



technical bulletin

Municipal Technical Advisory Service
Institute for Public Service, The University of Tennessee
In cooperation with the Tennessee Municipal League

May 21, 1980

CAMPAIGN FINANCIAL DISCLOSURE ACT OF 1980: AN EXPLANATION

On May 7, 1980, the newly-adopted state Campaign Financial Disclosure Act of 1980 became effective. The provisions of this act, Public Chapter 861, do not apply to candidates for public office for which the service is part-time and for which the compensation is less than \$100 per month. However, this exemption does not apply to any candidate for a public office as a chief administrative officer or to any candidate whose expenditures exceed \$500.

Each political candidate and each political campaign committee is required to certify the name and address of its political treasurer to the state librarian before it can receive contributions or make any expenditure in a state election, or to the County Election Commission before it can receive contributions or make an expenditure in an election in the county where the election commission is located. Any statements filed under this act must be cosigned by the candidate, if the candidate has appointed a political treasurer other than himself or herself.

A candidate for local public office or political committee for a local election is required to file, with each County Election Commission of the county where the election is held, a statement of all contributions received, and all expenditures made by or on behalf of such candidate or such committee.

The statements required are to be filed for the following periods of time:

- (1) From the day that the first contribution was received or the first expenditure made, whichever was earlier, through the 10th day before any election or referendum.
- (2) The 9th day before any election or referendum through the 45th day after the election.
- (3) In the event there is a general election conducted after a primary or a runoff after a general election, the period for filing the statements provided in number 2 above after the primary and the statement provided in number 1 above to be filed prior to the general election are to be consolidated and cover the period from the 9th day before the first election, through the 10th day before the general or runoff election.
- (4) In the case of continuing committees not organized to support any particular candidate, party, or question in referendum, the statements described above are to be filed quarterly, within 10 days following the first day of January, April, July, and October, and not less than 7 days prior to any election in which contributions may be made.

The financial disclosure reports required by this act shall consist of either:

- (1) A statement that neither the contributions received nor the expenditures made exceeded \$1,000 during the reporting period; or
- (2) A statement setting forth:
 - (A) The full name and complete address of each person contributing a total of more than \$100 during the reporting period.
 - (B) A single item total of all contributions of \$100 or more.

- (C) The full name and complete address of all persons to whom a total amount of more than \$100 was paid, the total amount paid to that person, and the purpose for which it was paid.
- (D) The total amount of expenditures of \$100 or less, by category.

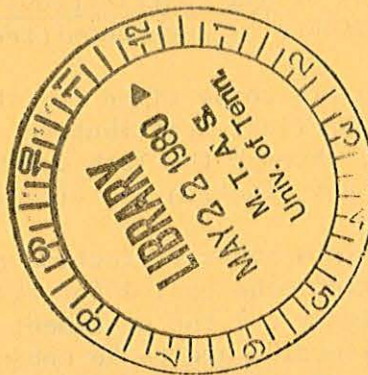
Separate reportings are required for both primary elections and general elections. All records used by the candidate or committee to complete the required statement must be retained for a period of at least one year after the date of the election to which the records refer.

Any candidate or political campaign committee who fails to file a statement required by the act, or who files an untrue statement or a statement which does not conform to the requirements of the act, is to be fined not more than \$1,000. Any candidate who willfully violates the provisions of the act forfeits his or her right to qualify for election and to be given a certificate of election. Any person who willfully violates the act is guilty of a misdemeanor and upon conviction is to be punished as provided by law.

This act provides for the public inspection and copying of these statements and provides that any registered voter may file a sworn complaint concerning such statements. However, one knowingly filing a false complaint is guilty of a misdemeanor.

This act repeals Tennessee Code Annotated Sections 2-1001 through 2-1017. It does not affect local campaign financial disclosure procedures except to the extent that such procedures are in conflict with the provisions of this act.

(Adapted from County Technical Assistance Service Technical Bulletin No. 12.)



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