
Campaign Disclosure **(Section 31-2012, Idaho Code)** **(Title 67, Chapter 66, Idaho Code)**

The Sunshine Law requires anyone running for a county elected office, or the office of magistrate judge (Section 1-2220A, Idaho Code), must report their campaign related financial activities to the County Clerk. Reports are public records subject to copying for and viewing by the public.

County Issues are not covered, only candidates.

Every Candidate:

- Files a Certification of Political Treasurer (C-1)
- Files Campaign Disclosure Reports (C-2)

When handing out candidate filing papers, include the C-1 form.

After the filing deadline, contact any candidates without a political treasurer on file.

A certification of political treasurer may be required prior to filing a declaration of candidacy with your office. When an individual announces publicly that they are running for office, under the Sunshine Law, they become a candidate and shall file a certification of political treasurer. Also, candidates must file a C-1 prior to accepting or expending any funds for their campaign.

Upon receipt of a C-1, the political treasurer should be provided a packet with the current Campaign Disclosure Manual (provided by the Association of Counties), the Sunshine Law and a supply of reporting forms.

Avoiding Official Complaints

Compliance is the main goal for campaign disclosure, and in that vein, it is suggested that:

- Send reminders about reporting deadlines. If a report has not been received by the deadline, a quick call gets the report filed sooner than sending a letter, especially on pre-election reports.
- When someone calls concerning a disclaimer being left off campaign signs or materials, ask who the candidate is and state that you will be contacting the candidate to get a disclaimer on the material. If you can get compliance, you may be able to avoid a complaint being filed.

- Often the disclaimer will merely state “paid for by John Doe Committee” and not provide the political treasurer’s name. It has been the policy of the Secretary of State that this form of disclaimer is sufficient since the name of the political treasurer for each candidate/committee is on file with the filing officer. If you have the name of the candidate/committee you have the name of the “person responsible for the communication”.
- Section 67-6616, I.C., requires inspection of a report within 2 days after it is filed. Time permitting, inspect the report upon receipt rather than wait the two days to review it. If it appears that the person has failed to properly report the financial activity, the person filing the report should be asked to immediately file a report conforming to law. Again, this may avoid a complaint being filed.
- Local jurisdictions will frequently see citizen groups supporting or opposing candidates. When you see any form of electioneering communication check to determine if those doing the electioneering are from a committee filing reports with your office. If they are not, and should be, contact the person responsible. If you are not sure who to contact remember that pursuant to Section 67-6613, I.C., commercial entities accepting payment for election communications shall keep a listing of those incurring expenses.

Desk Audit of Report To Be Done Within Two Days of Receipt:

- Verify that figures entered on the report add up to the totals on the report.
- Itemized contributions of over \$50.00 and expenditures of \$25.00 or more are accompanied with complete names and addresses.
- Report is signed by the political treasurer on file or the candidate.
- Dates are provided for contributions and expenditures.
- The election is designated on a candidate’s report for each contribution.
- A purpose is given for each expenditure.
- Contribution limits are not exceeded. Remember, a spouse of a candidate is subject to contribution limits. Only a candidate has no limits.
- All In-kind entries are entered on both sides of the report. (i.e. as a contribution and as an expenditure.)