

Campaign Finance Report Instruction Guide

INTRODUCTION

This Campaign Finance Report Instruction Guide summarizes campaign finance laws applicable to candidate campaigns. This publication provides guidance on certain aspects of campaign finance laws and was written to help Osage Nation candidates comply with *The Osage Nation Election Code* and *Osage Nation Election Board Rules and Regulations*. It is not intended to replace law or to change its meaning.

The Board has the authority to impose fines for violations of ONC 12 § 14 and the Osage Nation Election Board Rules and Regulations. Fines are automatic for failure to file required reports and for filing required reports late.

Osage Nation Election Board (Board)

CURRENT MEMBERS:

Shannon Lockett, Chair Terry Hazen, Vice Chair Belle Wilson, Member Anita Fields, Alternate Fred Byers, Alternate

Prepared by the Director/Election Supervisor of 4/2/20 Elections

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Table of Contents

	Separate Account Required	5
١.	CAMPAIGNING	5
	Campaign Activities or Purposes	5
2.	CAMPAIGN FINANCE RESTRICTIONS	6
	Donation Limits	6
	Corporate Donations Prohibited	6
	Limited Liability Company and Partnership Donations	6
	Donations by Current Business Partners Prohibited	6
	Donation Limits per Election Cycle	6
	Anonymous Donations	7
	Personal Use	7
	Funds Required to be Used for Campaign Purposes	7
	Minor Donations Prohibited	7
3.	PENALTIES FOR VIOLATIONS OF CAMPAIGN FINANCE REQUIREMENTS	8
	Report Filing Deadline	8
	Submission of Corrections Deadline	8
	Failure to Use Campaign Bank Account	8
	Corporate Donations	8
	Limited Liability Company & Partnership Donations	8
	Donations Over the Individual Limit	8
	Osage Nation Vendor Donations	9
	Anonymous Donations	9
	Violation of Rules and Regulations Not Specified	9
	Improper Donations or Reporting	9
	Disqualification, Removal from Race, and Voided Votes	
4.	FILING REPORTS	. 10
	Filing Dates	. 10
	Where to File	. 10
5.	FILLING OUT THE FORMS	. 11
	I st Report	. 12
	2 nd Report	
	Schedule A – Monetary Donations	
	Schedule B – Electronic Donations	
	Schedule C – Candidate Self-Donations	
	Schedule D – LLC / Partnership Member Donations	. 18

Schedule E – Non-Monetary (In-Kind) Donations	
Schedule F - Expenditures	20
Schedule G – Refunds/Credits	20
Schedule H – Unpaid Incurred Obligations	21
Schedule I – Self-Donations Returned to Candidate	
Schedule J – Account Reconciliation	22
Report Correction/ Amendment	

I. CAMPAIGNING

Separate Account Required

Before filing for office, candidates are required to establish a separate bank account to be used for campaign purposes only.

- All donations are required to be deposited into this account, including the candidate's personal funds.
- All expenditures are required to be spent from this account.

Failure to use this account for any and all donations and expenditures shall result in a fine of \$125.

Rule I, Sec. 4(C) and Rule 2, Sec. 5(G)

Campaign Activities or Purposes

"Campaign activities" or "campaign purposes" means

- Selling, purchasing or distributing campaign fundraiser tickets, including complimentary tickets
- Conducting campaign meetings
- Distributing campaign literature or materials
- Soliciting campaign assistance or support
- Producing campaign literature or materials or storing such materials
- Traveling to or from campaign meetings
- Encouraging voters to vote for or against a candidate

Rule 1, Sec. 3(B)(3)

2. CAMPAIGN FINANCE RESTRICTIONS

Donation Limits

- All donations to each candidate for elective office in the Osage Nation, and the candidate's respective campaign are limited to \$5,000 per individual donor.
- Candidates may donate to their own campaign in any amount without monetary limitation.

ONC 12 § 14-101(A)

Corporate Donations Prohibited

Corporations are prohibited from donating to candidates for elective office in the Osage Nation and candidate committees are prohibited from accepting any such donation. A donation not returned to the donor within 10 days is deemed accepted by the candidate committee.

ONC 12 § 14-101(B)

Limited Liability Company and Partnership Donations

- No limited liability company or partnership that has one or more incorporated members may contribute to a candidate committee.
- A limited liability company or partnership may donate to a candidate committee when no owners are incorporated.
 - A candidate committee that receives a contribution from a limited liability company is required to report the contribution by attributing the contribution to the individual members of the limited liability company in proportions equal to the individual member's ownership interest in the limited liability company.
 - O Donations to a candidate campaign shall not exceed \$5,000 per member-owner.

ONC 12 § 14-101(C)

Donations by Current Business Partners Prohibited

All individuals and business entities currently doing business with the Osage Nation or any of the businesses owned by the Osage Nation, are strictly prohibited from donating to any candidate committee.

ONC 12 § 14-101(D)

Donation Limits per Election Cycle

Donation limits apply to the two-year general election cycle that begins after a general election has concluded, or, if for a special election, then when the special election is announced continuing through the conclusion of the special election.

ONC 12 § 14-101(E)

Anonymous Donations

A candidate campaign for elective office in the Osage Nation is prohibited from accepting anonymous donations. All anonymous donations received by a candidate campaign shall be submitted to the Osage Nation Foundation as a donation for its purposes.

ONC 12 § 14-102(A)

Personal Use

Campaign funds shall not be used for personal use of a candidate, employee or volunteer of the candidate's campaign, or any third party.

Rule 2, Sec. 3(A)

Funds Required to be Used for Campaign Purposes

Donations and other funds collected for campaign by a candidate for election to the Osage government shall be used for campaign purposes or other purposes expressly allowed in this section.

Rule 2, Sec. 3(B)

Minor Donations Prohibited

Minors are prohibited from making donations to candidates for elected office in the Osage Government. No person shall be allowed, nor shall any candidate accept, a donation in the name of a minor person. Minors are allowed to serve as campaign volunteers.

Rule 2, Sec. 3(C)

3. PENALTIES FOR VIOLATIONS OF CAMPAIGN FINANCE REQUIREMENTS

As a candidate, you alone, are responsible for Campaign Finance Report filing. Failing to file a report on time or filing an incomplete report may subject you to penalties. Candidates shall make all reasonable efforts to identify the source of the campaign donations made to them and their respective campaigns.

Report Filing Deadline

Candidates who fail to submit their campaign reporting statements by the required deadlines shall be assessed a fine of \$500. Failure to comply shall prohibit the candidate from filing for office in future elections until the fine is paid.

Rule 2, Sec. 5(E)

Submission of Corrections Deadline

Candidates who fail to submit their corrected inaccuracies by the deadline shall be assessed a fine of \$125.

Rule 2, Sec. 5(F)

Failure to Use Campaign Bank Account

Candidates who fail to use their campaign bank account shall be assessed a fine of \$125. Rule 2, Sec. 5(G)

Corporate Donations

Any candidate who is found to have violated the prohibition on accepting corporate donations shall forfeit the donation amount and pay a fine of \$1,000.

ONC 12 § 14-101(F)

Limited Liability Company & Partnership Donations

Any candidate who is found to have violated reporting the limited liability company and partnership donations according to ownership shall forfeit the donation amount and pay a fine of \$1,000.

ONC 12 § 14-101(F)

Donations Over the Individual Limit

Any candidate who is found to have violated the prohibition on accepting a donation over the individual limit shall forfeit the donation amount and pay a fine of \$1,000.

ONC 12 § 14-101(F)

Osage Nation Vendor Donations

Any candidate who is found to have violated the prohibition on accepting a donation from a business or individual currently doing business with the Osage Nation shall forfeit the donation amount and pay a fine of \$1,000.

ONC 12 § 14-101(F)

Anonymous Donations

Any candidate who is found to have violated the prohibition on accepting anonymous donations shall forfeit the donation amount and pay a fine of \$1,000.

ONC 12 § 14-102(B)

Violation of Rules and Regulations Not Specified

Any candidate deemed to have violated any of the Osage Nation Election Board Rules and Regulations shall be subject to a fine of up to \$1,000.

Rule 2, Sec. 5(D)

Improper Donations or Reporting

Any funds found to have been improperly donated or reported shall be subject to forfeiture to be paid into the Osage Nation Election Fund.

Rule 2, Sec. 5(B)

Disqualification, Removal from Race, and Voided Votes

Any candidate who commits a campaign violation may be disqualified, removed from the race, and his or her votes shall be considered void.

Rule 2, Sec. 5(A)

4. FILING REPORTS

Reports must be received no later than the close of business on the report's due date.

Filing Dates

	Reporting Period	Filing Dates
I st Report	Start of campaign – May 10	May 13 – May 17
2 nd Report	May II – Day before report filing	June 5 – June 10

Where to File

File reports with $\frac{1}{2}$ Elections in person or by email, preferably.

PHYSICAL ADDRESS: 608 Kihekah Ave., Pawhuska, OK

EMAIL ADDRESS: electionoffice@osagenation-nsn.gov

5. FILLING OUT THE FORMS

All reports filed must be either handwritten in ink or typewritten. If you complete the report by hand, print everything other than your signature.

If you are filling out the forms electronically, the following has been included as a courtesy:

- DATE FIELDS: Click in the field area and a dropdown button will appear to the right. Click the button and a calendar will appear to aid in entering the date.
- AMOUNT FIELDS: The fields are formatted to show the amount entered using dollars and cents (EX: \$10.25)
 - Whole numbers can be entered by using just the number(s) and moving on to the next field. (EX: 10 TAB to next field)
 - Numbers using dollars and cents need to be entered using a decimal. (EX: 10.25 TAB to next field)
- PAGE TOTALS: The itemized amounts entered on each schedule will be calculated and entered into the PAGE TOTAL field on that schedule automatically.

The Ist Report form is required to be filed before Election Day, and the 2nd Report form is required to be filed after Election Day. Additionally, you must file the schedules on which you have information to report.

If you have questions, email our office at electionoffice@osagenation-nsn.gov or call (918) 287-5286.

Ist Report

These instructions are for the CANDIDATE IST REPORT. A complete report includes this form and any of the schedules on which there is information to report.

ALL FIELDS ARE REQUIRED TO BE COMPLETED. Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

- I. CANDIDATE NAME: Enter your name as it is listed on the ballot.
- 2. **REPORTING PERIOD START DATE:** The reporting period start date is when your campaign began whether or not the campaign began before the official candidate filing period. This date will depend on the date your campaign received its first donation or made its first expenditure.
- REPORTING PERIOD END DATE: The reporting period end date is twenty-four (24) days before Election Day. For the 2024 General Election, you will enter the date May 10, 2024.
- **4. BEGINNING BANK BALANCE:** Enter the beginning bank balance found on your bank documentation from when the reporting period started or when your campaign account was established.
- **5. END BANK BALANCE:** Enter the ending bank balance found on your bank documentation on the REPORTING PERIOD END DATE.
- **6. TOTAL CAMPAIGN DONATIONS:** Complete this section only after you have completed all applicable schedules.
 - **A. MONETARY:** This field refers to the <u>SCHEDULE</u> A form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
 - **B. ELECTRONIC:** This field refers to the SCHEDULE B form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
 - **C. CANDIDATE SELF-DONATIONS:** This field refers to the <u>SCHEDULE C</u> form.

- i. ONE FORM: Enter the page total.
- **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
- **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.

D. LLC / PARTNERSHIP MEMBER: This field refers to the <u>SCHEDULE D</u> form.

- i. ONE FORM: Enter the page total.
- ii. TWO OR MORE FORMS: Add the page totals together and enter that number.
- **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.

E. NON-MONETARY (IN-KIND): This field refers to the <u>SCHEDULE E</u> form.

- i. ONE FORM: Enter the page total.
- **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
- **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.

TOTAL CAMPAIGN DONATIONS: Add the totals from fields A, B, C, D, and E and enter that total in the box in the top right of field 6.

- **7. TOTAL EXPENDITURES:** This field refers to the <u>SCHEDULE F</u> form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
- **8. TOTAL REFUNDS / CREDITS:** This field refers to the <u>SCHEDULE G</u> form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
- **9. TOTAL SELF-DONATIONS RETURNED TO CANDIDATE:** This field refers to the <u>SCHEDULE I</u> form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.

- **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
- **10. TOTAL PAGES FILED:** After you have completed the report, count the total number of pages you are filing. Enter that number in field 10. Each side of a two-sided form counts as one page.

CANDIDATE SIGNATURE: Complete this section only after you have completed all applicable fields and schedules. You must always sign a report that you file. You must complete this section even if you have no schedules to attach. **Only the candidate filing the report may sign the report.** A typewritten electronic signature is not acceptable.

2nd Report

These instructions are for the CANDIDATE IST REPORT. A complete report includes this form and any of the schedules on which there is information to report.

ALL FIELDS ARE REQUIRED TO BE COMPLETED. Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

- I. CANDIDATE NAME: Enter your name as it is listed on the ballot.
- 2. **REPORTING PERIOD START DATE:** The reporting period start date is the date that follows the reporting period end date entered in Field 3 on the CAMPAIGN FINANCE CANDIDATE IST REPORT. For the 2024 General Election, you will enter the date May 11, 2024.
- **3. REPORTING PERIOD END DATE:** The reporting period end date is the date before the day you file this report after Election Day.
- **4. BEGINNING BANK BALANCE:** Enter the beginning bank balance found on your bank documentation from when the reporting period started. This number should be the same as the ending bank balance number entered in Field 5 on the CAMPAIGN FINANCE CANDIDATE IST REPORT.
- **5. END BANK BALANCE:** Enter the ending bank balance found on your bank documentation on the REPORTING PERIOD END DATE.
- **6. TOTAL CAMPAIGN DONATIONS:** Complete this section only after you have completed all applicable schedules.
 - **F. MONETARY:** This field refers to the <u>SCHEDULE</u> A form.

- i. ONE FORM: Enter the page total.
- **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
- **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
- **G. ELECTRONIC:** This field refers to the SCHEDULE B form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
- **H. CANDIDATE SELF-DONATIONS:** This field refers to the <u>SCHEDULE C</u> form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
- **I. LLC / PARTNERSHIP MEMBER:** This field refers to the <u>SCHEDULE D</u> form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
- **J. NON-MONETARY (IN-KIND):** This field refers to the <u>SCHEDULE E</u> form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.

TOTAL CAMPAIGN DONATIONS: Add the totals from fields A, B, C, D, and E and enter that total in the box in the top right of field 6.

- **7. TOTAL EXPENDITURES:** This field refers to the <u>SCHEDULE F</u> form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.

- **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
- **8. TOTAL REFUNDS / CREDITS:** This field refers to the SCHEDULE G form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
- **9. UNPAID INCURRED OBLIGATIONS:** This field refers to the <u>SCHEDULE H</u> form.
 - i. ONE FORM: Enter the page total.
 - ii. TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.
- **10. TOTAL SELF-DONATIONS RETURNED TO CANDIDATE:** This field refers to the SCHEDULE I form.
 - i. ONE FORM: Enter the page total.
 - **ii.** TWO OR MORE FORMS: Add the page totals together and enter that number.
 - **iii.** NO FORM NEEDED: Enter a "0" if you did not receive any contributions during the period covered.

II.UNEXPENDED FUNDS:

12. INTENDED USE OF UNEXPENDED FUNDS:

13. TOTAL PAGES FILED: After you have completed the report, count the total number of pages you are filing. Enter that number in field 13. Each side of a two-sided form counts as one page.

CANDIDATE SIGNATURE: Complete this section only after you have completed all applicable fields and schedules. You must always sign a report that you file. You must complete this section even if you have no schedules to attach. **Only the candidate filing the report may sign the report.** A typewritten electronic signature is not acceptable.

Schedule A – Monetary Donations

Use this schedule to disclose information about monetary campaign donations accepted during the reporting period. Do not enter information on this schedule for:

- electronic donations
- candidate self-donations
- LLC / Partnership member donations
- non-monetary (in-kind) donations

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

- A. CANDIDATE NAME: Enter your name as it is listed on the ballot.
- **B. PAGE TOTAL:** Enter the total of the itemized donations listed on this page.

LINES I – 20: Enter the following information for each line.

DATE: Enter the date the donation was made/accepted.

FULL NAME: Enter the donor's first and last name.

EMPLOYER: Enter the donor's employer or indicate self-employed or unemployed, if known.

AMOUNT: Enter the exact amount of the donation.

Schedule B – Electronic Donations

Use this schedule to disclose information about electronic campaign donations accepted during the reporting period. Do not enter information on this schedule for:

- monetary donations
- candidate self-donations
- LLC / Partnership member donations
- non-monetary (in-kind) donations

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

- **A. CANDIDATE NAME:** Enter your name as it is listed on the ballot.
- **B. PAGE TOTAL:** Enter the total of the itemized donations listed on this page.
- **LINES I 20:** Enter the following information for each line.

DATE: Enter the date the donation was made/accepted.

FULL NAME: Enter the donor's first and last name.

EMPLOYER: Enter the donor's employer or indicate self-employed or unemployed, if known.

AMOUNT: Enter the exact amount of the donation.

Schedule C – Candidate Self-Donations

Use this schedule to disclose information about candidate campaign self-donations made during the reporting period. Do not enter information on this schedule for:

- monetary donations
- electronic donations
- LLC / Partnership member donations
- non-monetary (in-kind) donations

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

- **A. CANDIDATE NAME:** Enter your name as it is listed on the ballot.
- **B. PAGE TOTAL:** Enter the total of the itemized donations listed on this page.

LINES I – 20: Enter the following information for each line.

DATE: Enter the date the donation was made.

AMOUNT: Enter the exact amount of the donation.

COLUMN TOTAL(S): Enter the total of the itemized donations listed in each column where indicated.

Schedule D – LLC / Partnership Member Donations

Use this schedule to disclose information about LLC/Partnership member campaign donations accepted during the reporting period. Do not enter information on this schedule for:

- monetary donations
- electronic donations
- candidate self-donations
- non-monetary (in-kind) donations

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

- A. CANDIDATE NAME: Enter your name as it is listed on the ballot.
- **B. PAGE TOTAL:** Enter the total of the itemized donations listed on this page.

LINES I – 10: Enter the following information for each line.

DATE: Enter the date the donation was made/accepted.

FULL NAME: Enter the donor's first and last name.

EMPLOYER & OCCUPATION: Enter the donor's employer and occupation.

MAILING ADDRESS: Enter the donor's mailing address.

AMOUNT: Enter the exact amount of the donation.

Schedule E – Non-Monetary (In-Kind) Donations

Use this schedule to disclose information about non-monetary also known as in-kind campaign donations accepted during the reporting period. Do not enter information on this schedule for:

- monetary donations
- electronic donations
- candidate self-donations
- LLC / Partnership member donations

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

- **A. CANDIDATE NAME:** Enter your name as it is listed on the ballot.
- **B. PAGE TOTAL:** Enter the total of the itemized donations listed on this page.
- **LINES I 10:** Enter the following information for each line.

DATE: Enter the date the donation was made/accepted.

FULL NAME: Enter the donor's first and last name.

EMPLOYER: Enter the donor's employer or indicate self-employed or unemployed, if known.

AMOUNT: Enter the amount of the donation.

DESCRIPTION: Enter a brief description of the goods or services donated.

Schedule F - Expenditures

Use this schedule to disclose information about campaign expenditures made during the reporting period.

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

A. CANDIDATE NAME: Enter your name as it is listed on the ballot.

B. PAGE TOTAL: Enter the total of the itemized expenditures listed on this page.

LINES I – 20: Enter the following information for each line.

DATE: Enter the date the expenditure was made.

PAYEE: Enter the name of the individual or vendor receiving the campaign funds.

DESCRIPTION: Enter a description of the goods or services received.

AMOUNT: Enter the exact amount of the expenditure.

Schedule G - Refunds/Credits

Use this schedule to disclose information regarding any refund, credit, or return of a deposit fee received during the reporting period.

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

A. CANDIDATE NAME: Enter your name as it is listed on the ballot.

B. PAGE TOTAL: Enter the total of the itemized refunds/credits listed on this page.

LINES I – 20: Enter the following information for each line.

DATE: Enter the date the refund/credit was received.

PAYOR: Enter the name of the individual or vendor returning the campaign funds.

DESCRIPTION: Enter a brief description of the purpose for which the amount was received.

AMOUNT: Enter the exact amount of refund/credit.

Schedule H – Unpaid Incurred Obligations

Use this schedule to disclose information about campaign expenditure obligations that you incurred during the reporting period but have not yet paid.

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

A. CANDIDATE NAME: Enter your name as it is listed on the ballot.

B. PAGE TOTAL: Enter the total of the itemized unpaid incurred obligations listed on this page.

LINES I – 20: Enter the following information for each line.

DATE: Enter the date the obligation was incurred.

PAYEE: Enter the name of the individual or vendor that will be receiving the campaign funds.

DESCRIPTION: Enter a description of the goods or services received.

AMOUNT: Enter the exact amount of the incurred obligation.

Schedule I – Self-Donations Returned to Candidate

Use this schedule to disclose information regarding self-donations returned to you during the reporting period.

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

A. CANDIDATE NAME: Enter your name as it is listed on the ballot.

B. PAGE TOTAL: Enter the total of the itemized unpaid incurred obligations listed on this page.

LINES I – 20: Enter the following information for each line.

DATE: Enter the date the self-donation return was made.

AMOUNT: Enter the exact amount of the return.

COLUMN TOTAL(S): Enter the total of the itemized returns listed in each column where indicated.

Schedule J – Account Reconciliation

Use this schedule to disclose information regarding any expenditures reported during the reporting period that do not appear on the bank documentation.

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

A. CANDIDATE NAME: Enter your name as it is listed on the ballot.

B. PAGE TOTAL: Enter the total of the itemized expenditures listed on this page.

LINES I – 20: Enter the following information for each line.

PAYEE: Enter the name of the individual or vendor receiving the campaign funds.

AMOUNT: Enter the exact amount of the expenditure.

Report Correction/ Amendment

Use this schedule to disclose information regarding any expenditures reported during the reporting period that do not appear on the bank documentation.

Each numbered/lettered item in these instructions corresponds to the same numbered/lettered item on the form.

A. CANDIDATE NAME: Enter your name as it is listed on the ballot.

B. PAGE TOTAL: Enter the total of the itemized expenditures listed on this page.

LINES I – 20: Enter the following information for each line.

PAYEE: Enter the name of the individual or vendor receiving the campaign funds.

AMOUNT: Enter the exact amount of the expenditure.