ● If applicable, check the “Debt” box at the top of report and include Schedule J with the summary report. ● Show a transfer of surplus funds to the new committee (if any) and include Schedule H. <p>A campaign committee may only file a final report and dissolve in accordance with the Ethics Rules, including disposition of all assets and resolution of all debts, when it has an ending balance of “0”.</p>
<input type="checkbox"/> Financial Records	<p>Committees must retain all documentation supporting Contributions and Expenditures Reports for FOUR years. The committee is required to provide these documents to the Ethics Commission upon request.</p>

Need Assistance? Contact the Ethics Commission staff by phone at (405) 521-3451 or email ethics@ethics.ok.gov