

The attached contains portions of information included in the Wyoming Secretary of State's 2016 Campaign Guide.

The entire Secretary of State's Campaign Guide is accessible through the following website:

<http://soswy.state.wy.us>

CAMPAIGNING & THE LAW

Information	Corresponding Statute
<p>Electioneering within 100 yards of the building in which absentee or regular voting is being conducted is prohibited. Electioneering consists of any form of campaigning, including displaying campaign signs or distributing campaign literature.</p>	<p>W.S. 22-26-113</p>
<p>Written campaign advertising (e.g., signs or posters) shall not be placed on or attached to: any real or personal property of the state or its political subdivisions, except for colleges or schools and subject to regulation by their governing boards. Counties, municipalities, and private properties have their own regulations on campaign advertising. Check with your county or city clerk for local ordinances on campaign signs.</p>	<p>W.S. 22-25-115</p>
<p>Robocalls/Automated dialing prohibited: No person shall use an automated telephone system or device for the selection and dialing of telephone numbers and playing of recorded messages if the message is for the purpose of promotion or any other use related to a political campaign. If you believe there has been a violation of W.S. 6-6-104, contact your county attorney.</p>	<p>W.S. 6-6-104</p>

Wyoming statutes on campaign finance apply to candidates, candidate campaign committees, and PACs supporting candidates for Governor, Secretary of State, State Auditor, State Treasurer, State Superintendent of Public Instruction, State Legislature, County Offices, School and Community College Board Trustees, and Municipal Offices, as well as Supreme Court Justices, District and Circuit Court Judges and Magistrates standing for retention in office.

Federal Candidates & PACs: Candidates for **U.S. Senate** and **U.S. House of Representatives**, candidate campaign committees and PACs supporting candidates for federal offices are required to file with the **Federal Election Commission (FEC)**, 999 E Street, NW, Washington, D.C., 20463. FEC's toll-free telephone number is (800) 424-9530 and the website address is <http://www.fec.gov/>.

CAMPAIGN FINANCE REPORTING – TIPS & GUIDELINES

- **Prior to filing for office**, a candidate may accept contributions and make expenditures.
- **Fully itemize all contributions over \$25.** Contributions of \$25 or more must be itemized by contributor, amount, date received, city and state of the contributor. All contributions under \$25 shall be reported, but need not be itemized. However, if you receive \$10 from a contributor who later gives you \$20, you must itemize the total \$30 contribution. W.S. 22-25-106(a)(iv)
- **Ticket Sales for Fundraisers:** If the ticket price is \$25 or more, the name and address of each ticket purchaser and purchase price of ticket(s) must be itemized under “receipts.” If the ticket price is under \$25, the fundraiser does not have to be itemized and needs only to be reported under “unitemized contributions.”
- **Anonymous contributions** are those contributions whose origin cannot be determined, i.e., “pass the hat” type of contributions. Anonymous contribution does not mean that an individual may contribute to a candidate with the understanding the contributor’s name will not be reported. The campaign reporting forms have a specific section to record anonymous contributions where the candidate attests that he/she does not know the origin of the contribution.
- **Contributions also include donations** of any items of value, services, or election assistance provided for a candidate. These “in-kind” contributions must be itemized by name, city and state of the contributor, date, item or service donated, and estimated value of the donated item or service.
- **Each expenditure must be itemized** by date expended, name, city and state of the person or business to which the expenditure is made, and the purpose and amount of expenditure. Examples are: Advertising and printing expenses, expenses for services of a campaign consultant or public relations firm, office space, etc.
- **Campaign expenditures that are not required to be reported include:** Filing fee for office, a candidate’s own personal campaign expenses for travel, meals, and checking account service charges. W.S. 22-25-103(b)
- **A candidate is not required to report advertising expenses by a party central committee** for the candidate if the entire slate of candidates below national level is advertised. This applies even though all candidates are not included in each advertisement, as long as the expenses for each candidate are substantially the same. W.S. 22-25-103(c)
- **If there are additional contributions and expenditures after a report has been filed:** an amendment to the report must be filed. Amendments to filed reports must be made within 90 days from the time an error or additional contributions and expenditures become known. Net changes amounting to less than \$50 do not need to be reported. W.S. 22-25-106(e)

Wyoming Campaign Contribution Limits for 2015-2016

	To Candidate or Candidate's Campaign Committee	To Political Party	To Political Action Committee (PAC)
Individual may give	<p>No more than \$2,500 per election* to any candidate for <u>statewide</u> office</p> <p>No more than \$1,500 per election to any candidate for <u>nonstatewide</u> W.S. 22-25-102(c)</p>	No Limit**	<p>There are no limits on what an individual can give to a PAC.</p> <p>However, if a donor earmarks a contribution for a specific candidate, the individual limits per candidate per election apply.</p>
Political Party Committee may give	No Limit	No Limit	No Limit
Political Action Committee (PAC) may give	<p>No limit on contributions to statewide candidates***</p> <p>No more than \$5,000 per election to any candidate for nonstatewide office W.S. 22-25-102(m)</p>	No Limit	No Limit
Corporation, Union, Partnership, Professional Association or Civic, Fraternal or Religious Group	<p>Organizations are prohibited from making contributions (direct or indirect) to candidates, candidate committees, PACs, and political parties with the following exceptions.</p> <p>These entities may:</p> <ol style="list-style-type: none"> 1) Make <i>independent</i> expenditures for speech expressly advocating the election or defeat of a candidate (W.S. 22-25-102(k)(i)); 2) Bear any portion of a PAC's administrative costs or costs of soliciting contributions (W.S. 22-25-102(k)(ii)); 3) Make contributions to support or oppose ballot propositions, initiative or referendum petition drives. <p>A non-profit (501)(c) organization should consult an attorney, an accountant, or the Internal Revenue Service before making contributions to an initiative or referendum drive to avoid jeopardizing its tax status.</p> <p>(For Independent Expenditures, see W.S. 22-25-102(k)(i) and WS 22-25-110.)</p>		

*The primary, general, and special elections are deemed separate elections.

**No Limit "...provided the contributions are available to use as the appropriate party authorities choose and are not exclusively dedicated to any particular candidate. Contributions donated to political parties which are designated by the donor to be used only for a particular candidate and no other purposes are subject to the limitations..." W.S. 22-25-102(f)

***Contributions donated to a PAC which are designed by the donor to be used only for a particular candidate and no other purpose are subject to the individual contribution limitations. W.S. 22-25-102(m)

CAMPAIGN ADVERTISING

Campaign literature does not include small campaign items such as bumper stickers, pens, pencils, buttons, rulers, nail files, balloons and yard signs displaying the name of the candidate or office sought.

Candidates, candidate committees, PACs and organizations are required to comply with W.S. 22-25-110, campaign advertising in communications media. The following examples may be helpful in determining the proper language for the “paid for” line in campaign advertising and literature.

1. Jane Doe is running for the legislature. She doesn’t form a committee. Jane decides to buy an ad in the newspaper. The “paid for” line should read “Paid for by Jane Doe.”
2. Jane Doe decides to form a committee. The committee’s name is Committee to Elect Jane Doe. The committee then buys ads for Jane. The “paid for” line should read “Paid for by the Committee to Elect Jane Doe.”
3. Jane has four friends who buy a newspaper ad supporting her candidacy. They do not consult with the candidate or coordinate with her committee. Each friend pitches in money for the ad. The “paid for” line should read “Paid for by Bill Jones, Connie Smith, Tom Williams and Julie Noe,” *or* their signatures could be a part of the ad and read “Paid for by the Individuals Signing Above.” *(Note: These are “independent expenditures” which neither Jane nor her committee needs to report.)*
4. A group of Jane’s friends want to support her candidacy, but they do not form a PAC or a candidate’s campaign committee. They buy an ad which has a “paid for” line which reads “Paid for by Friends of Jane Doe” but they do not list their names in the advertisement. **THIS IS ILLEGAL.** In this scenario, individual names are required.
5. Jane’s good friend, Bill Jones, buys a newspaper ad supporting Jane. He pays for the ad personally. No disclosure on the ad is required.
6. Jane Doe is a member of the Cowboy Party. The Cowboy Party buys an ad for Jane. (This is allowed only if Jane is the *only* Cowboy Party candidate running in the primary election, or if she is *the* Cowboy Party candidate for the general election.) The “paid for” line should read “Paid for by Wyoming Cowboy Party” or “Paid for by the Wilson County Cowboy Party,” depending on whether it is the state or county party.

Other advertisements:

Radio: the “paid for” lines should be announced.

Television: the “paid for” lines should be announced and/or appear on the screen.

CAMPAIGN FINANCE REPORT FILING DEADLINES

C = Statement of Contributions

C&E= Statement of Contributions and Expenditures

Candidates who are running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
PRE-PRIMARY REPORT	1/1/2015	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRIMARY REPORT	8/3/2016	8/15/2016	1/1/2015	8/15/2016	Anytime 08/16/2016 through 08/26/2016	C&E
PRE-GENERAL REPORT	8/16/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	8/16/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

* The General C&E report may be amended at any time after the General Election through the end of the election cycle. The amendments will likely be the recording of contributions received and expenses paid after the election; thus the time frame.

Candidates who are not running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
PRE-PRIMARY REPORT	1/1/2015	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRE-GENERAL REPORT	8/3/2016	12/31/2016			Anytime 10/25/2016 through 11/01/2016	C

Candidate Committees supporting candidates who are running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
NON ELECTION YEAR (ODD YEAR)	1/1/2015	12/31/2015	1/1/2015	12/31/2015	Anytime 07/01/2015 through 12/31/2015	C&E
PRE-PRIMARY REPORT	1/1/2016	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRIMARY REPORT	8/3/2016	8/15/2016	1/1/2016	8/15/2016	Anytime 08/16/2016 through 08/26/2016	C&E
PRE-GENERAL REPORT	8/16/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	8/16/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

* The General C&E report may be amended at any time after the General Election through the end of the election cycle. The amendments will likely be the recording of contributions received and expenses paid after the election; thus the timeframe.

CAMPAIGN FINANCE REPORT FILING DEADLINES

Candidate Committees supporting candidates who *are not running* for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
NON ELECTION YEAR (ODD YEAR)	1/1/2015	12/31/2015	1/1/2015	12/31/2015	Anytime 07/01/2015 through 12/31/2015	C&E
PRE-PRIMARY REPORT	1/1/2016	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRE-GENERAL REPORT	8/3/2016	12/31/2016			Anytime 10/25/2016 through 11/01/2016	C

Political Action Committee (PAC) which are supporting or opposing candidates:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
NON ELECTION YEAR (ODD YEAR)	1/1/2015	12/31/2015	1/1/2015	12/31/2015	Anytime 07/01/2015 through 12/31/2015	C&E
PRE-PRIMARY REPORT	1/1/2016	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRIMARY REPORT	8/3/2016	8/15/2016	1/1/2016	8/15/2016	Anytime 08/16/2016 through 08/26/2016	C&E
PRE-GENERAL REPORT	8/16/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	8/16/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

Political Action Committee (PAC) which are supporting or opposing a ballot issue:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
10 DAYS AFTER PETITION FILED					Anytime 01/01/2016 through 12/31/2016	C&E
GROUPS REPORTING FOR BALLOT ISSUES	1/1/2015	9/23/2016	1/1/2015	9/23/2016	Anytime 09/23/2016 through 10/10/2016	C&E
PRE-GENERAL REPORT	9/24/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	9/24/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

CANDIDATE'S CAMPAIGN COMMITTEE

Candidate's campaign committee means every group of two (2) or more persons who join together for the purpose of raising, collecting or expending money to be used in the aid of the election of a specific candidate for public office. W.S. 22-1-102(a)(vii)

- **A Statement of Formation** for the committee must be filed within ten (10) days after its formation. W.S. 22-25-101(b)
 - **County/municipal candidates:** Statement of formation (form available on the Secretary of State's website) must be filed with the county clerk. Addresses and telephone numbers for county clerks are posted on the Secretary of State's website at <http://soswy.state.wy.us>.
 - **Committees for candidates for Governor, Secretary of State, State Auditor, State Treasurer, State Superintendent of Public Instruction, State Legislature, Supreme Court Justice, District and Circuit Court Judges:** Electronic filing of the Statement of Formation is required for the campaign. To file online, go to the Wyoming Campaign Finance Information System (WYCFIS) at <https://www.wycampaignfinance.gov>.
- **The Statement of Formation requires:** the committee's name and address, the candidate's name, and names and residence addresses of the committee chairman and treasurer, and date the committee was formed. The chairman and treasurer must be separate individuals. A candidate may serve as chairman or treasurer of his or her campaign committee.
- **The Committee's Statement of Contributions** must be signed by both the chairman and the treasurer and filed within seven (7) days before the primary, general, or special election.
- **The Statement of Contributions and Expenditures** must be signed by both the chairman and treasurer and filed at least ten (10) days after the primary, general or special election.
- **Terminating the committee:** After all debts are retired, the committee may terminate.
 - **Statewide candidate committees:** terminate online at <https://www.wycampaignfinance.gov>.
 - **County and municipal committees:** terminate by filing a Candidate's Campaign Committee Termination Report with the county clerk, or by checking the appropriate box on the final Statement of Contributions and Expenditures.
- **Odd-numbered year filings:** Candidate campaign committees that have not filed a Candidate Campaign Committee Termination Report must file a Statement of Contributions and Expenditures by December 31st of the odd-numbered years. W.S. 22-25-106(b)(ii)

POLITICAL ACTION COMMITTEE

PAC means any group of two or more persons who are organized and associated for the purpose of raising, collecting or spending money to be used in a campaign.

W.S. 22-1-102(a)(xx)

- **A Statement of Formation:** must be filed within ten (10) days after a PAC is formed. This filing is required by law for a committee formed before an election to raise and expend campaign funds or after an election to defray debts.
- **The Statement of Formation requires:** Name and mailing address of the committee, date formed, name and residence address of the committee chairman and treasurer, purpose of the committee, name of candidates supported or opposed (if known). If the committee forms to aid in the support or defeat of a ballot proposition (such as a proposed constitutional amendment or bond issue) or to support or oppose a petition drive, this is to be described on the Statement of Formation.
- **Contribution restrictions:** Contributions may not be received from a corporation, partnership, trade union, professional association, or civic, fraternal or religious group to be used for candidates or political parties. However, contributions from these entities may be used for the support or defeat of ballot propositions or initiative and referendum petition drives.
- **The Committee's Statement of Contributions** must be signed by both the chairman and the treasurer and filed within seven (7) days before the primary, general, or special election.
- **The Statement of Contributions and Expenditures** must be signed by both the chairman and treasurer and filed at least ten (10) days after the primary, general or special election.
- **Odd-numbered year filings:** PACs that have previously filed a statement of contributions and expenditures and have not filed a PAC Termination Report must file a Statement of Contributions and Expenditures by December 31st of odd-numbered (non-election) years. W.S. 22-25-106(b)(ii)
- **Terminating the committee:** After all committee debts are retired, the committee may terminate.
 - **Statewide PACs** must terminate online at <https://www.wycampaignfinance.gov>.
 - **County/local PACs** may terminate by filing a Termination Report with the county clerk, or by checking the appropriate box on the final Statement of Contributions and Expenditures.

VIOLATING THE CAMPAIGN PRACTICES ACT

Anyone violating any provision of the Wyoming Campaign Practices Act may be guilty of a misdemeanor or felony resulting in a fine, incarceration, or both. Any corporation, person or organization violating the contribution limits or prohibited acts is subject to a civil penalty up to \$10,000. Civil action may be brought by any candidate adversely affected by the transgression, by any political party or by a prosecuting authority.

Campaign Finance Reporting Violations

Candidates or committees who fail to file the required campaign finance reports within the stipulated time are subject to civil and other penalties. A candidate who fails to file the Statement of Contributions required by the 7th day before the election will have his/her name printed on a list that will be made available to the public. In addition, a candidate who fails to file the statement required under W.S.22-25-106 within 30 days of the report due date is ineligible to run as a candidate for any state or local office for which a statement is required by W.S. 22-25-106 until five years have elapsed from the date the statement was first due, or until the required statement has been filed. W.S. 22-25-108

Civil penalties of up to \$1000 and a maximum of \$500 in attorney’s fees may be assessed against any candidate failing to file the reports required by law. An action to impose a civil penalty may be prosecuted by and in the name of any candidate adversely affected by the violation, any political party, any district attorney or the attorney general.

Any officer of a political action committee who is responsible for filing a report and who knowingly and willfully fails to file a required report or who knowingly makes a false report is guilty of a felony punishable by imprisonment not to exceed two years.

The Secretary of State and the county clerks are to report the names of all candidates in violation of the Election Code to the Attorney General or the district attorney, respectively, for appropriate action. W.S. 22-15-109

ELECTION & CAMPAIGN RESOURCES

Local Campaign Finance Report Forms	(County and municipal candidates/committees)
Voter Data Order Form	(May request voter data from SOS or County Clerk)
Key Election Dates	(Main election events and activities)
Statewide online reporting system: (WYCFIS)	(Statewide candidates/committees/PACs/Political Parties/Organizations)
Wyoming Election Code	(May purchase for \$3 - Secretary of State’s office)
Rules	(Ensure compliance with state and federal laws; provides uniformity.)