



## SCHOOL BOARD CANDIDATES FOR THE NOVEMBER 2, 2021 ELECTION

### Basic Campaign Finance Information Sheet



All candidates running for school board must file a candidate affidavit electronically with the Secretary of State's office within 10 days of becoming a candidate using the [TRACER](#) online disclosure system.

A person becomes a candidate, for Campaign Finance purposes, when that person publicly announces an intention to seek election to public office *and thereafter* receives a contribution or makes an expenditure on behalf of the candidacy. (*Article XXVIII, Section 2(2) of the Colorado Constitution*)

Public announcement includes (*definition – CPF Rule 1.20*):

- registering a candidate committee, or
- a speech, advertisement, or other communication reported or appearing in public media, or
- a statement made in any place accessible to the public, or
- a statement made in a manner that a reasonable person would expect to become public.

Candidates who only plan to spend their own money in support of their candidacy do not have to register a candidate committee, however, during reporting periods when expenditures are made, those candidates must file a disclosure report. (*CPF Rule 2.1.2*)

Candidates may not accept any contributions prior to registering a candidate committee. (*1-45-108(3), C.R.S.*)

A candidate may be the sole member of their candidate committee.

Committee registrations and disclosure reports are filed electronically with the Secretary of State's office and not with the Designated Election Official (DEO) or the county clerk and recorder.

The Secretary of State's office assesses penalties of \$50 per day for late disclosure reports. (*Article XXVIII, Section 10(2)(a) of the Colorado Constitution*)

Committees must file disclosure reports even if no activity (contributions, expenditures, loans, etc.) occurs during the reporting period.

**Prohibited Contributors:** Corporations (profit, non-profit, domestic & foreign), labor organizations, foreign governments & citizens, other candidate committees, and contributions where the identity of the contributor is unknown or where required information is missing.

School board candidate committees are not subject to contribution limits from their contributors.

Contributions in cash/coin may not exceed \$100. (*Article XXVIII, Section (3)(10) of the Colorado Constitution*)

Traditional “Pass the Hat” or “Fish Bowls” fundraisers need modified to avoid accepting anonymous contributions.

**Disclosure reports:** Legislation passed in 2018 (HB18-1047) increased the frequency and number of disclosure reports due for school board candidates and committees. The table below lists report due dates. Click [here](#) for a PDF of the filing calendar.

Report Due Dates	Report Period Start Date	Report Period End Date
05/03/2021*	Varies, depends on filing date of a candidate affidavit or committee registration	04/28/2021
06/01/2021	04/29/2021	05/27/2021
07/01/2021	05/28/2021	06/26/2021
08/02/2021*	06/27/2021	07/28/2021
09/07/2021*	07/29/2021	09/01/2021
09/20/2021	09/02/2021	09/15/2021
10/05/2021*	09/16/2021	09/29/2021
10/18/2021	09/30/2021	10/13/2021
11/01/2021	10/14/2021	10/27/2021
12/02/2021	10/28/2021	11/30/2021

\* Date affected by holiday or weekend

*Note: In addition to the reports above, committees may also need to file supplemental reports listed below:*

- Regular Biennial School Electioneering Communication Reporting:** Starting 60 days (September 3, 2021) before the school board election, any person who spends \$1,000 or more on an electioneering communication (that unambiguously refers to a candidate for school board) must file a report with the Secretary of State’s Office. Candidates and committees may indicate on their disclosure reports if an expenditure meets the criteria for Electioneering Communication. If so, the filer must also provide additional information about the expenditure which includes the date and method of the communication along with the name(s) of the candidate(s) mentioned.
- 24 Hour Notice of Major Contributor Reporting:** Starting 30 days (October 3, 2021) before the election, candidate committees, political parties, and issue committees who receive a contribution of \$1,000 or more (at one-time), including loans from the candidate, must file this supplemental report within 24 hours of receiving the qualifying contribution. When a qualifying contribution is entered into TRACER, the system will automatically generate a new report and provide an on-screen notice to file the report. Failure to file the report or filing the report late will result in late filing penalties of \$50 per day.

**Paid for By / Disclaimer statements:** Candidates and candidate committees (along with other committees) must add paid for by/disclaimer statements on any communication that is broadcast, printed, mailed, delivered, placed on a website, streaming media service, or online forum for a fee, or that is otherwise distributed. For more information, please review the “*Guidance on Disclaimers Statements*” document available on the Campaign Finance page of the Colorado Secretary of State’s office or [click here](#). (1-45-108.3, C.R.S.)

- Broadcast communications:
  - Must adhere to Federal Communications Commission ([FCC](#)) regulations regarding Paid for by / Disclaimer statements (a.k.a sponsorship identification). This includes:
    - A statement that says, “Paid for by (full name of the person paying for the communication)”, and
    - The name of the natural person who is the registered agent if the person that paid for the communication is not a natural person.
- Nonbroadcast communications:
  - The disclaimer must appear in a conspicuous and readable manner,
  - Be printed in text that is no less than 15 percent of the size of the largest font used in the communication or at least eight-point font,
  - A statement that says, “Paid for by (full name of the person paying for the communication)”,
  - List the name of the natural person who is the registered agent if the person that paid for the communication is not a natural person.

*Note: Please see Campaign and Political Finance rule 22, available in the [Colorado Campaign and Political Finance manual](#), for more details. The rule includes information on items that may be exempted from a disclaimer if it’s impracticable to include it.*

### **Other Important Dates to Remember**

**August 4<sup>th</sup>** – First day to circulate nomination petitions. (Contact your local school district office or the county clerk and recorder’s office to obtain a nomination petition.) (1-4-803(1)(b), C.R.S.)

**August 27<sup>th</sup>** – Last day to file a nomination petition. (1-4-803(2), C.R.S.)

**August 30<sup>th</sup>** – Last day to file as a write-in candidate. (1-4-1102(2), C.R.S.)

**November 2<sup>nd</sup>** – Election Day (1-1-104(39), C.R.S.)

### **Resources:**

Contact the ***Campaign Finance Support Help Desk*** at [cpfhelp@sos.state.co.us](mailto:cpfhelp@sos.state.co.us) or call 303-894-2200 (dial 3, then 1) if you have any questions about Colorado’s Campaign Finance laws and rules or accessing the State’s online disclosure system ([TRACER](#)).

For questions about school board elections, contact the appointed Designated Election Official (local school board or the county clerk and recorder) or the Colorado Association of School Boards (CASB). To visit CASB online, go to [www.casb.org](http://www.casb.org). On the website you’ll find information about recruiting of candidates and [becoming a candidate](#) along with other useful information.

## Online Resources:

- [Campaign Finance](#) page on Secretary of State's (SOS) website
- [TRACER](#) (Transparency in Contribution and Expenditure Reporting) disclosure website
- [Colorado Campaign and Political Finance Manual](#) – available on TRACER and the SOS website (and includes the laws and rules)
  - Article XXVIII of the Colorado Constitution,
  - Title 1, Article 45 of the Colorado Revised Statute (a.k.a. the Fair Campaign Practices Act),
  - Rules Concerning Campaign and Political Finance.
- Outreach and Training Opportunities
  - Online eLearnings (Campaign Finance 101) - [Click here to visit the training page](#)
  - TRACER Webinars ([Learn how to use TRACER](#)) - Shows the ABCs of how to file disclosure reports
  - [Lawn Chair Chats](#) – These chats, via Zoom, are informal discussions about campaign finance related topics. It's a great way to increase your knowledge, get clarification on a specific topic or ask your TRACER questions.