

SPECIAL ELECTIONS

Registration and Program Certification for the Special Election

Candidates and Treasurers Not Yet Accepted into the Program for the Election Cycle:

Candidates in a Special Election who are not yet registered and/or certified with the New York State Public Campaign Finance Board (“PCFB”) for the election cycle but who wish to participate in the Public Campaign Finance Program (“Program”) in the Special Election must [register](#) and file a [PCFB certification](#) no later than the deadline to file a Certification of Nomination for that Special Election. Such forms must also be signed by the committee’s treasurer and notarized. Mail or deliver such forms to New York State Board of Elections, 40 North Pearl Street, Suite 5, Albany, NY 12207.

Candidates and Treasurers Already Accepted into the Program for the Primary/General Election:

Candidates and treasurers in a Special Election who are already registered and certified with the PCFB for the Primary/General Election must submit an email or letter to the PCFB reaffirming their agreement to follow the PCFB’s rules in the Special Election in order to be certified to participate in the PCFB Program for that Special Election. Such email or letter must be received by the PCFB no later than the deadline to file a PCFB certification for that Special Election. Sample reaffirmation language can be found at the end of this document.

Note: File amended PCFB registration and certification documents within 2 days of any changes to the information previously submitted (*e.g.*, change to office or district sought), but such changes to office and/or district must be submitted no later than the deadline to file a PCFB certification for that Special Election.

Participating Special Election Candidates Continuing to the Primary and/or General Election:

Candidates and treasurers registered/certified to participate in the Public Campaign Finance Program (the Program) for a Special Election, who were not previously registered/certified to participate in a subsequent Primary/General Election, who then wish to continue in the Program in the subsequent Primary and/or General Election can do so, but must provide the PCFB a letter or email indicating their intent to continue participating in the Program for the Primary and/or General Election no later than the deadline to file a PCFB certification for the Primary/General Election. Sample reaffirmation language can be found at the end of this document.

Note: Candidates may provide notice to the PCFB at any time prior to their receipt of public funds for a Special Election, Primary Election and/or General Election, as applicable, indicating that they no longer wish to participate in the Program for that election.

Candidates Participating in the Special Election who Wish to Participate in the Program in the Primary and/or General Election Must Register and Certify by the Deadline

Even if you have been certified to participate in the Program for the Special Election, you must be certified to participate in the Program for the Primary/General Election separately if you wish to participate in the Program for the Primary/General Election. If the PCFB certification deadline for the Primary/General Election has already passed (*e.g.*, four (4) months before the Primary) and you have not been certified to participate in the Program for the Primary/General Election, you have missed the statutory deadline and will be unable to join the Program for the Primary/General Election in the election cycle. Again, this is even if you have been certified to participate in the Program for the Special Election.

Eligibility for Public Matching Funds

Thresholds for Public Matching Funds Eligibility

To receive public matching funds for a Special Election, a participating candidate must meet a two-part threshold:

State Senate Thresholds:

- Matchable contributions from at least 150 district residents; and
- At least \$12,000* of matchable contributions.

State Assembly Thresholds:

- Matchable contributions from at least 75 district residents; and
- At least \$6,000** of matchable contributions.

* State Senate districts with a lowered minimum dollar threshold of \$8,000 can be found at [Senate Districts Threshold Reduction](#).

** State Assembly districts with a lowered minimum dollar threshold of \$4,000 can be found at [Assembly Districts Threshold Reduction](#).

Note: Meeting the eligibility thresholds for a Special Election does not satisfy the threshold eligibility requirements for the Primary and/or General Election. The eligibility thresholds for the Primary/General Election must be met separately from the eligibility thresholds for a Special Election. A candidate can use the same individual contributors to meet both thresholds but only contributions that are received after the Special Election from those individual contributors and any new contributors can be used for Primary/General Election threshold purposes.

Matchable Contribution Limits

Contributions from district residents between \$5 and \$250 received on or before the date of a Special Election are eligible to be matched for the Special Election, provided the contributor's aggregate contributions for the Special Election do not exceed \$1,050.

The matchable contribution limit for a Special Election is \$1,050. Candidates participating in the Public Campaign Finance Program in a Special Election have a \$1,050 matchable contribution limit for the Special Election that is separate from the \$1,050 matchable contribution limit for the Primary/General Election.

Contributions received in the election cycle on or before the date of the Special Election count towards the Special Election \$1,050 matchable contribution limit and may be matched only for the Special Election.

Contributions received after the Special Election count towards the Primary/General Election \$1,050 matchable contribution limit and can be matched only for the Primary and/or General Election.

Candidates not participating in the Public Campaign Finance Program in a Special Election would only have a single \$1,050 matchable contribution limit for the entire two-year election cycle.

Contribution Limits Apply Per Election (Special, Primary, and General Election)

State Senate:

- Individual (Non-Family) Contribution Limit: \$5,000
- Candidate (and/or candidate's spouse or unemancipated children) Contribution Limit: \$15,000
- Family Contribution Limit*: Total number of registered voters in the candidate's district, excluding voters in inactive status, multiplied by \$0.25, but at least \$20,000, and no more than \$100,000.***

State Assembly:

- Individual (Non-Family) Contribution Limit: \$3,000
- Candidate (and/or candidate's spouse or unemancipated children) Contribution Limit: \$9,000
- Family Contribution Limit***: Total number of registered voters in the candidate's district, excluding voters in inactive status, multiplied by \$0.25, but at least \$12,500, and no more than \$100,000.

****"Family," for the purposes of the Family Contribution Limit, is defined as the candidate's child, parent, grandparent, sibling, and the spouses of those individuals.*

Statement of Competitive Opposing Candidate

Candidates must submit a [PCF-23L Statement of Competitive Opposing Candidate](#) no later than 10 days before the Special Election to be eligible to receive the fullest amount of public matching funds, if all other eligibility requirements to receive public matching funds are met. A new Statement of Competitive Opposing Candidate form is required for each election (Special, Primary, and General Election).

Public Funds Payments

Maximum Public Funds Payment Amounts Per Each Election (Special, Primary, and General)

State Senate: \$375,000

State Assembly: \$175,000

Matching Funds Ratios

Contributions from district residents between \$5 and \$250 received on or before the date of a Special Election are eligible to be matched for the Special Election, provided the contributor's aggregate contributions for the Special Election do not exceed \$1,050. The tiered matching funds ratios for a contribution up to \$250 are:

- \$12-to-\$1 for first \$50;
- \$9-to-\$1 for next \$100; and
- \$8-to-\$1 for next \$100.

For candidates participating in the Public Campaign Finance Program in a Special Election: a contribution received on or before a Special Election can be matched for the Special Election only.

For participating Special Election candidates continuing to the Primary and/or General Election: a contribution received after the date of a Special Election can only be matched for the Primary and/or General Election.

Public Funds Payment Dates

The PCFB will schedule at least three payment dates in the 30 days before the Special Election and may schedule additional payment dates. The PCFB will issue a calendar of scheduled payments on its website (<https://pcfb.ny.gov/>).

Financial Disclosure Statement Filings

Financial disclosure statement filings dates will be posted on the PCFB website (<https://pcfb.ny.gov/>).

- Candidates who are in a Special Election are required to submit financial disclosure reports related to the Special Election.
- Candidates who are not in a Special Election are not required to submit financial disclosure reports related to the Special Election, unless they are giving contributions or otherwise making expenditures connected to the Special Election.

24-Hour Notices

24-Hour Notices are submitted via the Electronic Filing System (EFS) Web Application.

Funds of the Candidate, Candidate's Spouse, or Unemancipated Children

In addition to the 24-Hour Notice requirement for all contributions and loans in excess of \$1,000 received within 14 days preceding an election (see next paragraph), all contributions (including in-kind contributions), loans and/or liabilities of any amount received by the candidate's authorized committee from the candidate or the candidate's spouse or unemancipated children that were not previously disclosed must be reported within 24 hours of the candidate filing a Certification or submitting an acknowledgment to the PCFB that they will participate in the Public Campaign Finance Program for the Special Election. Such contributions, loans and/or liabilities must also be disclosed on the next applicable financial disclosure statement. This 24-Hour Notice requirement for a Special Election continues through the next periodic financial disclosure statement due after the Special Election (i.e., the next required January, March, or July Periodic financial disclosure statement, as applicable). This requirement is separate from any additional 24-hour Notice requirements for the subsequent Primary and/or General Election.

Other Contributions in the Two Weeks Prior to an Election

In addition to the above requirement, an authorized committee must submit a 24-Hour Notice whenever it receives any other contribution or loan of more than \$1,000 within the two weeks prior to an election. These transactions must also be disclosed on the committee's post-election disclosure report.

After the Special Election

Winding Down Your Special Election Campaign

After the Special Election, committees should take steps to wind down their Special Election campaign. Winding down a Special Election campaign consists of paying all outstanding debts/liabilities and ensuring the committee's records are organized, including expenditure records (e.g., invoices, proof of payment).

Post-Special Election spending with public funds is narrowly restricted. Committees can make post-Special Election expenditures with public funds to pay any eligible outstanding debts/liabilities for qualified campaign expenditures incurred on or before Election Day, and for routine activities involving nominal costs associated with closing a campaign and preparing for a post-election audit. These expenditures must be made within 60 days of the Special Election, unless specifically authorized by the PCFB.

Post-Special Election Financial Disclosure Report

Special Election candidates must file the 27-Day Post-Special Election financial disclosure report.

Submission of Campaign Materials

Special Election campaign materials are due with the submission of the 27-Day Post-Special Election financial disclosure report.

Surplus Calculation

Odd-Year Special Elections: Candidates participating in a Special Election that occurs in an odd year (e.g., 2025, 2027, 2029, etc.) will have a surplus calculation computed by the PCFB after that Special Election. If a candidate in an odd-year Special Election participates in the Public Campaign Finance Program in a subsequent Primary and/or General Election, that candidate's Special Election surplus calculation will be separate from that candidate's Primary/General Election surplus calculation.

Even-Year Special Elections: Candidates participating in a Special Election that occurs in an even year (e.g., 2026, 2028, 2030, etc.) will have a surplus calculation computed by the PCFB after the final election in which a candidate appears on the ballot in that election cycle.

Audit

Special Election committees that receive public matching funds will have their financial activity (contributions, loans, liabilities, transfers, and expenditures) reviewed in a similar manner to any other committee that receives public matching funds. The review includes, but is not limited to, an examination of the committee's contributions, qualified campaign expenditures, bank reconciliations, an over-contribution audit, review of campaign materials, and an inspection of expenditure invoices. For Special Elections occurring in an odd year, this review will be conducted by the PCFB after that Special Election. For Special Elections occurring in an even year, the review will be conducted after the candidate's final election contest in the election cycle, and those Special Election committees may be subject to the post-election audit pursuant to the lottery conducted by the PCFB.

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Candidate Already Accepted into the Program for the Primary/General Election in the Current Election Cycle: Reaffirmation/Recertification for a Special Election

I am a candidate in the [SPECIAL ELECTION DATE] Special Election for [OFFICE] District [#]. I certify that I will participate in the New York State Board of Elections Public Campaign Finance Program ("Program") for that Special Election. I agree to comply with all laws, regulations, and rules related to participation in the Program, and reaffirm that I accept all the terms and conditions of the Application/Certification I previously submitted to the New York State Public Campaign Finance Board.

Treasurer Already Accepted into the Program for the Primary/General Election in the Current Election Cycle: Reaffirmation/Recertification for a Special Election

I am the treasurer of record for [COMMITTEE NAME], a committee registered for, and participating in, the New York State Board of Elections Public Campaign Finance Program (“Program”). I agree that all financial activity related to the campaign of [CANDIDATE’S NAME] for the [SPECIAL ELECTION DATE] Special Election for [OFFICE] District [#] will be disclosed by [COMMITTEE NAME]. In addition, I agree that I will comply with all laws, regulations, and rules related to participation in the Program, and reaffirm that I accept all the terms and conditions of the Application/Certification I previously submitted to the New York State Public Campaign Finance Board.

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Reaffirmation/Recertification for Participating Special Election Candidates Continuing to the Primary and/or General Election:

I am a candidate for [OFFICE] District [#]. I certify that I will participate in the New York State Board of Elections Public Campaign Finance Program (“Program”) for the [PRIMARY/GENERAL ELECTION YEAR] Primary and/or General Election. I agree to comply with all laws, regulations, and rules related to participation in the Program, and reaffirm that I accept all the terms and conditions of the Application/Certification I previously submitted to the New York State Public Campaign Finance Board.

Reaffirmation/Recertification for Participating Special Election Committee Treasurer Continuing to the Primary and/or General Election:

I am the treasurer of record for [COMMITTEE NAME], a committee registered for, and participating in, the New York State Board of Elections Public Campaign Finance Program (“Program”). I agree that all financial activity related to the campaign of [CANDIDATE’S NAME] for the [PRIMARY/GENERAL ELECTION YEAR] Primary and/or General Election for [OFFICE] District [#] will be disclosed by [COMMITTEE NAME]. In addition, I agree that I will comply with all laws, regulations, and rules related to participation in the Program, and reaffirm that I accept all the terms and conditions of the Application/Certification I previously submitted to the New York State Public Campaign Finance Board.