



**New York State Board of Elections
Public Campaign Finance Board
PROPOSED RESOLUTION 23-03**

**Resolution Regarding Late Filing Penalties and Settlement Agreements for the
July 2023 Periodic Financial Disclosure Statements**

WHEREAS, eight political committees, listed in the attachment hereto, that are participating in New York State’s public campaign finance program (the “Program”) did not timely file the 2023 July Periodic financial disclosure statement as required under Election Law § 14-108 and 9 NYCRR 6200.2; and

WHEREAS, in accordance with 9 NYCRR 6221.46(e), participating political committees of candidates for the state legislature that untimely file a required financial disclosure statement are assessed a penalty of \$50 for each day a filing is late; and

WHEREAS, pursuant to 9 NYCRR 6221.45(f), the Public Campaign Finance Board (“PCFB”) may settle any fines and penalties in a final determination upon its discretion; and

WHEREAS, the treasurers and candidates of the aforementioned political committees have acknowledged that the filing in question was not timely made and, as such, they did not comply with the statutory filing requirements of the Program; and

WHEREAS, these treasurers and candidates have voluntarily entered into settlement agreements with the PCFB, accepting responsibility for their late filings; and

WHEREAS, in recognition of the mitigating circumstances and the committees’ cooperation in resolving this matter, the treasurers have agreed to pay a flat penalty of \$25 per committee, rather than the assessed penalty of \$50 a day, to expedite the resolution of this issue and to ensure the integrity of the Program; and

WHEREAS, in its commitment to assist these participating candidates and treasurers in meeting future filing requirements and ensuring ongoing compliance, PCFB staff provided them with educational materials in conjunction with processing their settlement agreements; and

WHEREAS, the PCFB is committed to upholding the principles of transparency, accountability, and fairness in campaign finance, and acknowledges that timely financial disclosures are essential for the Program's effectiveness;

NOW, THEREFORE, BE IT RESOLVED by the PCFB that the settlement agreements entered into by the treasurers and candidates of the eight political committees, as listed in the attachment hereto, are hereby accepted; and

BE IT FURTHER RESOLVED that the flat penalty of \$25 per committee, as agreed upon in the settlement agreements, is approved and shall be collected promptly, and

BE IT FURTHER RESOLVED that, upon receiving the \$25 penalty, the settlement agreements, along with this Resolution, shall constitute a final determination of the PCFB and that enforcement counsels shall close these matters.