



2021 Issue Committee Information

NOVEMBER 2, 2021

Lafayette Municipal Election



Election Calendar

October 12, 2021	Contribution and Expenditure report to be filed with the City Clerk (21 days prior to the election). Reporting period is from the beginning of the initial filing through October 7, 2021.
October 29, 2021	Contribution and Expenditure report to be filed with the City Clerk (Friday prior to the election). Reporting period is from October 8 through October 24, 2021.
November 2, 2021	ELECTION DAY (Polls close at 7pm)
November 17, 2021	Campaign signs must be removed (15 days after the election)
December 2, 2021	Contribution and Expenditure report to be filed with the City Clerk (30 days after the election). Reporting period is from October 25 through November 27, 2021.

Issue Committee Information

INTRODUCTION

This packet contains information about forming an Issue Committee, reporting campaign contributions, and conducting a campaign in support or opposition to a ballot issue or question.

ISSUE COMMITTEE

An Issue Committee is any person, organization, or group of people, with the purpose of supporting or opposing any ballot item, that has accepted or made contributions or expenditures in excess of \$200.

COMMITTEE REGISTRATION

A Committee Registration Form must be completed within ten (10) calendar days of accepting contributions or making contributions or expenditures in excess of two hundred dollars to support or oppose any ballot issue or ballot question. The “Registered Agent” of the committee is responsible for maintaining records and filing reports.

BANK ACCOUNTS

All contributions received by an issue committee must be deposited and maintained in a financial institution in a separate account, the title of which must include the name of the committee. It is recommended that the account be opened as a personal checking account.

CAMPAIGN CONTRIBUTIONS & REPORTING REQUIREMENTS

Issue committees are required to report to the City Clerk their cash and in-kind contributions of \$20 or more as well as all expenditures made on behalf of the campaign.

Reports may be filed by scanning and emailing or by fax (303-665-2153) no later than the close of business on the date due.

It is the committee’s responsibility to become familiar with the provisions of the Colorado Fair Campaign Practices Act, which is available online at:

http://www.sos.state.co.us/pubs/info_center/laws/Title1Article45.html

To view the Colorado Campaign and Political Finance Manual visit:

<http://www.sos.state.co.us/pubs/elections/CampaignFinance/files/CPFManual.pdf>

CAMPAIGN REPORT FORMS

Copies of the required campaign report forms are found in the last section of this packet. Make extra copies of the forms you will need to file.

REPORT OF CONTRIBUTIONS AND EXPENDITURES

Issue Committees must itemize contributions and expenditures on this form. Only the registered agent or the designated filing agent may sign the contribution and expenditure report.

PENALTIES

The penalty for late filing is \$50 per day. Failure to file reports may be considered a Class 2 misdemeanor. Please refer to the enclosed 2021 Election Calendar for due dates and reporting periods.

REPORTS ARE A PUBLIC RECORD

All reports submitted to the City Clerk will be made available for public inspection. Reports are also posted on the City's website.

CAMPAIGNING

Issue Committees and their supporters are permitted to go door to door for the purpose of political campaigning, but "No Soliciting" and "No Trespassing" signs must be observed. See Section 55-32 of the Lafayette Code of Ordinances.

Issue Committees and their supporters are prohibited from campaigning inside municipal buildings (e.g., City Hall, the Golf Course Clubhouse, Recreation Center, Library, etc.). EXCEPTION: You may rent a room in a City facility for any election activity, but may not extend that activity beyond the confines of the room. Campaigning outside City facilities is permissible as long as political activities do not impede the normal conduct of business.

Electioneering of any kind is prohibited within 100 feet of the entrance to a polling place on Election Day (November 5, 2019).

Flyers and brochures may not be left in municipal buildings and should not be left in private businesses without permission of the business owner.

The Public Library will provide a table for flyers, brochures, and other campaign materials.

Leafletting cars is not against the law in Lafayette, however if loose leaflets become a litter problem, those responsible could be cited for violating the City's Littering Ordinance.

ELECTION SIGNS

- Political signs are not permitted in the public right-of-way. This means any public street, way, place, alley, sidewalk, easement, park, square, plaza, or city-owned right-of-way dedicated to public use. (The assumed street right-of-way line is immediately behind the sidewalk, or when there is no attached or detached sidewalk, the assumed street right-of-way line is ten (10) feet from the edge of the roadway.)
- Signs are not permitted in the right-of-way for a State or Federal highway. In Lafayette, this applies to Hwy 287, Baseline Road, Hwy 7 and Hwy 42.
- Signs are NOT allowed in the medians of public streets.
- Signs are NOT allowed in the planter boxes on Public Road.
- Signs or fliers may not be posted on utility or traffic signal poles, utility cabinets, or trees on public property.
- Postings are not permitted on, or within, rights-of-way adjoining City-owned property (open space, parks, bike paths, or trails).
- Signs may not be posted in or on a municipal building or City-owned property (e.g., City Hall, Recreation Center, Library, Golf Course Clubhouse, Police and Fire buildings, City parks, etc.). The Public Library will provide a table for flyers, brochures and other campaign items.

Q: Do my deposits into my committee account constitute a contribution "by me" personally? Is there a limit on personal contributions?

A: Yes, your personal deposits constitute a contribution from you. There is no limit on the amount a person may contribute to an issue committee.

Q: Is there a limit to the number of times a person can contribute to an issue committee?

A: No. You must itemize any amount of \$20 or more received from a single contributor during a reporting period and include the name and address of the contributor. If a contributor gives a total of \$100 or more during a reporting period, you must disclose the contributor's name, address, occupation, and employer.

Q: Can I receive a reimbursement for personal expenditures from the committee account? Is it better to use a credit card tied to the committee account?

A: Yes. Reimbursements must be reported as expenditures. You may use cash, check, or a credit card (not necessarily tied to the committee account). Note: you may not receive a contribution or make an expenditure (or reimbursement) in "cash" of more than \$100.

Q: Does an issue committee need to account for the cost of using a personal computer for campaign purposes?

A: The answer is "no" for existing service and equipment (including your printer). If you establish a website for your committee's campaign, the cost must be reported according to the \$20 rule presented above.

Q: If a person who is on an issue committee has a personal cell phone and uses "minutes" for campaign purposes, should the cost be reported on the expenditures report?

A: All contributions and expenditures must be reported. The \$20 rule reads: Expenditures of \$20 or more must be *itemized*, so if your campaign "minutes" on a personal cell phone account do not add up to \$20 within a single reporting period, the cost may be entered under "Non-Itemized Expenditures" (line 15) of the Report of Contributions and Expenditures form.

If, however, you have a cell phone account that was set up *exclusively* for campaign purposes, and the cost per reporting period is \$20 or more, you must itemize. Again, if the cost per reporting period is less than \$20, you may enter it as a non-itemized expenditure.

Q: If leaflets are printed on paper that the issue committee already owns, does this count as spending?

A: This would be considered a non-monetary contribution. The value of non-monetary contributions must be reported according to the \$20 rule.

Q: Who must disclose their occupation and employer on the Contribution and Expenditure Report Form?

A: If your supporter contributes \$100 or more during a single reporting period, you must disclose their name, address, occupation, and employer.

Q: Can committees be reimbursed by other committees if they participate in a common expenditure?

A: The committee being reimbursed will declare the money as a returned expenditure. The committee reimbursing will declare the money as expenditure. Reimbursements shall be made within 30 days of the expense.

Q: Are election night party expenses considered a campaign expense?

A: If the issue committee pays from the committee's account, it needs to be reported.

Q: When must I terminate my committee?

A: If your balance is zero, you may check the "Termination Report" box on your last report of contributions and expenditures to close out the Committee. You can keep the Committee (and bank account) active as long as you like, and may continue to accept contributions as long as you have outstanding expenses. You would file an Annual Report on November 1 of the following year if your bank account still has money. A committee may be closed at any time by taking the account down to a zero balance and when that happens, file a termination report.

Q. Can I use Robocall or robotext autodialing technology?

A. The FCC regulates prerecorded telephone calls or robocalls. Political campaign-related autodialed or prerecorded voice calls, including autodialed live calls, autodialed texts, and prerecorded voice messages, are prohibited to cell phones, pagers or other mobile devices without the called party's prior express consent. The same restrictions apply to protected phone lines such as emergency or toll-free lines, or lines serving hospitals or similar facilities. Political campaign-related autodialed or prerecorded voice calls are permitted when made to landline telephones, even without prior express consent. For more information, go to: <https://www.fcc.gov/rules-political-campaign-calls-and-texts> or consult a private attorney.