Complying with Philadelphia’s Campaign Finance Law

Updated May 2019
# Table of Contents

Applicable Laws / Contact Information ........................................................................................................................ 2

Basics: Definition of City Elective Office / Components of the City’s Campaign Finance Law ........................................ 3

Becoming a Candidate for City Elective Office ........................................................................................................... 4

Excess Pre-Candidacy Contributions ............................................................................................................................ 4

Use of Political Committees by Candidates for City Elective Office ........................................................................... 5

Reporting Requirements ............................................................................................................................................... 6

   Philadelphia Reporting Cycles ..................................................................................................................................... 6

   Who Must File for What Cycles ................................................................................................................................. 7

   Electioneering Communications .................................................................................................................................. 8

   Content of Campaign Finance Reports ....................................................................................................................... 8

   24 Hour Reports ............................................................................................................................................................ 8

   How to File Campaign Finance Reports with the Board of Ethics ........................................................................... 9

   Filing Support Center ................................................................................................................................................... 9

   Eligibility for City Contracts ........................................................................................................................................ 9

Contribution Limits .....................................................................................................................................................10

   Contributions from Business Organizations .................................................................................................................... 10

   Contributions from Joint Checking Accounts ............................................................................................................... 10

   Date of Acceptance of Contributions .......................................................................................................................... 10

   In-kind Contributions .................................................................................................................................................... 10

   Doubling of Limits .......................................................................................................................................................... 10

Coordinated Expenditures ........................................................................................................................................11

   Candidates Splitting Costs .......................................................................................................................................... 11

   Expenditures Related to Sample Ballots ..................................................................................................................... 12

Corporate Contributions ............................................................................................................................................ 13

Post Candidacy .......................................................................................................................................................... 13
The following general information is for candidates for City elective office, those who contribute to candidates for City elective office, and political committees and other persons that make expenditures to influence a City election. This is not intended as legal advice on the application of the City’s Campaign Finance Law. If you would like advice on the application of the City’s Campaign Finance Law to your particular situation, please contact the Board of Ethics.

The City’s Campaign Finance Law is found at Philadelphia Code Chapter 20-1000 (Political Contributions and Expenditures). The Board of Ethics has provided a detailed interpretation of the law in Board of Ethics Regulation No. 1 (Campaign Finance).

Philadelphia Code Chapter 17-1400 imposes limitations on contributions by persons that obtain non-competitively bid contracts from the City. If you have questions about Code Chapter 17-1400, you should contact the City’s Department of Finance.

This guide does not address the requirements of the State Election Code. For advice on the application of the State Election Code, please contact either the Philadelphia City Commissioners or the Pennsylvania Department of State.

Philadelphia Board of Ethics:
1515 Arch Street, 18th Floor
One Parkway Building
Philadelphia, PA 19102
215-686-9450
www.phila.gov/ethicsboard/

Philadelphia County Board of Elections:
(City Commissioners)
Room 142, City Hall
Philadelphia, PA 19107
215-686-3943
www.philadelphiavotes.com/

Pennsylvania Department of State:
210 North Office Building
Harrisburg, PA 17120
717-787-5280
http://www.dos.pa.gov/VotingElections

Philadelphia Department of Finance:
1401 JFK Boulevard, 14th Floor
Municipal Services Building
Philadelphia, PA 19102
215-686-4914
Basics

❖ Philadelphia’s Campaign Finance Law imposes requirements on:
   - Candidates for City elective office;
   - Those who contribute to Candidates for City elective office; and
   - Political committees or other persons that make expenditures to influence a City election.

❖ City elective office is:

   Mayor, District Attorney, Controller, City Council, City Commissioner, and Sheriff.

Judicial positions, the Register of Wills, and Philadelphia-based State Senator and Representative seats are not City elective offices.

❖ The three main components of the City’s Campaign Finance Law are:
   - **RULES ON HOW CANDIDATES CAN USE POLITICAL COMMITTEES**
     As a general rule, a candidate must use one candidate committee and one checking account into which he or she must deposit all contributions and out of which he or she must make all campaign expenditures. More information about the use of political committees can be found beginning at page 5.
   - **ELECTRONIC FILING OF CAMPAIGN FINANCE REPORTS**
     All campaign finance reports filed with the Board must be filed electronically. More information about the reporting requirements can be found beginning at page 6.
   - **CONTRIBUTION LIMITS**

<table>
<thead>
<tr>
<th>Per Calendar Year</th>
<th>To a Candidate’s Political Committee*</th>
<th>To a Candidate’s Litigation Fund Committee</th>
<th>To a Candidate’s or Former Candidate’s Transition &amp; Inauguration Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>From an Individual</td>
<td>$3,000</td>
<td>$3,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>From a Political Committee, partnership, or sole proprietorship</td>
<td>$12,000</td>
<td>$12,000</td>
<td>$12,000</td>
</tr>
</tbody>
</table>

*Or to the political committee of a former candidate for City office, if the committee is carrying debt incurred to influence the outcome of a covered election.

More information about the contribution limits can be found beginning at page 10.
Becoming a Candidate for City Elective Office

Under the City’s Campaign Finance Law, an individual becomes a candidate when he or she either publicly announces his or her candidacy for City elective office or files Nomination Petitions or Papers with the City Commissioners.

Within three days of becoming a candidate for City elective office, the candidate must submit information to the Board of Ethics about the political committee the candidate is using for his or her campaign. The information should be submitted using the form available on the Board’s website at https://www.phila.gov/ethicsboard/PDF/CandidateCommitteeInformationForm.pdf.

A candidate for City elective office must provide this information to the Board of Ethics about his or her candidate committee even if he or she used the same committee for a previous election. A candidate who does not establish a committee must still provide information per the directions on the form.

Note: The definition of “candidate” is broader under the State Election Code than it is under the City’s Campaign Finance Law. Someone who is not a candidate under the City law may be a candidate under State law and therefore subject to the reporting requirements of that law. For guidance on the State Election Code, please contact the City Commissioners or Department of State.

Excess Pre-Candidacy Contributions

Prior to the announcement of candidacy for City elective office, an individual may have a committee that raises money and makes expenditures. However, when the individual becomes a candidate, he or she must account for any excess pre-candidacy contributions the committee has received.

An excess pre-candidacy contribution is the portion of a pre-candidacy contribution that, had it been made to a candidate’s committee, would have been in excess of the contribution limitations. A candidate for City elective office may not spend excess pre-candidacy contributions for the purpose of influencing the outcome of a City election.

Within ten days of becoming a candidate, the candidate’s committee must exclude all excess pre-candidacy contributions from the committee’s checking account. It may do so either by transferring those funds to a separate account or returning them to their donors. For more information about how to identify, calculate, and exclude excess pre-candidacy contributions, please see Subpart I of Regulation No. 1. If you are considering becoming a candidate for City elective office, it is simplest to raise money within the contribution limits at all times. Doing so avoids the need to exclude excess pre-candidacy contributions upon becoming a candidate.

Example: On November 1, 2018, Friends of Candidate A receives a contribution of $3,500 from Mr. B ($3,000 within limits, $500 excess) and a contribution of $3,500 from Ms. C (same). On December 1, 2018, Candidate A declares her candidacy for the May 2019 Controller primary election. By December 11, 2018, Friends of Candidate A must exclude $1,000 ($500 excess from Mr. B + $500 excess from Ms. C) from its checking account.
Use of Political Committees by Candidates for City Elective Office

As a general rule, a candidate for City elective office may use no more than one political committee and one checking account for his or her campaign. All contributions for the campaign must be deposited into this account and all expenditures for the campaign made out of this account. Funds held in other accounts may not be used to influence a City election.

- **Payment Service Providers:** A candidate’s campaign may use a Payment Service Provider (such as PayPal) to accept contributions so long as all such contributions are promptly transferred to the candidate political committee’s checking account. A candidate’s campaign may use a Payment Service Provider to make expenditures so long as any funds used for such expenditures are drawn directly from the candidate committee’s checking account.

- **Reimbursed Expenditures:** A candidate or an employee or agent of a candidate’s campaign may use personal funds to make purchases for the benefit of the campaign so long as:
  a. it is reasonably necessary that such purchases are not made from the candidate committee's checking account;
  b. the campaign reimburses the candidate or employee or agent within 45 days of the purchase;
  c. the reimbursement is disclosed and accurately described in the required campaign finance report; and
  d. the candidate’s campaign maintains documentation of the reimbursement and underlying purchase.

- **Printing and Distribution of Sample Ballots:** A candidate for City elective office may make expenditures through up to one political committee in addition to his or her candidate political committee for the printing and distribution of sample ballots that are distributed in the candidate’s ward.

- **Transition & Inauguration Committee:** In addition to his or her candidate committee, a candidate or former candidate for City elective office may establish a separate transition & inauguration committee to solicit and receive contributions and make expenditures for transition or inauguration to City elective office. A candidate or former candidate may make payments from his or her candidate committee for transition or inauguration expenses, but may not transfer funds from the transition & inauguration committee to the candidate committee. Within six months of the former candidate’s inauguration to City office, the committee must be terminated and any remaining funds returned to contributors.

- **Litigation Fund Committee:** In addition to his or her candidate committee, a candidate for City elective office may establish a separate litigation fund committee in order to receive contributions and make expenditures to pay professional fees and expenses incurred in defense of a civil, criminal, or administrative proceeding arising directly out of the candidate’s campaign. A candidate may make payments from his or her candidate committee for litigation expenses, but may not transfer funds from his or her litigation fund committee to his or her candidate committee. Within six months of the conclusion of the general election for which the candidate ran, the committee must be terminated and any remaining funds returned to contributors.
**Reporting Requirements**

Philadelphia’s Campaign Finance Law requires those who participate in City elections to file campaign finance reports with the Board of Ethics.

**ALL CAMPAIGN FINANCE REPORTS FILED WITH THE BOARD MUST BE SUBMITTED ELECTRONICALLY.**

### PHILADELPHIA REPORTING CYCLES

<table>
<thead>
<tr>
<th>Cycle</th>
<th>Name of Report</th>
<th>Complete As Of</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cycle 1</td>
<td>Sixth Tuesday Pre-Primary</td>
<td>April 1, 2019</td>
<td>April 9, 2019</td>
</tr>
<tr>
<td>Cycle 101</td>
<td>Fourth Tuesday Pre-Primary</td>
<td>April 21, 2019</td>
<td>April 23, 2019</td>
</tr>
<tr>
<td>Cycle 2</td>
<td>Second Friday Pre-Primary</td>
<td>May 6, 2019</td>
<td>May 10, 2019</td>
</tr>
<tr>
<td>Cycle 10</td>
<td>24 hour reporting</td>
<td>Start May 7, 2019</td>
<td>End May 21, 2019</td>
</tr>
<tr>
<td>Cycle 201</td>
<td>Last Tuesday Pre-Primary</td>
<td>May 12, 2019</td>
<td>May 14, 2019</td>
</tr>
<tr>
<td>Cycle 202</td>
<td>Last Friday Pre-Primary</td>
<td>May 15, 2019</td>
<td>May 17, 2019</td>
</tr>
<tr>
<td>Cycle 3</td>
<td>Thirty Day Post-Primary</td>
<td>June 10, 2019</td>
<td>June 20, 2019</td>
</tr>
<tr>
<td>Cycle 4</td>
<td>Sixth Tuesday Pre-Election</td>
<td>September 16, 2019</td>
<td>Sept. 24, 2019</td>
</tr>
<tr>
<td>Cycle 401</td>
<td>Fourth Tuesday Pre-Election</td>
<td>October 6, 2019</td>
<td>October 8, 2019</td>
</tr>
<tr>
<td>Cycle 5</td>
<td>Second Friday Pre-Election</td>
<td>October 21, 2019</td>
<td>October 25, 2019</td>
</tr>
<tr>
<td>Cycle 11</td>
<td>24 hour reporting</td>
<td>Start Oct. 22, 2019</td>
<td>End Nov. 5, 2019</td>
</tr>
<tr>
<td>Cycle 501</td>
<td>Last Tuesday Pre-Election</td>
<td>October 27, 2019</td>
<td>October 29, 2019</td>
</tr>
<tr>
<td>Cycle 502</td>
<td>Last Friday Pre-Election</td>
<td>October 30, 2019</td>
<td>November 1, 2019</td>
</tr>
<tr>
<td>Cycle 6</td>
<td>Thirty Day Post- Election</td>
<td>November 25, 2019</td>
<td>December 5, 2019</td>
</tr>
<tr>
<td>Cycle 7</td>
<td>Annual Report</td>
<td>December 31, 2019</td>
<td>January 31, 2020</td>
</tr>
</tbody>
</table>

**ALL CAMPAIGN FINANCE REPORTS FILED WITH THE BOARD MUST BE SUBMITTED ELECTRONICALLY.**
<table>
<thead>
<tr>
<th>Cycle 1</th>
<th>Cycle 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>The candidate political committee of a candidate for City elective office, if the committee has made expenditures in the reporting period.</td>
<td></td>
</tr>
<tr>
<td>A political committee that in the reporting period has made expenditures to influence the outcome of a covered election, including contributions made to a candidate for City elective office or for electioneering communications.</td>
<td></td>
</tr>
<tr>
<td>Any other person, including an individual or a not-for-profit organization, that, in the reporting period, makes expenditures of $5,000 or more for electioneering communications, as described below.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cycle 2</th>
<th>Cycle 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>The candidate political committee of a candidate for City elective office, if that candidate is required to file for that cycle with the City Commissioners.</td>
<td></td>
</tr>
<tr>
<td>A candidate for City elective office, if that candidate is required to file for that cycle with the City Commissioners.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cycle 5</th>
<th>Cycle 6</th>
<th>Cycle 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any political committee that (a) is required to file with the Department of State or City Commissioners, and (b) during that cycle:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Has made expenditures or incurred debt to influence the outcome of a covered election, including contributions made to a candidate for City elective office or for electioneering communications;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Is carrying debt incurred to influence the outcome of a covered election or has made expenditures to pay down such debt; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Has accepted contributions or made expenditures to pay for transition or inauguration to City elective office or for litigation expenses related to a campaign for City elective office.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any other person, including an individual or a not-for-profit organization, that (1) is required to file a campaign finance report with the City Commissioners or Department of State that discloses expenditures to influence a covered election or, (2) for any reporting period except Cycle 7, makes expenditures of $5,000 or more for electioneering communications, as described below.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cycle 101</th>
<th>Cycle 201</th>
<th>Cycle 202</th>
</tr>
</thead>
<tbody>
<tr>
<td>A political committee or other person, including an individual or a not-for-profit organization, but not a candidate political committee, that, in the reporting period, makes expenditures of $5,000 or more for electioneering communications, as described below.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cycle 401</th>
<th>Cycle 501</th>
<th>Cycle 502</th>
</tr>
</thead>
<tbody>
<tr>
<td>During the 24 hour reporting period, a candidate political committee that receives contributions or pledges of $500 or more shall electronically file with the Board reports disclosing those contributions or pledges within 24 hours of receipt.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>During the 24 hour reporting period, a political committee or other person that makes independent expenditures of $500 or more to influence a covered election (or incurs debts for such expenditures) shall electronically file with the Board reports disclosing those independent expenditures within 24 hours.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Electioneering Communications

An electioneering communication is any publicly distributed broadcast, cable, radio, print, Internet, or satellite communication that (a) promotes, attacks, supports, or opposes a candidate, or (b), within 50 days of a covered election, names, refers to, includes, or depicts a candidate in that covered election.

Any person that makes, or promises to make, expenditures of $5,000 or more for electioneering communications that are published within 50 days of a covered election, shall file a campaign finance report with the Board. Such a report must disclose all of that person’s financial transactions that occurred during the relevant reporting period. If the date of the dissemination of the electioneering communication is earlier than the date of the expenditure for it, the date of dissemination determines when the report is due.

In addition to disclosing all contributions as defined by the Election Code, an organization other than a political committee must also disclose all donations of $5,000 or more received during the relevant reporting period. However, if the organization uses funds from a segregated account, it is only required to disclose sources of contributions that were deposited into that account.

An individual who is required to file a report disclosing expenditures for electioneering communications is only required to disclose contributions that he or she received or solicited in order to fund the expenditures disclosed in the report.

Content of Campaign Finance Reports

A report filed for Cycles 1-7 or for Cycle 101, 201, 202, 401, 501, or 502 must disclose all contributions received, money spent, and debts incurred during the reporting period.

Contributions of $50 or less may be disclosed as a lump sum, rather than itemized. For contributions of more than $50, the filer must provide the contributor’s full name and mailing address. For contributions of more than $250, the filer must also provide the contributor’s occupation and employer, if any, or principal place of business, if self-employed. Note: When determining a donor’s contribution amount, the filer must aggregate all of the donor’s contributions during the reporting period.

The filer must disclose each and every expenditure made during the reporting period and provide the date it was made, the full name and address of the person to whom it was made, and the purpose of the expenditure. If the filer has used a credit or charge card to make expenditures, the filer shall disclose and itemize each purchase made with that card, not merely a lump sum payment to the card.

For unpaid debts, the filer must disclose the nature and amount of the debt, the date incurred, and the full name and address of the person owed.

Statement: If the filer is required to file for a cycle but had less than $250 in activity during the reporting period, the filer may file a campaign finance statement rather than a full campaign finance report.

24 Hour Reports

A 24 hour report filed by a candidate committee should only disclose contributions that total $500 or more from a single source. The report should not include expenditures or debts. A 24 hour report filed by a political committees or other person should only disclose independent expenditures that total $500 or more, or debts incurred for such expenditures. The report should not include contributions received by the committee or person. Transactions disclosed in a 24 hour report must also be included in the filer’s subsequent 30-Day post election campaign finance report (either Cycle 3 or Cycle 6).
How to File Campaign Finance Reports with the Board of Ethics

All filings with the Board of Ethics must be submitted electronically.

In order to file a report electronically with the Board of Ethics, a person must set up a filing account by going to this link: https://apps.phila.gov/campaign-finance/auth/

**Note:** You can use the system to simultaneously file with the Board and the City Commissioners. If you need to file with the Department of State, you can either print out a paper copy of the report or export the report into text files for electronic submission.

---

Filing Support Center

For a few days preceding the filing deadline of a reporting cycle, and throughout the course of the 24-hour reporting period, the City provides filing support on the 18th floor of the One Parkway Building at 1515 Arch St. The support center is typically open from 9:00AM until 5:30PM. Staff are available to help filers with technical questions or filing issues. Computers and printers are available for filers to use free of charge.

---

Eligibility for City Contracts

*City law limits contributions from individuals or businesses that wish to be eligible for certain City contracts. These limitations are found at Chapter 17-1400 of the City Code and include rules that aggregate contributions in certain circumstances. For guidance on Chapter 17-1400, please contact the City’s Department of Finance.*
## Contribution Limits

<table>
<thead>
<tr>
<th>Per Calendar Year</th>
<th>To a Candidate’s Political Committee*</th>
<th>To a Candidate’s Litigation Fund Committee</th>
<th>To a Candidate’s or Former Candidate’s Transition &amp; Inauguration Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>From an Individual</td>
<td>$3,000</td>
<td>$3,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>From a Political Committee, partnership, or sole proprietorship</td>
<td>$12,000</td>
<td>$12,000</td>
<td>$12,000</td>
</tr>
</tbody>
</table>

*Or to the political committee of a former candidate for City office, if the committee is carrying debt incurred to influence the outcome of a covered election.

**Contributions from Business Organizations:** In order to qualify for the $12,000 contribution limit, the finances of a sole proprietorship or partnership must be distinct and segregated from the personal finances of its proprietor or partners.

**Contributions from Joint Checking Accounts:** A contribution made by a check that reflects a joint checking account of two or more individuals shall be attributed to the joint account holder who signs the check. If more than one account holder signs a contribution check, the contribution shall be apportioned evenly between the signers. If an individual other than an account holder signs a contribution check, the contribution shall be attributed evenly among the joint account holders.

**Date of Acceptance of Contributions:** The date of acceptance of a contribution is the date that the contribution comes into the possession of a candidate’s campaign. A candidate’s campaign shall not designate as the date a contribution is accepted any date other than the date of acceptance. If a contribution is delivered to a mailbox, the date that the contribution is accepted is the date on which the candidate’s campaign finds the contribution in the mailbox. If a contribution is made by credit card through a website, the date that the contribution is accepted is the date on which the contributor submits his or her credit card information on the website.

**In-kind Contributions:** If a person makes an in-kind contribution by providing goods or services directly to a candidate’s campaign, the date of acceptance of that contribution is the date that the candidate’s campaign receives the goods or services. If a person makes an in-kind contribution by paying or agreeing to pay a third party to provide goods or services to a candidate’s campaign, the date of acceptance of that contribution is the date the goods or services are provided or the date payment is made, whichever is earlier.

**Doubling of Limits:** If a candidate contributes $250,000 or more of his or her personal resources, the contribution limits for all candidates for that office double for that year and each subsequent year up to and including the year in which the covered election occurs. Once the contribution limits double, they remain doubled even if the candidate who triggered the doubling ceases to be a candidate or, after the limits have doubled, the candidate’s campaign returns, repays, or refunds a all or some of the money to the candidate.
**Coordinated Expenditures**

Expenditures by individuals or political committees made in coordination with a candidate’s campaign to advocate or influence the election of that candidate are in-kind contributions from the person or committee to the candidate and are subject to the City’s contribution limits. This includes republication of campaign communications and materials created by the candidate’s campaign.

By contrast, an independent expenditure is an expenditure made by a person or committee for the purpose of influencing an election without coordination with any candidate or political committee authorized by a candidate and is not subject to the contribution limits.

For more detailed guidance as to what constitutes a coordinated expenditure, see Regulation No.1, Subpart H.

**Example: Coordination**

A Mayoral candidate gives a PAC a template for a door hanger. The PAC spends $5,000 for door hangers based on the template and distributes them a month before the Primary. The $5,000 expenditure was coordinated with the campaign and is therefore an in-kind contribution to that Mayoral candidate subject to the contribution limits.

**Example: Independent**

An Independent Expenditure Committee supporting fishing piers spends $50,000 on radio ads in support of a City Council candidate. The candidate’s campaign does not have any knowledge of the ads until they air. The $50,000 expenditure is an independent expenditure and is not subject to the contribution limits.

**Candidates Splitting Costs:** If two candidates decide to share costs for activities that promote both of their campaigns, then the amount each candidate’s campaign spends is an in-kind contribution to the other candidate’s campaign.

**Example: Splitting Costs**

Candidate A and Candidate B each pay a printer $5,000 to produce 10,000 copies of a flyer that lists both of the candidates. They then have 50 people distribute the flyers on election day. Candidate A provides $3,750 to pay the workers and Candidate B provides $1,250.

**Result:** Candidate A has made in-kind contributions of $8,750 to Candidate B. Candidate B has made in-kind contributions of $6,250 to Candidate A.
Expenditures Related to Sample Ballots:

If a candidate’s campaign pays a political committee to be placed on the committee’s sample ballot, then the political committee’s costs to print and/or distribute the sample ballot are not subject to the contribution limits so long as the candidate’s campaign has paid the usual and normal charge to the committee.

Example 1: Paying to be on Ballot

**Y PAC** spends $50,000 to print and distribute 100,000 copies of a sample ballot promoting ten candidates in the May 2019 primary election. Each of the candidates pays **Y PAC** $5,000 - $7,500 to be on the ballot. Candidates who pay more have their names printed in red and in larger type.

**Result:** Because each of the candidates paid the usual and normal charge to be on the ballot, **Y PAC**’s expenditure to print and distribute the ballot is not subject to the contribution limits.

Example 2: Not Paying to be on Ballot

**X PAC** spends $50,000 to print and distribute 100,000 copies of a sample ballot promoting ten candidates in the May 2019 primary election. Eight of the candidates pay **X PAC** $5,000 - $7,500 to be on the ballot. Candidate A and Candidate B do not make any payment to **X PAC**, but at their request **X PAC** leaves them on the ballot.

**Result:** **X PAC** has made an in-kind contribution of $50,000 to Candidate A and an in-kind contribution of $50,000 to Candidate B. For each candidate, the contribution exceeds the limits by $38,000.
Corporate Contributions

State law prohibits corporations and unincorporated associations from making contributions to candidates for City elective office or to political committees that make contributions to candidates for City elective office. Corporations and unincorporated associations may make contributions to political committees that have registered as Independent Expenditure Committees. For more information please contact the Department of State or the City Commissioners Office.

Post-Candidacy

Contribution limits continue to apply to former candidates for City elective office if they are carrying debt incurred during their campaign. All expenditures to retire campaign debt must be made out of the former candidate’s candidate committee. Former candidates for City elective office must file campaign finance reports with the Board of Ethics so long as they are carrying debt from a prior City election.

Example

In April of 2019, Donor A gives Candidate B $2,000. Candidate B does not prevail in the May primary election. In July of 2019, Donor A offers to make another contribution. As of July, Candidate B’s candidate committee is carrying debt from the campaign.

Result: For the remainder of 2019, Donor A may give Candidate B a total of $1,000.

###

Philadelphia Board of Ethics

1515 Arch Street, 18th Floor
One Parkway Building
Philadelphia, PA 19102

215-686-9450

http://www.phila.gov/ethicsboard/

###