

Chapter 1.12

CITY CAMPAIGN ADVERTISING AND FINANCE

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1.12.010 Advertising.

A. A person, candidate, campaign manager, treasurer, partisan organization or political committee, including political clubs, or party committee may not expend any money for printing, publication or broadcasting of any political matter whatsoever, unless the matter purports on its face to be paid political advertisement and printed, published or broadcast by authority of the person, campaign manager or treasurer for the named candidate, partisan organization, party committee or political committee, including political clubs.

B. Requirements of Subsection A of this section shall not apply to any individual publishing or distributing campaign literature promoting passage or defeat of any principle or a proposition submitted to a vote at any city election, provided that such campaign literature is published and distributed independent of, and not in coordination with, any campaign, committee or other entity. (Ord. 1749 (part), 2000)

1.12.020 Books, records and receipts.

A. Every candidate for the office of mayor or city council for the city shall appoint a treasurer who shall have the responsibility of maintaining detailed, full and accurate accounts in a proper book or books to be called "account books." The account books shall contain a detailed record of contributions, monies, loans (including personal contributions, loans and monies) or valuable things received, including the date each contribution was received and the name and address of each contributor. The account books shall also contain a detailed record of all disbursements made by the candidate or his or her representative acting on his or her behalf.

B. Account books shall be maintained by the candidate or his or her representatives for at least one year following the date of the general election. (Ord. 1749 (part), 2000)

1.12.030 Campaign contributions.

A. No candidate for mayor or for member of the city council shall receive campaign contributions in excess of two hundred fifty dollars (\$250.00) per individual or entity per campaign in cash and/or in-kind services of a commercial nature.

B. The contributions or loans of a candidate or the candidate's spouse to the candidate's own campaign are not subject to the limitations of Subsections A and C of this section, but must pass through the hands of the candidate's treasurer and be reported as required in other

provisions of this chapter. Personal expenses of the candidate for filing fees, telegrams, telephoning, travel and board, shall not be considered contributions if paid for by the candidate or the candidate's spouse.

C. No loan may be made to the campaign of a candidate or accepted on behalf of the campaign, without express written consent of the candidate. Written consent constitutes the personal guaranty of the candidate for repayment of the loan, only if it expressly so provides. The aggregate amount of all outstanding loans to the campaign of a candidate shall not exceed five hundred dollars (\$500.00). A loan shall not be forgiven in an amount in excess of two hundred fifty dollars (\$250.00). Subsection B of this section is an exclusion to the requirements of this subsection.

D. Contributions of such in-kind services of a commercial nature shall be valued at a rate commensurate with the cost of purchasing similar materials or services.

E. All campaign contributions shall be received by the date of the general election. Any campaign contributions received after the date of the general election shall be returned to the contributor. (Ord. 1749 (part), 2000)

1.12.040 Financial disclosure statements to be filed by the candidate or treasurer.

A. The candidate and/or treasurer shall file a complete and accurate financial disclosure statement detailing the contents of the account books no later than seven days prior to the general election. The financial disclosure statement shall include, but not be limited to, the name, address, amount of contribution and the date all contributions were received. Contributions of in-kind materials or services shall be valued as stated in Section 1.12.020(B). Each financial disclosure statement filed shall also contain a full and complete record of expenses and list any expenses incurred by not yet paid.

B. A final financial disclosure statement shall be filed no later than forty-five (45) days after the date of the general election. After payment of all campaign expenditures, any surplus funds shall be paid by the treasurer to either: (1) the city of Salisbury to help defray the expenses of the election; (2) a charitable organization as defined in the Annotated Code of Maryland, Business Regulation Article, Title 6 as amended from time-to-time; or (3) a political club, committee, or party of the candidate's choice.

C. No financial disclosure statements shall be required if the contributions received total less than six hundred dollars (\$600.00) for the elections; however, a statement under oath shall be filed by the candidate and treasurer that no financial disclosure statement is required pursuant to this section. Such statement, if applicable, shall be filed seven days prior to the general election.

D. Each financial disclosure statement shall include a representation certifying under oath that the contents of the statement are true and correct and shall be signed by the candidate and treasurer.

E. The foregoing provisions shall also apply to unsuccessful candidates. (Ord. 1749 (part), 2000)

1.12.050 Enforcement.

It shall be the duty of the city election board to enforce this chapter and to ensure that it is complied with by all candidates for city office. (Ord. 1749 (part), 2000)

1.12.060 Late filing of financial disclosure statements.

A. There shall be a late filing fee for each financial disclosure statement which is not filed

within the time prescribed. The fine shall be twenty dollars (\$20.00) per day for the first five days and ten dollars (\$10.00) per day thereafter for each date that the report is overdue. The maximum fine to apply to any one report shall be two hundred fifty dollars (\$250.00). Weekends and holidays shall be excluded in the above time computations.

B. Any fines assessed pursuant to this chapter shall be the personal responsibility of the candidate and treasurer and may not be paid for by using campaign funds. (Ord. 1749 (part), 2000)

1.12.070 Perjury.

Any willfully false, fraudulent or misleading statement or entry made by any candidate or treasurer in any statement or account under oath required by this chapter shall constitute the crime of perjury and shall be punishable by such according to the laws of this state. (Ord. 1749 (part), 2000)

1.12.080 Penalty.

The penalty for violation of this chapter, except for late filing as provided for above, shall be a fine of up to four hundred dollars (\$400.00) as determined by the city election board. (Ord. 1749 (part), 2000)

As defined by the *Annotated Code of Maryland, Business Regulation Article, Title 6*

(1) Charitable organization means:

(I) a person that:

1. is or holds itself out to be benevolent, educational, eleemosynary, humane, patriotic, philanthropic, or religious organization; and

2. solicits or receives charitable contributions from the public; or

(ii) an ambulance, fire fighting, fraternal, rescue, or police or other law enforcement organization when it solicits charitable contributions from the public.

(2) Charitable organization includes an area, branch, chapter, office or similar affiliate that solicits charitable contributions from the public within the State for a charitable organization that is organized or has its principal place of business outside the State.

(3) Charitable organization does not include:

(i) an agency of the State government or of a political subdivision; or

(ii) a political club, committee, or party.

**ACCOUNT BOOKS
CAMPAIGN FINANCIAL DISCLOSURE STATEMENT**

NAME OF CANDIDATE: _____

The report contained herein, as required by Chapter 1.12, City Campaign Advertising and Finance, of the *Salisbury Municipal Code* is filed for the following:

_____ INITIAL REPORT – seven (7) days prior to the General Election (due Tuesday, October 27, 2015)

_____ FINAL REPORT – 45 days after the General Election (due Friday, December 18, 2015)

All reports must be filed with the City Clerk by 4:30 p.m. on the day they are due.

**ACCOUNT BOOKS
CAMPAIGN FINANCIAL DISCLOSURE STATEMENT**

Candidate for Mayor: _____

Treasurer: _____ Statement as of: _____

IN-KIND SERVICES RECEIVED:

Date Rec'd	Contributor	Street Address City/State/Zip	Value of In-Kind Service	Remarks
		<i>TOTAL</i>		

LOANS:

Date Rec'd	Contributor	Street Address	City/State/Zip	Amount
			<i>TOTAL</i>	

**ACCOUNT BOOKS
CAMPAIGN FINANCIAL DISCLOSURE STATEMENT**

Candidate for Mayor:

Treasurer: _____

Statement as of: _____

We hereby certify that this Financial Disclosure Statement is true and correct to the best of our knowledge and belief.

Candidate

Date

Treasurer

Date