



New York State Public Campaign Finance Handbook

Version 2

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 - Candidate 24-Hour Notice Requirement

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Chapter 1

What Is New York State Public Campaign Finance?

Chapter 58 of the Laws of 2020 (Part ZZZ) created a new Title II in Article 14 of the New York State Election Law, laying out the framework for a statewide public campaign finance system and establishing a **Public Campaign Finance Board (PCFB)** of seven appointed commissioners to oversee the Program.

The **Public Campaign Finance Program**, referred to throughout this Handbook as the “Program,” provides matching funds on small contributions from eligible New York State residents made to candidates who opt to participate in the Program.

These matching funds will allow candidates the opportunity to raise competitive monetary amounts based on eligible contributions from constituents.

Contributions from individuals (residing in the district or from any New York State resident for statewide races) between \$5 and \$250 are eligible for public matching funds per covered election, provided that the contributor does not exceed \$1,050 in total contributions during an election cycle. For state legislative offices, only eligible contributions from individuals residing within the candidate’s district can be matched with public funds. For statewide offices, eligible contributions from New York State residents can be matched with public funds.

Contributions over \$1,050 in the aggregate are not eligible for match.

Contributions are not eligible for public matching funds if they come from a:

- Business;
- Corporation;
- Candidate committee;
- Political action committee;
- Campaign vendor;
- Minor;
- Registered lobbyist; or
- Person who lives outside the district (for legislative offices).

Which Candidates Can Participate in the Program?

Any candidate for state level office can participate in the Program, as long as they meet the eligibility requirements. These offices include:

- Governor/Lieutenant Governor;
- Attorney General;
- Comptroller;

- State Senate; and
- State Assembly.

These offices are referred to as **covered offices** under Program rules.

The Program does not cover local offices. Those interested in running for a local office should check with their local government to see if it manages a local public campaign finance program. (For example, if you are running for a position in New York City government, the New York City Campaign Finance Board has a public matching program for the offices of City Council, Borough President, Comptroller, Public Advocate, and Mayor.)

What Are the Steps to Joining the Program?

Participation in the New York State Public Campaign Finance Program is voluntary. To receive public matching funds, candidates must:

- Be eligible for the Program;
- Apply and become certified by the New York State Public Campaign Finance Board (PCFB) as a participant; and
- Comply with all Program requirements.

Below is a general outline of the basic steps a candidate must take to become a participant in the Program and qualify for public matching funds.

Register or Designate an Authorized Committee

Candidates and treasurers who want to participate in the Program must register or designate an authorized committee through the submission of a *PCF-21 Type 1P Committee Registration Form*. This authorized committee is used to report the campaign's financial activity.

Chapter 2 will go into detail on options to register or designate a committee.

Registration of a committee – by itself – is not enough to participate in the Public Campaign Finance Program. You must also apply and submit a certification to be in the Program.

Apply to the Public Campaign Finance Program

The candidate and treasurer must complete a *PCF-22 Application/Certification Form* for the Program. Applications/Certifications should be submitted as early as possible and can be submitted with the *PCF-21 Type 1P Committee Registration Form*.

The PCFB must receive your PCF-22 form no later than the statutory deadline. To join the Program for a Primary and/or General Election, the deadline is four months before the date of the Primary Election; however, candidates who want to participate in the Program are encouraged to file the PCF-22 form as soon as possible. See Chapter 2 for more information about Application/Certification filing deadlines.

Complete Program Trainings

Candidates and treasurers must complete mandatory trainings. Available trainings will be posted on the PCFB website. Candidates must complete one Program training. Treasurers must complete both the Program training as well as NYSBOE's Electronic Filing System (EFS) Web Application webinar.

Raise Threshold Contributions

Candidates must raise a threshold amount of money and receive a minimum number of matchable contributions to qualify for public matching funds.

Appear on the Ballot and be Opposed by Another Candidate

Candidates must meet all general requirements to have their name appear on the ballot. They must be opposed by another candidate who is not a write-in candidate. Candidates running as write-ins will not be eligible to receive public matching funds.

If a candidate is unopposed in the Primary Election, they may receive a limited amount of public funds for expenses incurred on or before the date of the Primary Election if there is a contested primary in either major political party.

Follow All Program Requirements

Candidates and treasurers must follow all of PCFB's Program requirements. These include:

- Submitting all required financial disclosure reports on time;
- Submitting all supporting documentation, bank statements, deposit slips, invoices, loan documentation and other required information on time;
- Maintaining complete internal records of all financial activity;
- Following the Program's rules about how the candidate can use their own money;
- Allowing an audit and examination of documents and providing any materials requested; and
- Complying with all repayment requirements.

Chapter 2

Becoming a Participating Candidate

To participate in the Public Campaign Finance Program, you must:

1. Register or designate an authorized committee with the New York State Board of Elections (NYSBOE); and
2. File an Application/Certification form with the New York State Public Campaign Finance Board.

Compliance Alert: Joining the Program

Candidates with an existing political committee used for the same covered office they are currently seeking may have a different registration process than candidates running for the first time for a particular covered office.

You can designate and use an existing political committee if you previously used that committee to run for the **same** covered office that you will seek in the current election cycle.

On the other hand, if you never ran for a covered office or if you are running for a different covered office, you must open a **new bank account** and register a **new authorized committee**. If so, any money raised before establishing and registering this new authorized committee will not be eligible for match and will not count towards Program eligibility thresholds.

See below for more information about establishing and registering an authorized committee for use in the Program.

Before Registering an Authorized Committee

Before filling out any paperwork, candidates must:

Select a Treasurer for Your Campaign

Your authorized committee must have a treasurer. It is strongly recommended to use a treasurer with prior campaign finance experience or an accounting background.

Choose your treasurer carefully; along with the candidate, the treasurer is the key person responsible for complying with Program requirements. Both the candidate and treasurer are responsible for the following:

- Ensuring Program requirements are met;
- Reporting transactions accurately;
- Maintaining your campaign's documentation properly;
- Submitting disclosure statements to the Program;
- Submitting bank statements and deposit slips to the Program each month;
- Submitting invoices, loan information and contracts to the Program each month; and
- Responding to inquiries, including document requests, from the PCFB staff in a timely manner before, during, and after the election.

The treasurer you choose must be able to perform these functions.

Finally, select additional points of contact or authorized users to assist your campaign. Additional points of contact and authorized users are able to talk with the PCFB about your committee.

Designating An Existing Political Committee as Your Authorized Committee

Running for a Covered Office You Previously Sought with Your Existing Political Committee

Candidates who are **running for a covered office they previously ran for** can designate their existing political committee as their authorized committee for use in the Program, as long as it is for that same covered office. For example:

- Incumbents seeking reelection; or,
- Candidates who were unsuccessful in a prior campaign for that same office.

In these circumstances, candidates are not required to open a new committee for each election cycle.



Compliance Alert: Registering an Existing Political Committee as Your Authorized Committee

If you use an existing political committee from a prior election cycle (including a committee that registered with the PCFB in a prior election cycle), it must have been used for the same covered office you are currently seeking.

- Your authorized committee will be deemed to have registered with the PCFB on the first day of the current election cycle (that is, on the day after the prior General Election);
- You are not required to establish a new bank account; and
- All contributions received in the current election cycle may be eligible for public matching funds.

To designate and use your existing political committee as your authorized committee for this election cycle, submit a *PCF-21 Type 1P Committee Registration* form and provide applicable committee information.

Example 1. Assemblymember Gary is an incumbent who used an authorized committee, Gary for Assembly, to participate in the Public Campaign Finance Program in the previous election cycle. Assemblymember Gary plans to seek reelection to the Assembly in this election cycle and to again participate in the Program.

Assemblymember Gary is not required to establish a new authorized committee for the current election cycle but can if he so chooses. Rather, Assemblymember Gary may use the same bank account and designate the same committee (Gary for Assembly) to participate in the Program in the current election cycle.

As a reminder, candidates can only use one authorized committee per elective office sought.

If Assemblymember Gary chooses to establish a new authorized committee for the covered office, he will need to terminate the existing Assembly committee to be eligible to receive matching funds.

Registering A New Authorized Committee

Running for a Covered Office for the First Time or Running for a Different Covered Office

You must create and register a new authorized committee, if you are:

- Running for a covered office for the first time;
- Running for a different covered office than in prior elections; or,
- Running for the same covered office but want to use a new authorized committee.



Compliance Alert: Do Not Fundraise Before Registering a New Authorized Committee If You Are Running for the First Time or If You Are Running for a Different Covered Office

If you are running for a covered office for the first time or running for a different covered office than in prior elections, you should not start raising any money until a new authorized committee is registered with the NYSBOE. Any money raised prior to registering with the PCFB or with a non-Program committee will not be eligible for matching funds and will not count towards any eligibility thresholds.

Running for the Same Covered Office But Registering a New Authorized Committee

In certain circumstances, a candidate will run for the same elective office and have an existing political committee previously used for that covered office but choose to open a new authorized committee. In that case, the new authorized committee will be deemed to have been registered on the first day of the current election cycle. All contributions received in the current election cycle may be eligible for public matching funds.

The PCFB recommends as a best practice opening a new authorized committee each election cycle.

How to Create and Register Your New Authorized Committee

To participate in the Public Campaign Finance Program, you must **use and register a single authorized committee** to fulfill all the campaign finance disclosure and reporting requirements under NYS Election Law.

To register your new committee, you must take the following steps:

Step 1: Get an Employer Identification Number (EIN)

Get an Employer Identification Number (EIN) from the Internal Revenue Service (IRS). You will need to obtain a Substitute Form W-9, which is needed to create a vendor account with the NYS Statewide Financial System (SFS) to receive public matching funds.

Many banks also require an EIN in order to open an account. You can apply for an EIN online at <https://www.irs.gov> or call the Business and Specialty Tax Line at (800) 829-4933. You will need a new EIN if the committee's name changes.

Step 2: Register a New Authorized Committee with the NYSBOE

You must register an authorized committee (Type 1P) with the New York State Board of Elections (NYSBOE).

Use the *PCF-21 Committee Registration Form* to register your committee. This indicates you are interested in participating in the Public Campaign Finance Program.

Once you submit your registration form to NYSBOE, you will receive confirmation of your registration by mail.

Please Note: Committee registration alone is not sufficient to become a Program participant. See the "Apply to the Public Campaign Finance Program" section of this Chapter below.

Step 3: Open a Checking Account

New committees **must** open a new checking account in the name of the committee.



Compliance Alert: Find a Bank That Keeps Electronic Records for Five Years

Failing to maintain or provide bank records is a common compliance pitfall. Ensure your bank maintains electronic records of your transactions for at least 5 years from the date of the final disclosure statement.

Tips for Opening a Checking Account:

- Bring copies of the form(s) you filed with the NYSBOE to the bank.
- Make sure the bank will give you the front and back of canceled checks. Either a physical canceled check or a scanned image of the front and back of the canceled check is acceptable. You will need this documentation later to comply with program requirements.
- Get a debit card for the account. This is the most convenient way to pay for and track your committee's expenses.
- Make sure your checks have your committee's full name pre-printed on them.
- Ask about online banking, which provides instant access to your account's financial activity. It also lets you print scanned copies of the front and back of canceled checks and view/print bank statements as needed.
- Keep your username and password to your online banking account and your Personal Identification Number (PIN) for your debit card in a safe and secure location. Limit the number of individuals with access to this information; the candidate and/or treasurer are liable for actions taken by anyone who has access to this information.
- Ask if the bank provides itemized deposit slips. An itemized deposit slip can be a printed receipt from the bank teller or ATM separating cash deposits from check and money order deposits. It can also be a copy of the handwritten deposit slip with the total cash amount written separately from check and money order deposits. If the printed receipt is not itemized, attach the copy of the handwritten deposit slip to the printed bank receipt.
- If you become eligible for public matching funds, you will receive those funds by means of an electronic payment. Make sure your bank offers direct deposit of funds or Electronic Funds Transfer (EFT).

Step 4: Terminate Any Existing Committees for the Same Covered Office Not Being Used for the Current Election Cycle

NYS Election Law states that you can only have one authorized campaign committee for each covered office you are running for. If you have a committee from a previous run for the same office, you have to either:

- Register with the PCFB as your only authorized committee (as discussed above); or
- Terminate the existing committee for the same covered office not being used for the current election cycle.

To terminate an existing committee, you must file a *CF-18 Termination or Resignation Request Form*. The form must be printed and signed in ink. The PCFB will not accept forms submitted by fax or email.

You must also submit a campaign financial disclosure termination report. You can file the report through the EFS Web Application, or you can file a No-Activity Report on the paper CF-18 form.

The PCFB will:

- Conduct a termination review to make sure it qualifies to be closed; and
- Communicate any findings to the old committee.

If the termination review is successful, you will be notified. **Please note:** sending in the request does not guarantee approval.

PCFB staff are available to assist you in the termination process.

Apply to the Public Campaign Finance Program

After registering your authorized committee with the NYSBOE, a participating candidate and treasurer must apply to the Public Campaign Finance Program using the *PCF-22 Application/Certification Form*.

Candidates and committees should file their Application/Certification as soon as practicable, but no later than the deadline to do so, to ensure eligibility and timely payments.

The deadline to file a *PCF-22 Application/Certification Form* to join the Public Campaign Finance Program is four months before the Primary Election for the office sought (even for independent candidates).¹ Filing an Application/Certification

¹ For a Special Election, the PCFB must receive your completed PCF-22 form on or before the last day in which a certificate of nomination may be filed for the office. In the case of Substitution, the PCFB must receive your completed PCF-22 form no later than one week after a certificate of substitution is filed. For a substituted candidate, the PCF-22 form must be filed with the PCFB no later than 15 business days prior to the payment date on which a participating candidate is eligible to receive public funds in order to receive funds on that payment date.

after this deadline will make you ineligible for the Program and you will not receive public matching funds.

! Compliance Alert: Participants in the Primary Election Do Not Need to Participate in the General Election and Can Opt-Out After the Primary Election

Candidates who participate in the Program for the Primary Election are not required to participate in the Program for the General Election. Rather, they can submit a *PCF-25 General Election Program Opt-Out Form* for the General Election:

- Within 15 days after the Primary Election; or,
- Before receiving any General Election public matching funds.

Candidates who submit a General Election Program Opt-Out Form remain subject to Program requirements, including but not limited to:

- Post-election audit;
- Potential public funds repayment;
- The \$1,050 matchable contribution limit;
- Disclose employer information for those contributors who have given \$100 or more in the aggregate;
- Bank statement and document submissions; and
- Maintaining a 3% audit reserve.

After You Apply

Receive an Email from the Public Campaign Finance Board (PCFB)

After reviewing the *PCF-22 Application/Certification Form*, the PCFB will email you to indicate whether it was accepted or if there are any issues to correct.

Once your Application/Certification form is accepted, the PCFB will email you the information you will need to comply with the Program, such as a filing calendar.

Register as a Vendor with the Statewide Financial System (SFS)

Public matching funds payments will be made electronically to your bank account using the Statewide Financial System (SFS). Not having direct deposit set up to your bank account will prevent payment to your committee. The treasurer must set up this account timely to allow for administrative checks to be conducted by both the SFS system and your financial institution. The PCFB cannot assist in setting up direct deposit.

Committees must complete the following steps with the PCFB and SFS to be issued public matching funds payments.

If Using a New 2026 Committee:

- Apply for an EIN with the IRS.
- Open a committee bank account.
- Complete and submit a Substitute Form W-9 to PCFB.
- PCFB will submit Substitute Form W-9 to SFS to initiate the creation of a vendor account.
- SFS will create a vendor account for the committee and issue a vendor ID to the treasurer.
- Once the SFS vendor account is created, SFS will send the treasurer an email with instructions to set up their bank account and direct deposit.
- Set up bank information and ACH (direct deposit) with SFS to receive payment.

Reminder: The treasurer must initiate this process as soon as practicable as both SFS and the financial institution have administrative checks they must conduct.

- Failure to set up direct deposit can prevent payment to the committee.
- The PCFB staff cannot assist in setting up direct deposit.

If Using a 2024 Committee For 2026 With No Change in the Committee Name:

Note: there must be **no** change in committee name and the committee must be used for the **same covered office**.

- The committee can continue to use the same EIN.
 - No changes are required for SFS;
 - A new Substitute Form W-9 is not needed; and
 - The same vendor ID will be used for payment.
- The committee is responsible for setting up ACH (direct deposit) with SFS to receive payment (if not already completed).

- If you change a bank account, you will need to update your banking information in SFS.
 - If the financial institution is the same, no notice needs to be provided to the PCFB; or,
 - If the financial institution changes, send the PCFB an amended registration form within 2 days.

If Using a 2024 Committee for 2026 With a Change in the Committee Name:

Note: the committee must be used for the **same covered office**.

- The committee needs to update the EIN with the IRS and obtain a new Substitute Form W-9.
- Changes required for SFS:
 - Committee must update name in SFS.
 - Committee must upload new Substitute Form W-9 supporting the name change to SFS.
- The committee is responsible for setting up ACH (direct deposit) with SFS to receive payment.

Bank and Treasurer Changes must be updated in SFS.

You have to report any banking information changes to the PCFB within 2 business days. You also have to update your SFS vendor file to make sure that public matching funds payments can be made to your account.

Please Note: File amended PCFB registration documents within 2 days if there are any changes to information in the PCF-21 or PCF-22 forms.

If you did not already create an Employer Identification Number (EIN) with the Internal Revenue Service (IRS) when you registered your authorized committee, you must do so immediately. You can apply for an EIN online at <https://www.irs.gov/> or call the Business and Specialty Tax Line at (800) 829-4933.

! Compliance Alert: Report Banking Changes within Two Business Days

Any banking information changes must be reported to the PCFB within two business days. You must also update your SFS vendor file to ensure that public matching funds payments can be made to your account.

Attend Trainings

Both candidates and treasurers must go to PCFB trainings to learn the Program's requirements. In each election cycle, candidates must complete one training. Treasurers are required to take two trainings per election cycle. This includes a Program-based training as well as an Electronic Filing System (EFS) webinar.

Training is not limited to candidates or treasurers. We strongly recommend that additional campaign staff attend these trainings, especially if they are helping with recordkeeping and reporting.

The trainings will go over the PCFB's rules and requirements and the process of making public matching funds claims, entering transactions, and submitting disclosure statements.

It is strongly recommended that all campaign staff attend the Treasurer Training and become familiar with the Electronic Filing System (EFS) software. A schedule of training sessions, online and/or in person, will be posted on the PCFB's website.

Checklist for New Authorized Committees to Join the Program

Use this checklist to make sure that you are following all the steps in registering and applying to be a participant of the Public Campaign Finance Program are followed:

Before Registering an Authorized Committee

- Decide on the covered office you will seek.
- Select a treasurer for your campaign.

Create and Register Your Authorized Committee

- Get an EIN from the IRS.
- Register a new authorized committee with the NYSBOE using the *PCF-21 Type 1P Committee Registration Form*.
- Open a checking account in the name of your committee.
- Terminate any existing committees for that same covered office (if applicable) using the *CF-18 Termination or Resignation Request Form*.

Apply to the Program

- Complete the *PCF-22 Application/Certification Form*.
- Return the form to the PCFB as soon as practicable and no later than the deadline for the applicable election.
 - The deadline to join the Program for the Primary Election and/or General Election is four months before the Primary Election.
- Register as a vendor with the NYS Statewide Financial System (SFS) by submitting a *Substitute Form W-9* to the PCFB.
 - If you already have an SFS account and make any changes to your committee name (for example, Nick for Assembly 2024 change to Nick for Assembly 2026), get a new *Substitute Form W-9* and upload it directly into your SFS vendor account.
- Set up Direct Deposit.
 - For existing vendor accounts, ensure your financial information is input correctly and ensure direct deposit is set up.
 - For new committees, ensure direct deposit is set up and update the vendor account with your banking information.

Attend Trainings

- Treasurers: register for and attend the two mandatory Treasurer Trainings:
 - Program-based Treasurer Training; and
 - PCFB Electronic Filing System (EFS) Webinar.
- Candidates: register for and attend mandatory Candidate Training.

Checklist for Existing Authorized Committees Joining the Program

Use this checklist to make sure that you are following all the steps in registering and applying to be a participant of the Public Campaign Finance Program:

Before Designating an Authorized Committee

- Decide on the covered office you will seek.
 - Office and district must be for the same covered office if using a previously authorized committee.

Designate and Register Your Authorized Committee

- Obtain an EIN from the IRS (only if updating committee name).
- Designate committee with the NYSBOE using the *PCF-21 Type 1P Committee Registration Form*.
- Continue fundraising into the committee's bank account.
- Close any existing committees for that same covered office (if applicable) using the *CF-18 Termination or Resignation Request Form*.

Apply to the Program

- Complete the *PCF-22 Application/Certification Form*.
- Return the form to the PCFB as soon as practicable and no later than the deadline for the applicable election.
 - The deadline to join the Program for the Primary Election and/or General Election is four months before the Primary Election.
- Register as a vendor with the NYS Statewide Financial System (SFS) by submitting a *Substitute Form W-9 Form* to the PCFB.
 - If you already have an SFS account and make any changes to your committee's name, treasurer contact, banking information, etc. (for example, Nick for Assembly 2024 change to Nick for Assembly 2026) committees will need to complete a *Substitute Form W-9* form and upload it directly into your SFS vendor account.

Attend Trainings

- Treasurers: register for and attend the two mandatory Treasurer Trainings:
 - Program-based Treasurer Training; and
 - PCFB Electronic Filing System (EFS) Webinar.
- Candidates: register for and attend mandatory Candidate Training.

Chapter 3

Eligibility to Receive Public Matching Funds

Candidates must meet certain eligibility requirements to receive public matching funds. After each financial disclosure report is submitted, the PCFB will let treasurers know if the candidate is eligible for public matching funds payments. Candidates and treasurers should meet regularly to ensure eligibility requirements are met.

Requirements to Receive Public Matching Funds

To be eligible to receive public matching funds, you must:

- Run for a covered office (Governor/Lieutenant Governor, Attorney General, Comptroller, State Senate, or State Assembly).
- Meet all legal requirements to have their name on the ballot.
- If running in a covered General or Special Election, be opposed by another candidate on the ballot who is not a write-in candidate.
- Apply to the Program and certify that you and your treasurer will abide by the terms and rules of the Program.
- Be certified as a participating candidate by the PCFB.
- Not spend, contribute, and/or loan your own funds or funds jointly held with your spouse or unemancipated children more than a combined three times the contribution limit (non-family) for that office to your authorized committee.
- Meet the matchable contribution and monetary thresholds for your office, described in the next section.
- Continue to follow all requirements during the post-election period.
- Not owe penalties or repayments to the PCFB for any reason in this or other election cycles or to any local public campaign finance program (such as the New York City Campaign Finance Board) within the previous 10 years. These include the payment of civil penalties and the repayment of public funds previously received.
- Not have accepted overcontributions during the election cycle for which the candidate is seeking certification. Such overcontributions can be remedied.

Matchable Contributions Thresholds

Candidates in the Program must meet a **two-part threshold** to be eligible to receive public matching funds. That is, you must raise a minimum required amount of money and receive a minimum number of matchable contributions.

Matchable contributions are contributions by natural persons between \$5 and \$250 per covered election which are eligible to be matched, provided the contributor's aggregate contributions for the entire election cycle do not exceed \$1,050. For those running for state legislative office, contributors must be residents of the district in which you are running. For statewide offices, the contributors must be residents of New York State. Contributions from minors, lobbyists, and campaign vendors cannot be claimed for a match. Employees of a candidate's campaign are not considered vendors.

For the purposes of meeting these thresholds, a matchable contribution includes the first \$250 of a greater-than-\$250 contribution that would otherwise be matchable.

Contributions over \$250 are counted as "matchable contributions" only for the purpose of meeting the eligibility threshold of minimum monetary amount raised and the number of matchable contributions.

Contributions aggregating over \$1,050 cannot be matched with public funds.

Eligibility Thresholds

The thresholds apply to Primary and General Elections held in one election cycle. If you meet the threshold for the Primary Election, you will automatically qualify for public matching funds in the General Election, as long as you have an opponent on the ballot. You will need to meet these thresholds again to qualify in future election cycles.

The thresholds also apply to Special Elections. Candidates must meet the thresholds to be eligible to receive public matching funds for a Special Election. However, if you meet the threshold for a Special Election, you will not automatically qualify for public matching funds in any other election in the election cycle. The eligibility thresholds for the Primary/General Election must be met separately from the eligibility thresholds for a Special Election.

Candidates who participate in the Program for the Primary Election are not required to participate in it for the General Election. If candidates want to leave the Program for the General Election, they can submit a *PCF-25 General Election Program Opt-Out Form* for the General Election within fifteen days after the Primary Election or before receiving any General Election public matching funds.

Eligibility Thresholds Chart

Office	Min. \$ of Matchable Contributions*	Min. # of Matchable Contributions
Governor/Lieutenant Governor	\$500,000	5,000
Attorney General	\$100,000	1,000
Comptroller	\$100,000	1,000
State Senate	\$12,000	150
State Assembly	\$6,000	75

*For purposes of the minimum dollar amount of matchable contributions threshold, only the first \$250 of an eligible aggregate contribution not exceeding the contribution limit for the applicable office will apply. Eligible contributions aggregating over \$1,050 will not be matched with public funds. They may count towards the minimum threshold amounts for both the monetary amount of matchable contributions and the number of matchable contributors required for public funds eligibility if they come from a natural person residing in the district or statewide, as applicable, are not a lobbyist, vendor for the campaign, or minor, and do not exceed the contribution limit for the relevant office. (E.L. 14-203(2)(b)).

District's Area Median Income

For State Senate and State Assembly districts where the Area Median Income ("AMI") is below the State median income, the minimum dollar threshold for eligibility will be reduced by one-third.

Some State Senate districts have a lowered minimum dollar threshold of \$8,000. You can find these districts at pcfb.ny.gov/senatedistrictsthresholdreduction.

Some State Assembly districts have a lowered minimum dollar threshold of \$4,000. You can find these districts at pcfb.ny.gov/assemblydistrictsthresholdreduction.

Reduced Thresholds for Districts with an AMI Below the State Median

Office	Min. \$ of Matchable Contributions	Min. # of Matchable Contributions
State Senate	\$8,000	150
State Assembly	\$4,000	75

Small Party Primary Election

If you are on the Primary Election ballot for a party line, but there are fewer than 1,000 party members eligible to vote in that Primary Election, the amount of public funds you may receive is capped at \$5,000. You may receive an additional \$5,000 for each additional 1,000 party members eligible to vote, up to a total of \$15,000 for the Primary Election. Once the party enrollment exceeds 3,000 party members, then you are no longer in a small party Primary Election.

Disqualification from Receiving Public Matching Funds

The PCFB determines whether a candidate is eligible to receive public matching funds. Certain circumstances and conduct may disqualify you from receiving some or all public matching funds. You may also be required to pay back any funds you have already received.

You may be disqualified from payment eligibility if you:

- Fail to submit a campaign finance disclosure statement;
- Fail to submit records to the PCFB in a timely manner upon request (e.g., bank records, contribution cards, etc.);
- Fail to submit bank statements and deposit slips on a monthly basis;
- Fail to accurately document contributions and expenditures;
- Fail to provide complete and accurate documentation of matching funds claims;
- Fail to report contributor's employment information for contributions totaling \$100 or more in the aggregate;
- Fail to complete mandatory training;
- Owe funds to the PCFB for any reason in this or other election cycles. These include the payment of civil penalties and the repayment of public funds previously received;
- Owe funds to any local public campaign finance program (such as the NYC Campaign Finance Board) within the previous ten years;

- Commit fraud or material misrepresentation while participating in the Public Campaign Finance Program; or,
- Fundamentally breach your certification of participation in the Program.

! Compliance Alert: Fundamental Breach of Certification of Participation

A candidate or treasurer may be found in “fundamental breach” of the Program’s certification of participation if they:

- Submit any documentation or information that the candidate knew or reasonably should have known was false in whole or in part;
- Misrepresent an important fact in any submission of documentation or information;
- Falsify or conceal any documentation or information;
- Use public funds to make or reimburse campaign spending that the candidate knew or should have known were fraudulent.
- Use campaign funds for personal use;
- Coordinate alleged independent expenditures; or,
- Use a political committee or other entity the candidate controls to conceal expenditures from the PCFB.

Statewide Office Debate Requirement

Governor/Lieutenant Governor, Attorney General, Comptroller

Participating candidates for statewide office are required to take part in at least one debate before each election in which the candidate receives public funds (unless no other candidate qualifies for such a debate). The PCFB has a debate section on its website with up-to-date information.

The PCFB will select the host of the debate as directed by regulation. The host of the debate will set the date, time, location, and rules for conducting the debate. Not participating in a mandatory PCFB debate can lead to having public matching funds denied and other penalties.

Debate Qualification

To take part in a debate, a candidate must have raised and spent at least \$175,000 during the required time period before that debate (whether it’s for a Primary, General, or Special Election).

Chapter 4

Raising Money

What Is a Contribution?

A **contribution** is any gift, subscription, advance, or deposit of money or anything of value made in support of the candidate.

Treasurers must be aware of both the campaign's election cycle contribution limit, as well as the contribution giving limits of certain kinds of contributors (like corporations, LLCs, partnerships, etc.). Some of the contribution types that campaigns are allowed to accept are not eligible for public matching funds through the PCFB.

Contribution Types and Eligibility for Matching Funds

Contribution Type	Is the Campaign Allowed to Accept It?	Is It Eligible for Matching Funds?
Contribution from Candidate	Yes	Yes
Individual	Yes	Yes
Political Committee of a Candidate	Yes	No
Political Action Committee (PAC)	Yes	No
Corporation	Yes	No
Limited Liability Companies (LLCs)	Yes	No
Partnerships	Yes	No
Sole Proprietorship Businesses	Yes	No
Lobbyists	Yes	No
In-Kind Contribution	Yes	No
Foreign Nationals	No	No
Green Card Holders	Yes	Yes

Contribution Type	Is the Campaign Allowed to Accept It?	Is It Eligible for Matching Funds?
Independent Expenditure Committees	No	No
Anonymous Contributors	No	No
Minor (those under 18)	Yes	No

Who Can I Take Contributions From?

You, as a Candidate

Candidates may contribute their own funds and/or funds held jointly with their spouse and unemancipated children to their authorized committee. However, candidates, together with their spouse and unemancipated children, can only contribute up to three times the individual contribution limit to the candidate's authorized committee². This amount includes any in-kind contributions and/or loans you and they make to your committee. You are not permitted to spend any other funds on your campaign that would cause you to exceed 3 times that individual contribution limit as the candidate.

Example 1. Staying within the 3x contribution amount.

The individual contribution limit for an Assembly Primary Election is \$3,000. Tom, a candidate for Assembly, spent \$3,000 to purchase lawn signs to promote his candidacy for the Primary Election. This must be reported as an in-kind contribution to the committee.

Tom also provided a \$1,500 monetary contribution to the committee. This means Tom has given a total of \$4,500 in contributions to his campaign, which is within the 3x individual contribution limit afforded to candidates and would be permissible.

² The combined aggregate of contributions and loans by candidates for Governor and Lieutenant Governor to their authorized committee cannot exceed \$27,000 for each covered election.

! Compliance Alert: Differences Between In-Kind Contributions vs. Reimbursements vs. Committee Expenditures

If a candidate purchases lunch for their staff/volunteers who are working hard on the campaign, there are three possible scenarios for reporting:

Personal funds, not reimbursed:

- The candidate pays using their own money and the committee does not repay them.
- This counts as an in-kind contribution from the candidate and counts toward their contribution limit.

Personal funds, reimbursed by the committee:

- The candidate pays out of their own money, but the committee repays them.
- This is a reimbursement and does not count toward the candidate's contribution limit.

Committee funds:

- The committee itself pays for the lunch.
- This is a committee expenditure.

Example 2. A loan going over the allowed contribution amount.

This makes the candidate ineligible for matching funds, until it is paid back. The individual contribution limit for an Assembly Primary Election is \$3,000. Tina, a candidate for Assembly, loaned her committee \$50,000 so the committee could purchase radio advertisements to promote her candidacy for the Primary Election. Tina has not made any contributions to the campaign.

Loans, in addition to contributions made, from a candidate are limited to three times the individual contribution limit (\$9,000) in the aggregate. Tina is ineligible to receive matching funds until her committee pays her back \$41,000 of the initial loan.

Example 3. Maximum candidate contribution amount.

The individual contribution limit for an Assembly Primary Election is \$3,000. Cameron, a candidate for Assembly, made a one-time contribution of \$9,000 to their authorized committee so the committee can purchase the printing of brochures to promote their candidacy for the Primary Election.

A candidate may contribute and/or loan no more than three times the individual contribution limit (\$9,000). Cameron's contribution is permissible because it is within three times the individual contribution limit.

Individuals

Committees may accept contributions from any **individual** (defined as a natural person). Contributions from individuals are the only contributions that may be matched with public funds and can satisfy eligibility requirements for the Program. The only contributions that are eligible to be matched with public funds are monetary contributions from eligible individuals who are residents of the district in which you are running for election. For statewide candidates, these individuals must be residents of New York State.

Another Candidate's Authorized Political Committee

Another candidate's authorized political committee:

- May contribute to your campaign; and
- Is subject to the individual contribution limit.

Any contribution made by another committee will not be matched with public funds.

Political Action Committee

A political action committee (PAC):

- May contribute to your campaign; and
- Is subject to the individual contribution limit.

Any contribution made by a PAC will not be matched with public funds.

Corporations

Corporations can contribute up to a total of \$5,000 in a calendar year in the aggregate. Corporations must also adhere to a candidate's election cycle limit. Any contribution made by a corporation will not be matched with public funds. While a

corporation may contribute a total of \$5,000 to candidates or their committees in a calendar year, a campaign must not accept a contribution over the election cycle limit.

Example 4. Corporate contributor exceeds the \$5,000 annual limit, requiring a refund

On January 3, 2025, Cherry Cola, Inc. contributed \$3,000 to the Dale for State Comptroller committee. On December 4, 2025, Cherry Cola, Inc. contributed another \$3,000 to Dale for State Comptroller.

Cherry Cola's aggregate contribution for the calendar year is more than \$5,000. In order to be eligible to receive public funds, Dale for State Comptroller, will have to refund the overage (\$1,000) to Cherry Cola, Inc.

Example 5. Corporate contributions made in different calendar years

On December 4, 2025, Vanilla Cola, Inc. contributed \$4,000 to the Dale for State Comptroller committee.

On February 4, 2026, Vanilla Cola, Inc. contributes another \$4,000 to Dale for State Comptroller. Dale for State Comptroller is permitted to keep both contributions because they were made in different calendar years and did not exceed Dale for State Comptroller's election limit.

Limited Liability Companies

As with corporations, Limited Liability Companies (LLCs) and Professional Limited Liability Companies (PLLCs) may contribute up to a total of \$5,000 in the aggregate in a calendar year. The same restrictions for corporations apply to LLCs/PLLCs.

A committee must attribute the LLC's/PLLC's contribution to an individual or non-LLC/PLLC owner. If an individual (personally and/or as an owner of an LLC/PLLC) contributes more than a total of \$1,050 in an election cycle, none of that individual's contributions are matchable. The \$1,050 matchable contribution limit for individual contributions includes contributions from LLC/PLLC individual owners. Any contribution made by an LLC/PLLC will not be matched with public funds.

Example 6. Jane Doe, a New York State resident, contributes \$250 to the Marcus for Governor committee. This contribution is matched with public funds at a 6:1 ratio (\$1,500).

Jane Doe is also the sole owner of an LLC (Fast Truck, LLC). Later, within the election cycle, Fast Truck, LLC contributes \$2,000 to "Marcus for Governor."

Since the \$2,000 contribution is attributed to Jane Doe, she exceeds the \$1,050 matchable contribution limit. Marcus for Governor must either return \$1,200 ($\$250 + \$2,000 - \$1,050$) to Fast Truck, LLC, or reimburse the PCFB the \$1,500 in matching funds.

Partnerships

You may accept contributions from **partnerships**. The partners themselves do not have to be listed as individuals unless the contribution exceeds \$2,500. For contributions over \$2,500, the filer must also attribute the contribution to the individual partner(s). If an individual contributes more than \$1,050 in an election cycle, none of that individual's contributions are matchable. The \$1,050 matchable contribution limit for individual contributions includes contributions from partners where the partnership is required to attribute the contribution to the individual partner.

Any contribution made by a partnership will not be matched with public funds.

Sole Proprietorship Businesses

A **sole proprietorship** is a business that is wholly owned by a single person and where there is no legal distinction between the owner and the business. You may accept contributions from sole proprietorships, but these contributions are subject to individual contribution limits.

These contributions cannot be matched with public funds because only contributions from individuals (defined as natural persons) may be matched with public funds. Any contribution made by a sole proprietorship will not be matched with public funds.

Lobbyists

You may accept contributions from a registered **lobbyist**, subject to the individual contribution limit.

Any contribution made by a registered lobbyist will not be matched with public funds.

Who Can I Not Take Contributions From?

Foreign Nationals

Federal law prohibits campaigns from receiving contributions from foreign nationals in connection with any federal, state, or local election. A **foreign national** is:

- An individual who is:
 - Not a citizen of the United States; and
 - Not lawfully admitted for permanent residence.
- A foreign principal, such as a foreign government or political party; or
- A partnership, association, corporation, organization, or other combination of persons organized under the laws of a foreign country or whose principal place of business is in a foreign country.

Independent Expenditure Committees

NYS Election Law provides that **independent expenditure committees** cannot contribute to any candidate or political committee. You cannot accept contributions from an independent expenditure committee.

Coordinating with an independent expenditure committee is considered a violation and may result in:

- Severe penalties;
- A finding that you are in fundamental breach of your certification; and
- Possible criminal referral.

Example 7. Charles for Assembly is running out of money. Charles's friend, Bob, runs an independent expenditure committee named "New York State Forever." Charles asks Bob to have New York State Forever run a television ad, helps draft the script for the ad, and shares polling information with the committee for purposes of reaching the right demographic.

This conduct is coordination with an independent expenditure committee and is a violation of the Election Law. It may lead to disqualification from the Program, the imposition of a penalty, and a possible criminal referral.

Violators of the True Name of the Contributor Statute

If someone gives money to your campaign under their name, but the money came from or is reimbursed by another person or entity, it is a violation of the "true name of the contributor" statute (N.Y. Elec. Law § 14-120).

Any contribution must be from the contributor's actual funds.

Example 8. Nick, an employee of Cherry Cola, Inc., contributed \$50 to the Dale for State Comptroller committee. Cherry Cola, Inc. reimbursed Nick \$50 for the contribution.

In this example, Nick is not the true contributor; Cherry Cola is the true contributor. Knowingly accepting such a contribution would result in penalties and possible criminal referral.

Anonymous Contributors

You cannot accept any **anonymous contributions**. If you accept any anonymous contributions, they cannot be used and must be turned over to the Comptroller of the State of New York for deposit in the general treasury of the State.

However, if the identity of the anonymous contributor becomes known before the due date for filing the next campaign financial disclosure report, you must either:

- Return the contribution to the contributor; or,
- Retain and properly report it as a contribution subject to limits.

Anonymous contributions must be sent to:

Office of the State Comptroller
110 State Street, Second Floor
Attention: Remittance Control
Albany, NY 12236

What Are the Contribution Limits?

A **contribution limit** is the total amount you may accept from a single contributor in an election cycle. This limit depends on the office you are seeking. Primary and General Elections have separate limits.*

Contribution Limits

Office	Primary	General
Governor / Lieutenant Governor	\$9,000*	\$9,000*
Attorney General	\$9,000	\$9,000
Comptroller	\$9,000	\$9,000

Office	Primary	General
State Senate	\$5,000	\$5,000
State Assembly	\$3,000	\$3,000

*The Governor and Lieutenant Governor share the \$9,000 limit for the Primary and General Election because both candidates run as a ticket.

In addition to the contribution limit for your office, some contributors also have annual giving limits. For example, a corporation has an annual giving limit of \$5,000 in total for all political contributions.

Transfers

Transfers into your authorized committee are not contributions, are not subject to contribution limits, and are not matchable.

A **transfer** is any exchange of funds or anything of value between political committees authorized by the same candidate and taking part solely in their campaign, or any exchange of funds between a party or constituted committee and a candidate or any of their authorized political committees.

Example 9. Assembly candidate Jane Doe has a committee “Friends of Jane”. The Conservative Party wants to transfer \$25,000 to Jane Doe for Assembly. The office receiving limit is \$3,000. Since this transaction would be deemed a transfer under NYS Election Law, it is not a contribution, and not subject to limits. Party committees or constituted committees (Democratic, Republican, Conservative, or Working Families Party) are allowed to transfer unlimited funds to candidates.

These transactions must be reported in the Electronic Filing System (EFS) under the appropriate transaction type (Transfer In/Transfer Out).

Transferring money between committees

NYS Election Law allows a candidate to transfer out campaign funds from a committee they used in a previous election cycle into their current authorized committee.

In addition, a candidate’s authorized committee can transfer out non-public campaign funds (i.e., all funds that are not public matching funds the authorized committee has received, including contributions from individuals and business entities and transfers of funds from a party or constituted committee into their

authorized committee) to a party committee, constituted committee, or duly constituted subcommittee.

Transfers of non-public funds to party and constituted committees are considered campaign expenditures when calculating your surplus. Surplus calculation is discussed in Chapter 12.

Public matching funds received in connection with participating in the Program cannot be transferred.

Example 10. Ines for Assembly 2024 had a remaining balance of \$10,000 after the 2024 General Election. Ines for Assembly 2024 is allowed to transfer the remaining \$10,000 to Ines for Assembly 2026. The transferred funds are not matchable and cannot be used to satisfy Program threshold requirements.

Campaign Funds from A Previous Election Cycle

Funds that were raised in a previous election cycle and remain after any post-election audit and surplus determinations have occurred and any applicable repayments have been made, can be retained and used by candidates in the current election cycle. However, these leftover funds cannot be used to satisfy the Program threshold eligibility requirements.

Generally speaking, an **election cycle** is the period of time that begins the day after the previous General Election for a given office and ends on the date of the General Election for that same office. For statewide offices, the election cycle is four years in length. For state legislative offices, the election cycle is two years in length.

Example 11. Sam for Assembly had a remaining balance of \$20,000 after the General Election. In the next election cycle, Sam for Senate was established and registered with the PCFB.

Sam for Assembly is allowed to transfer the remaining \$20,000 to the Sam for Senate committee.

Example 12. Prior to registering in the Program but during the current election cycle, Melanie for New York raises funds. Melanie thereafter establishes and registers a new Melanie for Assembly 2026 to participate in the Program. Funds raised during the current election cycle and transferred from Melanie for New York to Melanie for Assembly 2026 are subject to the current election cycle's contribution limits since they are not from a previous election cycle. Amounts raised in the current election cycle in the former committee are potentially eligible for match and to meet threshold purposes. Contact the PCFB on how to do so.

What Are the Types of Contributions?

There are two types of contributions: monetary contributions and in-kind contributions.

Monetary contributions

Monetary contributions are donations of funds in the form of money.

To get matching funds, some monetary contributions must be submitted with a contribution card. Learn more in the section, "Contribution Cards."

Checks

Make sure each check:

- Has the contributor's name and address pre-printed on it;
 - Starter checks or a pre-printed check without an address can only be used if they are submitted with a contribution card.
- Is payable to your committee (e.g., "Leon for Assembly");
 - The check should not be payable to another committee name or to the candidate.
- Includes the date and amount of the contribution;
- Is signed by the contributor; and
- Has account numbers redacted before any copy of the check is submitted to the PCFB.

Contributions by check do not require a contribution card (unless the contributor is using starter checks or the check is missing statutorily required information).

Check from a Joint Account

When a check is taken out of a joint account, it is considered to be from the person who signed the check (the signatory).

To credit a part of the contribution to any other joint account owner, that person also needs to sign the check.

If more than one joint account holder signs a check, the contribution will be credited in equal parts to the number of signers unless:

- It is indicated otherwise on the check; or,
- A contribution card is submitted to the PCFB, signed by all of the contributors.

If the PCFB cannot determine who to credit the contribution to, a completed contribution card from the contributor(s) must be submitted to the PCFB.

In campaign financial disclosure statements, the amount of money given from a joint account has to:

- Be listed separately by each person who contributed; and
- The same check number for the contribution has to be reported.

Account numbers should be redacted from any check submitted to the PCFB.

Credit or Debit Card

Every contribution made by a **credit or debit card** that is submitted for a matching funds claim must be accompanied by all statutorily required information. Learn more in the section, "Contribution Cards." You can collect that information via an accompanying contribution card or by electronically capturing all the information that would be collected via a contribution card.

! Compliance Alert: Redacting Personally Identifiable Information (PII)

Personally Identifiable Information (PII) includes any information that can be used to directly or indirectly identify an individual, including data that is associated with or can be linked to a specific person.

Why does the PCFB want me to redact financial information? The PCFB is committed to protecting sensitive data and complying with privacy best practices. To avoid retaining personally identifiable information (PII) without a legal requirement, we request that you redact such information before submitting documents. This safeguards your committee and the individuals whose data may appear in your records.

What is redaction? Redaction is the process of removing confidential or sensitive information from documents in a way that it can no longer be seen or accessed by others.

What types of personally identifiable information (PII) must be redacted before submitting documents to the PCFB? To protect the privacy of contributors and committee members, treasurers must redact sensitive financial information before submitting documents to the PCFB. The following types of PII should be redacted:

- Full account numbers from financial institutions (except the last four digits)
- Full credit card numbers
- Social Security numbers

Committees must retain unredacted versions of these documents in their internal records, but redacted versions should be submitted to the PCFB.

For information on proper methods for redacting PII, visit

<https://pcfb.ny.gov/how-redact-personal-identifying-information-pii>

Third-Party Apps

Some **third-party apps** collect the required information in a report to be submitted to the PCFB. Others require you to collect the information yourself. It is important that you verify that your third-party vendor collects all the information required on the contribution card, including the attestation, or you will have to collect that information separately.

For example:

- Third-party apps such as ActBlue or WinRed receive contributions and collect required contribution information. This required information is described in the section, “Contribution Cards”.
- Other applications, like Venmo and Apple Pay, do not capture the required contribution information. Contributions submitted without the required information will not be matchable.

It is your responsibility to capture and report all required contribution information.

Cash or Money Order

You may accept cash or money order contributions up to \$100, in the aggregate, from any single contributor during the election cycle. You must return any amount over \$100 to the contributor.

Example 13. Danielle contributed \$100 in cash to Leon for Assembly. Six (6) months later, she wants to make another contribution of \$75.

Leon for Assembly may not accept any more cash from Danielle, so this new contribution must be in the form of a check or credit/debit card.

All cash or money order contributions must be accompanied by a contribution card if claiming that contribution for matching funds, which is described in the section, “Contribution Cards”.

What Are the Types of In-Kind Contributions?

When a person, organization, or entity donates goods or services to your campaign free of charge or provides them at a discount not available to the general public, it is called an in-kind contribution.

The dollar amount of an in-kind contribution is either the actual price paid (documented with a receipt) or its fair market value.

The fair market value is the price anyone would normally pay for the good or service rendered. You can determine fair market value by searching the internet for comparable goods or by asking vendors of a similar product what they would normally charge for the product, service, or space.

The value of an in-kind contribution may not exceed the contribution limit. The dollar value of in-kind and monetary contributions by the same contributor are aggregated. In-kind contributions are not matched with public funds.

Volunteer Services

The services of campaign volunteers are not in-kind contributions if they are truly volunteering their own time and services. However, if someone (other than the campaign) pays the volunteer, or if the volunteer delegates their work to someone who is paid for the work, then the services performed are an in-kind contribution to your campaign and must be reported.

Volunteer Travel Expenses

The travel expenses of individuals who, on their own behalf, volunteer their personal services to any candidate or political committee to the extent such expenses are unreimbursed and do not exceed \$500 in value.

What Information Must I Collect for Contributions?

You must keep records of the source and details of all contributions. You must collect the following information for every contribution:

- Type of contribution;
 - Check;
 - Cash or money order;
 - Credit/debit card; or,
 - In-kind.
- Amount of contribution;
- Contributor's full name and home address; and
- Contributor's employment information—occupation, employer name, and employer address—if a single contribution or the total of multiple contributions is \$100 or more.

Contribution Cards

Most contributions that are going to be claimed for matching funds will need a contribution card.

You must obtain and submit the information collected in a contribution card to receive matching funds for contributions made by:

- Cash;
- Money order;
- Credit card;
- Starter check;
- Third-party app; or,

- If another form of a supporting document does not capture all statutorily required information.

Contribution cards must collect the following information:

- Contributor's name, residential address, phone and/or email address, occupation, employer name, and employer address;
- Type and amount of the contribution;
- Committee name;
- Contain the following statement, with space for the contributor to sign and date beneath:
 - "I certify that this contribution is being made from my personal funds, is not being reimbursed in any manner, and is not being made as a loan to the committee."
- Signature of contributor, dated by the contributor, at the time the contribution is made.

The contribution card should not be altered in any material way once the contributor completes it.

Contributions with incorrect or incomplete information, or that have been altered, will not be matched with public funds.

Chapter 5

Submitting a Matching Funds Claim

Which Claims Are Matchable?

Claims must meet the following requirements to be eligible for public matching funds:

- Be an eligible monetary contribution: check, cash, money order, third-party app, credit card, or debit card;
- Be between \$5 and \$250 per covered election provided the contributor's aggregate contributions for the entire election cycle do not exceed \$1,050; and
- Be made by a natural person, over the age of 18 and not a registered lobbyist, who is a resident of your district (or New York State for statewide office).

The \$1,050 limit is measured by election cycle, not election. Primary and General Elections occur within the same election cycle. Review the Special Election Primer on the PCFB's website at <https://pcfb.ny.gov/special-elections-primer> if you are involved in a Special Election.

Example 1. John is running for State Senate in a Primary Election. On February 15, Carlos contributed \$1,050 to the John for State Senate committee for the Primary Election. John won the Primary Election. After the Primary Election, Carlos contributed another \$1,000 to the John for State Senate committee for the General Election.

Carlos' contributions are now unmatchable because he exceeded the \$1,050 threshold. Therefore, John would have to refund to the PCFB any public funds received from Carlos' contributions.

However, the second contribution could be returned to Carlos, in which case his total contribution would be the original \$1,050 and would be matchable up to \$250 for the Primary Election and \$250 for the General Election.

Example 2. Jane, a resident of Assembly District 90, has contributed \$10 to Lisa for the Assembly 101st District.

Jane's contribution is not matchable because she lives outside the 101 Assembly District.

Example 3. Ralph, a resident of Assembly District 101, contributed \$10 to Lisa for the Assembly 101st District.

Ralph's contribution is matchable because he lives within the 101st Assembly District.

Example 4. Nelson, a New York State resident, contributes \$2 to the Dale for Comptroller committee.

Nelson's contribution is not matchable, as only aggregate contributions between \$5-\$250 up to the limit of \$1,050 are matchable. If Nelson, later in the election cycle, contributes \$3, then Nelson's \$5 aggregate contribution would be matchable.

How to Submit a Matching Claim

Treasurers report contributions using the NYSBOE Electronic Filing System (EFS) Web Application. As a treasurer puts contributions into EFS, they can "claim" it for public matching funds.

After a treasurer files a disclosure report with matching funds claims, PCFB staff will:

- Review the claims; and
- Pay those eligible for matching with public funds.

Committees can optionally submit weekly matching claims during the weekly matching claim periods.

What Documentation Do I Submit When Filing a Claim?

For each contribution you claim for matching funds, you must submit supporting documentation. This includes, but is not limited to:

- For checks, submit copies of the check;
 - Checks drawn from a joint account will be equally credited to all check signers unless:
 - The check states otherwise;
 - All contributors sign and submit a contribution card to the PCFB; and

- If the PCFB cannot figure out who should get credit for the contribution, the contributor(s) must submit a completed contribution card.
- For credit cards, submit proof of processing and a copy of the contribution card.
- For money orders, submit a copy of the money order and contribution card.
- For cash, submit the contribution card.
- For third-party apps (ActBlue, WinRed, etc.), submit proof of processing, and a copy of the contribution card.

If a third-party app collects all contribution card information online (including the attestation statement) that information may be submitted to the treasurer in place of a contribution card. If the third-party vendor does not collect all the contribution card elements, the committee will be required to do so with a fully completed contribution card.

Compliance Alert: Online Contributions

When committees collect contributions online, they must be sure that all required contributor information is collected. This transmitted information about the contributor acts in the place of a contribution card for these contributions.

How a Campaign Receives Public Matching Funds

The committee will receive funds via an Electronic Funds Transfer (EFT). Payments will be generated, as needed, from claims for public matching funds submitted via:

- Periodic reports;
- Election cycle reports; and
- Weekly claims (optional).

When Will I Receive Funds?

For both the Primary and General Elections: The PCFB will post a schedule of payment dates by January 1st of each election year.

For a Special Election: The PCFB will publish a schedule of payment dates by the deadline to nominate candidates for that election. See the PCFB's website for the applicable payment dates: <https://pcfb.ny.gov/>.

Chapter 6

Public Matching Funds Payments

The Public Campaign Finance Program will only match small-dollar contributions that total between \$5 and \$250 per each covered election up provided that the aggregate contributions from that individual do not exceed \$1,050 for the election cycle.

An **election cycle** is the period of time that begins the day after the previous General Election for a given office and ends on the date of the General Election for that same office. For statewide offices, the election cycle is four years in length. For state legislative offices, the election cycle is two years in length.

The first \$250 of a valid matchable contribution that is made on or before the date of the Primary Election is eligible for public matching funds for the Primary Election. Any portion of a valid matchable contribution that is over \$250 that is made on or before the date of the Primary Election is eligible for public matching funds for the General Election (if that candidate is on the ballot for the General Election). Any contribution made after the Primary Election during the General Election period is only eligible for public matching funds for the General Election.

However, any contributions in the aggregate from a single contributor that exceed \$1,050 in an election cycle are not eligible for public matching funds whatsoever.

If a contributor exceeds \$1,050 in an election cycle, participating candidates must either:

- Return to the PCFB any public matching funds connected to the contributor; or
- Refund the amount over \$1,050 to the contributor by a deadline set by the PCFB.

Potential Matchable Amounts

When Contribution Was Made	Aggregate Contribution Amount	Potential Matchable Amount
Before the Primary	\$250	\$250 for Primary \$0 for General
Before the Primary	\$500	\$250 for Primary \$250 for General

When Contribution Was Made	Aggregate Contribution Amount	Potential Matchable Amount
Before the Primary	\$1000	\$250 for Primary \$250 for General
After the Primary, Before the General	\$250	\$0 for Primary \$250 for General
After the Primary, Before the General	\$500	\$0 for Primary \$250 for General
After the Primary, Before the General	\$1000	\$0 for Primary \$250 for General
Anytime During the Election Cycle	Any amount greater than \$1,050	Not Matchable

Ratio for Statewide Offices

Ratio for Statewide Offices Contributions (Governor/Lieutenant Governor, Comptroller, and Attorney General) are matched at a 6:1 ratio.

Example 1. Dale for State Comptroller committee is participating in the Public Campaign Finance Program and has met all the threshold requirements. Telly, a New York State resident, contributed \$10 to the committee.

Telly's contribution is eligible for a public match at a 6:1 ratio. The PCFB matches Telly's contribution with \$60 in public matching funds. Dale for State Comptroller will receive a total of \$70 (\$10 from Telly and \$60 in matching funds).

Example 2. Steve, a New York State resident, contributes \$1,000 to the Francis for Attorney General committee in October 2026. October 2026 is after the date of the Primary Election. The first \$250 of Steve's contribution is eligible to be matched with public funds at a 6:1 ratio (\$1,500) for the General Election.

Example 3. On January 5, 2023, Jane, a New York State resident, contributes \$250 to the Marcus for Governor committee. There are no Primary Elections for any party. This contribution is matched with public funds at a 6:1 ratio (\$1,500). On September 23, 2026, Jane contributes an additional \$1000 to Marcus for Governor.

Because of the second contribution, Jane's total contribution for the 2023-2026 gubernatorial election cycle is \$1,250, over the \$1,050 aggregate limit for matchable contributions. Marcus for Governor must either return \$200 to Jane or repay the PCFB the \$1,500 in matching funds.

Example 4. On January 5, 2025, Linda, a New York State resident, contributed \$250 to the Marcus for Governor committee. The Marcus for Governor committee is the authorized committee of gubernatorial candidate Marcus. On January 5, 2026, Linda contributes an extra \$100 to Marcus for Governor. Linda's total contribution during the Primary Election period is \$350.

The first \$250 of Linda's contribution is eligible for a public match at a 6:1 ratio for the Primary Election (\$1,500). If Marcus is on the ballot for the General Election, the next \$100 of Linda's contribution will be eligible for a public match at a 6:1 ratio (\$600) for the General Election.

Example 5. Jack, a New York State resident, contributes \$500 to the Alice for Attorney General committee in January 2026. The first \$250 of Jack's contribution is matched at a 6:1 ratio (\$1,500) for the Primary Election. Jack contributes another \$1,000 to the Alice for Attorney General Committee in September 2026. September 2026 is after the date of the Primary Election. Jack's total \$1,500 contribution exceeds the \$1,050 aggregate limit for matchable contributions.

The Alice for Attorney General committee must either:

- Return \$450 (the amount over the \$1,050 aggregate limit for matchable contributions) to Jack; or,
- Repay the PCFB the \$1,500 in matching funds it received.

Ratios for State Senate and State Assembly

The matching ratio for state legislative office contributions depends on the amount contributed.

The state legislative office match is a three-tiered ratio: the first \$50 is matched 12:1; the next \$100 is matched 9:1; and, the final \$100 is matched 8:1.

The first \$250 of a valid matchable contribution that is made on or before the date of the Primary Election is eligible for public matching funds for the Primary Election. Any portion of a valid matchable contribution that is over \$250 that is made on or before the date of the Primary Election is eligible for public matching funds for the General Election (if that candidate is on the ballot for the General Election). Any contribution made after the Primary Election during the General Election period is only eligible for public matching funds for the General Election.

However, any contribution from a contributor whose contributions in the aggregate exceed \$1,050 in an election cycle are not eligible for public matching funds whatsoever.

The chart below represents a breakdown of how the payment ratios work:

State Legislative Office Matching Ratios

Aggregate Contribution Amount for State Legislative Candidates	Match Ratio
\$0 - \$4	0
\$5 - \$50	12:1
\$51 - \$150	9:1
\$151 - \$250	8:1
\$251 or more	0

Example 6. Stefan for the Assembly 101st District is a participant of the Public Campaign Finance Program and has met all the threshold requirements. Mark, a resident of Assembly District 101, has contributed \$10 to Stefan for the Assembly 101st District.

Mark's contribution is eligible for a match at a 12:1 ratio. The PCFB matches Mark's \$10 contribution with \$120 in public matching funds. Stefan for Assembly 101st District will receive a total of \$130 (\$10 from Mark and \$120 in matching funds).

Example 7. Tania, a resident of Assembly District 101, has contributed \$60 to Stefan for the Assembly 101st District.

The first \$50 of Tania's contribution is eligible for a match at a 12:1 ratio, and the remaining \$10 is eligible at a 9:1 ratio. The PCFB matches Tania's contribution with \$690 in public matching funds $[(\$50 \times 12) + (\$10 \times 9)]$. Stefan for Assembly 101st District will receive a total of \$750 (\$60 from Tania and \$690 in public matching funds).

Example 8. Serena, a resident of Assembly District 101, contributes \$500 before the Primary Election to Stefan for the Assembly 101st District. Stefan is on the ballot for both the Primary and General Elections.

The first \$50 of Serena's contribution is eligible for a match for the Primary Election at a 12:1 ratio, the next \$100 of Serena's contribution is eligible for a match for the Primary Election at a 9:1 ratio, and the next \$100 of Serena's contribution is eligible for a match for the Primary Election at an 8:1 ratio.

Since Stefan is on the ballot for the General Election, the amount between \$251 and \$300 of Serena's contribution is eligible for a match for the General Election at a 12:1 ratio, the amount between \$301 and \$400 of Serena's contribution is eligible for a match for the General Election at a 9:1 ratio, and the amount between \$401 and \$500 of Serena's contribution is eligible for a match for the General Election at an 8:1 ratio.

In total, the PCFB matches Serena's \$500 contribution with \$4,600 in public matching funds: \$2,300 in matching funds for the Primary Election $[(\$50 \times 12) + (\$100 \times 9) + (\$100 \times 8)]$ and \$2,300 in matching funds for the General Election $[(\$50 \times 12) + (\$100 \times 9) + (\$100 \times 8)]$.

How Much Public Funding Is My Campaign Eligible to Receive?

The maximum amount of public funding depends on the office.

There are some exceptions for:

- Candidates in non-competitive races;
- Candidates running unopposed in a Primary Election; and
- Candidates running in party Primaries with a small number of eligible voters.

Public Matching Funds Limit

Office	Primary Election	General Election
Governor / Lieutenant Governor	\$3.5 Million*	\$3.5 Million*
Attorney General	\$3.5 Million	\$3.5 Million
Comptroller	\$3.5 Million	\$3.5 Million
State Senate	\$375,000	\$375,000
State Assembly	\$175,000	\$175,000

* Governor and Lieutenant Governor share a ticket and a single public matching funds limit.

Candidates Running in Non-Competitive Races

If a participating candidate is not opposed by a “competitive candidate” as defined in statute, the candidate is only entitled to 25% of the limits outlined above. See the competitive candidate criteria in Chapter 7.

Candidates Running Unopposed in a Primary Election, With a Primary Election for the Same Office in Another Major Party

If a participating candidate is not opposed in their party's Primary Election, but there is a Primary Election in an opposing major party (Democrat or Republican) for the same public office, the participating candidate can receive up to 50% of the limits outlined above for qualified campaign expenditures incurred on or before the date of the Primary Election.

Example 9. Dale is running for State Comptroller and is unopposed for the Republican nomination. This means there is no Republican Primary Election. There is a Primary Election for State Comptroller in the Democratic Party. Even though Dale doesn't have a Primary Election, much attention will be on the race. The candidate without a Primary Election should be able to receive public matching funds to get their message out to the voters during this time.

So, Dale may receive up to 50% of the maximum amount of public matching funds for the Primary Election for qualified campaign expenditures incurred on or before the date of the Primary Election. Dale may receive up to \$1.75 million in public matching funds (half of the \$3.5 million limit outlined above).

Candidates Running in Small Party Primaries, With No Primary Election for the Same Office in a Major Party

If you are on the Primary Election ballot for a party line, but there are fewer than 1,000 party members eligible to vote in that Primary Election, the amount of public funds you may receive is capped at \$5,000. You may receive an additional \$5,000 for each additional 1,000 party members eligible to vote, up to a total of \$15,000 for the Primary Election. Once the party enrollment exceeds 3,000 party members, then you are no longer in a small party Primary Election.

Example 10. Adam is running for State Assembly in the Working Families Party Primary Election in Assembly District 103. There are 1,547 enrolled Working Families Party voters in Assembly District 103. Adam is not running in any other Primary Election. The Working Families Party is the only party with a Primary Election in Assembly District 103.

Adam may receive up to \$10,000 in public matching funds for the Primary Election.

Reduction of General Election Public Matching Funds

The total amount of public matching funds available to a participating candidate for a covered General Election will be reduced by any unexpended public matching funds received by the candidate in the covered Primary Election. As such, committees must be aware of how much they received in public matching funds and how much qualified campaign expenditures they have before the Primary

Election. Repayments or reductions in General Election payments may occur as applicable.

Learn more about the audit process in Chapter 11.

Audit Reserve

Participating candidates must reserve a portion of funds to comply with a potential post-election audit. Committees must set aside and maintain in their campaign account an amount equal to 3% of the total matching funds received during an election cycle.

The audit process is described further in Chapter 11.

Suspension of Payments

Certain violations may result in the suspension of public fund payments if they are not promptly corrected. Such violations include, but are not limited to:

- Failing to file a complete and timely disclosure statement;
- Failing to submit bank statements and deposit slips on a monthly basis;
- Exceeding contribution/loan limits;
- Making impermissible expenditures; and/or,
- Submitting fraudulent backup documentation or matching claims.

Violations are described further in Chapter 13.

Chapter 7

Competitive Candidate Criteria

As a candidate, you must be opposed by a competitive candidate to receive the full amount of public matching funds. The PCFB has created two different forms to certify that you are running against a competitive candidate. **You must complete and submit the appropriate form** in order to qualify to receive more than 25% of the maximum public matching funds for the office you are seeking.

- *PCF-23S Statewide Statement of Competitive Opposing Candidate Form* for Governor/Lieutenant Governor, Comptroller, and Attorney General candidates.
- *PCF-23L Legislative Statement of Competitive Opposing Candidate Form* for State Senate and State Assembly candidates.

The criteria for assessing an opponent's competitiveness are listed below. **An opponent only needs to meet one criterion, in any category, for you to qualify to receive the fullest amount of public matching funds.** You are encouraged to provide as much information and documentation as possible to ensure you qualify to receive the maximum amount of public matching funds.

Your *Statement of Competitive Opposing Candidate Form* must indicate and provide documentation supporting the criteria you claim the opposing candidate(s) meets. You must sign the form and submit it to the PCFB by email to your assigned auditor. In the subject line, type your Filer ID followed by "Statement of Competitive Opposing Candidate Form."

The last day to submit a *Statement of Competitive Opposing Candidate Form* is 10 days before the applicable election.

The PCFB will confirm the competitive status of the opposing candidate(s).³

³ An opponent will be deemed a competitive candidate if the PCFB determines that they are eligible to receive a public funds payment for the covered election. The PCFB will publish such determination on the PCFB's website. (1) If a statement of competitive candidate has already been approved by the PCFB, and another candidate is substituted for the candidate that submitted such approved statement, such approval shall be deemed transferred to the substituted candidate and that candidate shall not have to submit a new statement of competitive candidate. (2) If a participating candidate is opposed by a competitive candidate pursuant to this section and another candidate is substituted for that competitive candidate, the competitive status shall be transferred to the substituted candidate and that candidate shall not have to submit a new statement of competitive

Opposing Candidate(s) Does Not Meet Competitive Criteria

If your opponent(s) does not meet the established competitive criteria, you are only entitled to up to 25% of the total maximum public matching funds for the office you are seeking.

Tip: You do not need to submit a PCF-23S or PCF-23L Form if an opponent has been determined to be eligible to receive public matching funds payments for the covered election.

Your opponent will be deemed a competitive candidate if the PCFB determines that they are eligible to receive a public funds payment for the covered election. The PCFB's website (<https://pcfb.ny.gov/>) will list all candidates that have been determined to be eligible to receive public funds for a covered election. If your opponent's name is listed, you will not need to submit a *PCF-23S* or *PCF-23L Statement of Competitive Opposing Candidate Form* in order to qualify to receive the fullest amount of public matching funds for that covered election.

Competitive Candidate Criteria

Past Election Result and Margin of Victory:

- Statewide Office:
 - The opposing candidate previously held elective office.
 - The opposing candidate was a major party candidate in a General Election contest for public office in the last eight years in an area encompassing all or part of New York State where the margin of victory was 20 points or less.
- State Legislative Office:
 - The opposing candidate previously held elective office.
 - The opposing candidate was a major party candidate in a General Election contest for public office in the last eight years in an area encompassing all or part of the district where the margin of victory was 20 points or less.
 - Within the past six years, a General Election for that office and district was within a twenty-point margin.
 - Opponent received 25% or more of the vote in an election for public office in an area encompassing all or part of the applicable district in the past eight years.

Self-Funding Candidates:

- Opponent has self-funded an amount equal to the minimum dollar threshold for the office being sought.
 - Governor/Lieutenant Governor Candidate: \$500,000
 - Attorney General and Comptroller Candidate: \$100,000
 - State Senate Candidate: \$12,000 (AMI \$8,000)
 - State Assembly Candidate: \$6,000 (AMI \$4,000)

Endorsement Of Opponent:

- Both Statewide & State Legislative Offices:
 - Current or former United States Senator.
 - Current or former United States President or Vice President.
 - Current or former statewide elected official. (e.g. Governor, Lt. Governor, Comptroller, AG)
 - One or more membership organizations with at least 150 members. (other than party committee/constituted committee)
- Statewide Office:
 - Current or former United States Representative representing any part of New York.
 - Three or more current/former state, county, city, town, or village elected officials representing any part of New York.
- State Legislative Office:
 - Current or former United States Representative representing any part of the district.
 - For districts at least partially in NYC – Current or former citywide elected official. (Mayor, NYC Comptroller, and Public Advocate)
 - Three or more current/former state, county, city, town, or village elected officials representing all or a portion of the district being sought.

Family Relationships (State Legislative Candidates Only):

- Opposing candidate's spouse, domestic partner, sibling, parent, or child holds or has held elective office in an area encompassing all or part of the district represented by the covered office sought in the past 10 years.

Additional Criteria:

- Opponent has been deemed eligible to receive public matching funds from the PCFB for the covered election.

Example 1. Carlos, a participating candidate, is running for Attorney General in a Primary Election. Carlos' opponent in the Primary Election is Glenda. Glenda is not eligible to receive public funds. Carlos has not filed a *PCF-23S Statewide Statement of Competitive Opposing Candidate Form* showing that Glenda meets any of the other competitive opponent criteria.

So, the maximum amount of public matching funds Carlos may receive is \$875,000. (25% of the \$3.5 million from the chart in chapter 6).

Example 2. Subsequently, Carlos filed a PCF-23S showing that his Primary Election opponent, Glenda, is competitive. The PCFB approved Carlos' request.

Now, the maximum amount of public matching funds Carlos may receive is \$3.5 million for the Primary Election.

Example 3. Danny filed a *PCF-23L Legislative Statement of Competitive Opposing Candidate Form* showing that his Democratic New York State Senate Primary Election opponent Connor—who has never run for office and has no endorsements—has a sister, Tina, who was elected to the New York State Assembly six years earlier in a district that overlaps a portion of the district Connor is running for. The PCFB approved Danny's statement because it satisfies one of the criteria.

Danny is eligible to receive up to the maximum amount of public matching funds available for the office.

Chapter 8

Expenditures

An **expenditure** is any gift, subscription, advance, payment, deposit of money, and/or anything of value spent in support of the candidate.

New York State Election Law contains restrictions on how campaign funds can be spent.

What Are Qualified Campaign Expenditures?

Qualified campaign expenditures are campaign costs that directly help a candidate run for office or get elected, including debts incurred within one year before the election. Public funds can only be spent on qualified campaign expenditures. Treasurers must report these expenses using the appropriate transaction type in the Electronic Filing System (EFS).

Candidates participating in the Public Campaign Finance Program have restrictions on how they can spend public matching funds.

How Can I Spend Public Funds?

You can only spend public funds on **qualified campaign expenditures**.

Qualified campaign expenditures can also include debts from up to one year before the election if the debt helped the candidate run for office.

Public funds may only be used on qualified campaign expenditures including, but not limited to:

- Campaign literature;
- Campaign mailings;
- TV/radio/internet advertisements;
- Campaign office rent/supplies;
- Staff wages;
- Fundraising expenses; and
- Campaign travel.

Invoices and documentation for qualified campaign expenditures must be submitted monthly and with each disclosure report.

However, there are certain things that public matching funds **cannot** be spent on, such as contributions to another candidate or candidate's committee for expenses related to holding office for those who are incumbents.

Public funds may **not** be used on the following non-qualified campaign expenditures, but using non-public campaign funds is permissible (including, but not limited to):

- Repayment of loans used to pay for non-qualified expenses or used to pay for qualified expenses incurred more than one year before the applicable election;
- Transfers;
- Contributions, including in-kind contributions, to other candidate or candidate committees;
- Cash expenditures;
- Gifts;
- Legal fees related to a criminal charge;
- Ballot proposition expenses;
- Expenditures related to duties of public office;
- Payments to the candidate's family/family-owned business; and
- Expenses related to challenging the ballot access of other candidates.

These expenditures are reported on a different reporting schedule and will not be credited as qualified campaign expenditures. Be diligent when reporting expenditures to ensure they are reported on the proper transaction type. Invoices and documentation of these expenditures must be provided monthly or with each disclosure report.

Non-Permissible Uses of Campaign Funds

The following campaign expenditures are not permissible uses of campaign funds or public funds:

- An expenditure in violation of any law; and
- An expenditure in excess of the fair market value of services, materials, facilities, or other things of value received in exchange.



Compliance Alert: Transaction Types for Reporting

Because any public matching funds you receive may be combined in one account with all your campaign funds, it is important that you keep track of the amount of public funds you receive and carefully document all your expenditures.

All public funds received will be reported in EFS on the Public Fund Receipts transaction type.

Qualified campaign expenditures – i.e., expenses that public funds can be used for – must be reported with the Qualified Expenditures transaction type (Schedule T).

Chapter 9

Reporting Financial Activity

Campaigns must report all financial activity of their committee. The PCFB will publish the dates for required filings in the annual Filing Calendar. Financial activity includes all:

- Contributions;
- Receipts;
- Expenditures;
- Loans;
- Refunds; and
- Transfers.

You must submit an itemized list of all transactions in your disclosure statements. Itemized means that you report all details of the transaction, including:

- Date;
- Full name;
- Complete address;
- Method of payment;
- Amount; and
- Any other required information based on transaction type.

With each report, you must submit all up-to-date receipts or other supporting documentation to the auditor.

Campaign Finance Disclosure Statements

Participating candidates must file timely and thorough disclosure statements. Statements need to use the format provided by the State Board of Elections. If you do not file these statements, you risk enforcement action. Enforcement actions can be anything from:

- Fines;
- Denial of public matching funds; and/or
- Disqualification from the Program.

Participating candidates will submit their disclosure statements and their matching funds claims to the State Board of Elections' Electronic Filing System (EFS) Web Application. The EFS Web Application User Guide can be found on the PCFB website.

PCFB allows a treasurer to add extra authorized users to the EFS Web Application account. Treasurers may add or remove authorized users by submitting a *CF-07 Authorized User Designation/Removal for Electronic Filing System (EFS) Web Application Form* to PCFB. The authorized user will be able to log into the committee's account, create report drafts, and add/edit/delete transactions.

The authorized user will not be able to submit any reports. This remains the sole responsibility of the treasurer of the committee. If the treasurer wants to remove a prior authorized user, the treasurer must submit a new version of the CF-07 form. If the treasurer formally resigns, all users they gave access to will immediately lose access to the committee's account.

No-Activity Report

If the committee has had no financial activity to report since the last disclosure statement was filed, it must submit a "No-Activity Report" using the EFS Web Application.

Matching Fund Claims

There are two ways to submit matching funds claims to PCFB:

- **As you file your required campaign finance disclosure statements.** These claims will be paid on the first available payment date, as applicable. This is the easier method, as the committee is only required to disclose the transaction once.
- **As a weekly claim.** In election years, there will be a period before both the Primary and General Elections during which committees can also submit optional weekly claims. Contributions contained in an optional weekly claims report must also be reported in the next applicable disclosure report. This method requires treasurers to take time to ensure all weekly claims are included within the periodic disclosure report.

Reporting Contributions

You must submit an itemized list of all contributions in your disclosure statements.

You must report the following information in your disclosure statements for all contributions:

- Whether the contribution is being claimed for matching funds;
- The date the contribution was received by the committee;
- The full name and address of each contributor;

- The occupation and business address of contributors who give \$100 or more in the election cycle;
- The form of the contribution (e.g., cash, check, credit card, etc.);
- The number of the check/money order, if applicable;
- The amount of the contribution; and
- The date and amount of any contribution that was refunded to a contributor as well as documentation of how the campaign refunded the payment.

Reporting In-Kind Contributions

You must report the following information in your disclosure statements for all in-kind contributions:

- The date the contribution was received by the committee;
- The full name and address of each contributor;
- The occupation and business address of contributors who give \$100 or more in the election cycle;
- The type and description of the in-kind contribution; and
- The amount of the contribution.

In-kind contributions must be assessed at the fair market value.

Reporting Other Receipts Received

You must report the following information in your disclosure statements for all other receipts received:

- The date the receipt was received by the committee;
- The full name and address of each receipt source;
- The receipt type;
- The form of the receipt (e.g., cash, check, credit card, etc.);
- The number of the check/money order, if applicable; and
- The amount of the receipt.

Reporting Expenditures

You must submit an itemized list of all expenditures in your disclosure statements.

There are two different transaction types in which to report campaign expenditures:

- Qualified expenditures; and
- All other expenditures/payments.

Among the information that participating candidates must report on their disclosure statements for all expenditures are the following:

- The date of each expenditure;
- The full name and address of each vendor or payee;
- The purpose and/or explanation of each expenditure;
- The form of the expenditure (e.g., cash, check, credit card, etc.);
- The number of the check, if applicable;
- The amount of the expenditure;
- The amount of remaining outstanding liability to the vendor or payee
- Information on vendors' subcontractors, including:
 - Name;
 - Amount spent; and
 - Purpose or explanation of subcontractor's services, where the amount spent on that subcontractor is more than \$10,000 for statewide offices, or \$5,000 for legislative offices.
- For expenditures paid with a credit card: the candidate must report the specific transaction details, including:
 - Vendor name;
 - Address;
 - Purchase price; and
 - Date of transaction.
- For reimbursements: the candidate must report the specific transaction details, including:
 - Vendor name;
 - Address;
 - Purchase price; and
 - Date of transaction.
- The date and amount of any expenditure that was refunded to the committee and documentation of how the refund payment was made.

Reminder: Committees must maintain a receipt for each invoice and provide invoices on a monthly basis.

Reporting Transfers In

You must report the following information in your disclosure statements for all transfers in:

- The date the transfer was received by the committee;
- The full name and address of each transferor;
- The transfer type;

- The form of the transfer (e.g., cash, check, credit card, etc.);
- The number of the check/money order, if applicable; and
- The amount of the transfer.

Reporting Transfers Out

You must report the following information in your disclosure statements for all transfers out:

- The date the transfer was given by the committee;
- The full name and address of each transferee;
- The transfer type;
- The form of the transfer (e.g., cash, check, credit card, etc.);
- The number of the check, if applicable; and
- The amount of the transfer.

Reporting Loans

Although loans are not matchable contributions, candidates must provide the PCFB with information regarding any loans on disclosure statements, including:

- The lender's, guarantor's, or other obligor's:
 - Full name;
 - Residential address;
 - Occupation; and
 - Business address.
- The date and amount of each loan;
- The date and amount of any portion of a loan which has been forgiven or paid; and
- The date, amount, check number, or name of any third-party payor, for any loans that have been repaid.

Learn more about loans in Chapter 10.

! Compliance Alert: Reporting Loans

Participating candidates must keep clear, written documents for loans made to the committee. Documentation means creating and executing loan agreements. These signed loan agreements must:

- Be created contemporaneously in writing; and
- Provide for all terms and conditions of the loan.

If a lender forgives a loan or liability, the campaign must give similar written proof to the PCFB.

Reporting Outstanding Liabilities

You must report the following information in your disclosure statements for all outstanding liabilities:

- The date the liability was incurred by the creditor;
- The full name and address of each creditor;
- The purpose and/or explanation of each liability; and
- The original amount of the liability incurred;

Reminder: documentation must be maintained for each outstanding liability.

! Compliance Alert: Loans From the Candidate

Candidates cannot spend, contribute, and/or loan their own funds or funds jointly held with your spouse or unemancipated children more than a combined three times the contribution limit (non-family) for that office to your authorized committee. These are added together and counted for aggregate limits and matching funds eligibility.

Note that the combined aggregate contributions or loans of candidates for Governor and Lieutenant Governor to their authorized committee cannot exceed \$27,000 for each covered election.

When Are Disclosure Statements Due?

The PCFB will publish a calendar with all the submission dates for required disclosures. The timing for these disclosure statements is set by statute and regulation. See: NYS Election Laws § 14-201 and 9 NYCRR 6200.2.

Periodic Disclosure Reports

- January 15th
- March 15th – in election year only
- July 15th

Election Related Reports

- 32-Day Pre-Primary
- 11-Day Pre-Primary
- July Periodic*
- 32-Day Pre-General/Special
- 11-Day Pre-General/Special
- 27-Day Post-General/Special

*The July Periodic will act as a Post-Primary Report

The deadline to file reports and any required documentation related to the report is 11:59pm Eastern Time of the due date. If any of these due dates fall on Saturday, Sunday, or a legal holiday, the disclosure statement is due on the next business day. You can amend your disclosure reports after they are filed to correct any information submitted in disclosure statements



Compliance Alert: Amending Disclosure Reports

Disclosure reports can be amended after they are filed to:

- Add;
- Subtract;
- Correct; or
- Supplement any information submitted in the report.

All versions of a report are viewable to the public on the Board's Public Reporting website.

24-Hour Notices

Notice to the PCFB is required within 24 hours in two circumstances:

Candidate, Candidate's Spouse or Unemancipated Children:

An authorized committee must submit a 24-Hour Notice whenever it receives any contribution, loan and/or liability, regardless of amount, from the candidate or the candidate's spouse or unemancipated children.

All contributions (including in-kind contributions), loans and/or liabilities of any amount received by an authorized committee from the candidate or the candidate's spouse or unemancipated children must be disclosed within 24 hours of receipt. This requirement applies between the day after the cut-off date for the January Periodic report in the year of the election through the January Periodic report of the following year (e.g., January 12, 2026 through January 11, 2027). 24-Hour Notices are submitted via the EFS Web Application. These transactions must also be disclosed on the committee's next applicable disclosure report.

Other Contributions in the Two Weeks Prior to an Election:

An authorized committee must submit a 24-Hour Notice whenever it receives any contribution or loan of more than \$1,000 within the two weeks prior to an election.

Contributions (including in-kind contributions) and loans over \$1,000 received between the day after the cut-off date of the 11-Day Pre-Election report and Election Day (Special, Primary, and General) must be disclosed within 24 hours of receipt. 24-Hour Notices are submitted via the EFS Web Application. These transactions must also be disclosed on the committee's post-election disclosure report.

Chapter 10

Pre-Election Review

How Long Do I Need to Keep Records?

Treasurers must submit all the following records to the PCFB monthly and with each report. Treasurers must keep all financial records for a minimum of five years after the election. Records must be provided to the PCFB on a monthly basis and upon request. These records include, but are not limited to:

- Bank statements;
- Deposit slips;
- Records of contribution cards (including but not limited to):
 - Cash contributions;
 - Money orders; and
 - Cashier checks.
- Bills;
- Contracts;
- Disbursements by check or credit card;
- Loans;
- Vendors and subcontracted goods and services;
- Records from fundraisers;
- Political communications;
- Campaign materials;
- Mileage logs; and
- Gas receipts.

Tracking Your Eligibility

Throughout the election cycle, the candidate and treasurer are responsible for tracking their progress in meeting their eligibility thresholds.

The PCFB will send a report to the candidate to tell them about their status throughout the election cycle. The report is called the *Eligibility Requirements Report*.

This report shows your campaign's audited progress toward reaching the two-part requirements (monetary thresholds and matchable contributions) for receiving public funds. It includes the dollar amount of eligible matchable contributions you

have raised, and the number of reported matchable contributions. The report reflects PCFB staff's review since your latest disclosure report and reporting history.

The PCFB reviews matching claims with each disclosure statement submission. These claims are subject to ongoing review by the PCFB.

The report sent to you by the PCFB is for informational purposes only and does not require a response.

If records maintained by your campaign show a different result, you should reach out to the PCFB to discuss the discrepancy.

Treasurers are responsible for ensuring that no single contributor exceeds the aggregate contribution limit to their particular campaign. Accepting excess contributions is a violation of Program requirements and can:

- Make the campaign ineligible for public funds;
- Lead to penalties; and
- Impact program eligibility.

Learn more about Penalties in Chapter 13.

Loans

During the election cycle, you may choose to take out a loan to cover expenses. You **may** accept loans from any:

- Person;
- Firm;
- Association;
- Corporation; and
- Certain political committees.

There is no limit to the amount of money a campaign may borrow, except from the candidate, candidate spouse, or unemancipated children. However, if the loan is not paid back by the date of the election, the outstanding balance will be considered a contribution for limit purposes by the lender or guarantor (this does not apply to loans from a party or constituted committee, as monies by a party or constituted committee are not subject to a contribution limit). This does not remove any obligation to repay the loan.

You are strongly cautioned to consider the applicable contribution limit as applied to the outstanding balance of the loan, as well as cautioned to review the

contribution history of the particular contributor who will be making the loan in order to avoid overcontributions for limit purposes.

Loans From Banks or Any Business Where Loans Are Made in the Regular Course of the Lender's Business

On Election Day, any unpaid portion of a loan made by a bank, or any business that makes loans as its regular course of business, shall be deemed a contribution for limit purposes from the obligor on the loan and by any other person endorsing, cosigning, guaranteeing, collateralizing or otherwise providing security for the loan.

Loans From Any of the Above Where Loans Are Not Made in the Regular Course of the Lender's Business

On Election Day, any unpaid portion of a loan made by any individual or entity who does not typically make loans in its regular course of business shall be deemed a contribution for limit purposes from the lender.

Example 1. Nick is running for State Assembly in the Primary Election. The individual contribution limit is \$3,000. The Nick for Assembly committee is starting to run low on funds. Todd agrees to loan Nick for Assembly \$60,000 to continue the campaign. By Election Day, Nick for Assembly has not paid back any amount of the loan from Todd.

This unpaid loan is now considered an individual contribution for limit purposes. That means there would be an overcontribution from Todd. This does not remove any obligation to repay the loan and may lead to civil or criminal penalties.

You may not accept loans from the following as they are specifically prohibited by law from making loans to candidates or political committees:

- Lobbyists (exception: a lobbyist can make a loan to themselves or their own political committee when they are a candidate for office);
- Political Action Committees;
- Labor Unions; and
- Independent Expenditure Committees.

Example 2. Dale is running for State Comptroller in the Primary Election. The individual contribution limit is \$9,000. Dale wants to buy advertisements on social media to promote the campaign. Dale for State Comptroller is running low on funds. Dale loans the committee \$60,000 to pay for social media advertisements. This loan is not allowed because it is more than three times the individual limit (\$27,000).

Dale is not able to receive public matching funds until the overage is repaid.

Example 3. Ruth is running for Attorney General in the Primary Election. The individual contribution limit is \$9,000. Ruth wants to buy radio advertisements to promote the campaign; however, Ruth for Attorney General is running low on funds. Ruth loans the committee \$75,000 to pay for a radio advertisement.

This loan is not allowed because it is greater than three times the individual contribution limit for that statewide office (\$27,000).

Self-Loans

A candidate may not expend any of their own funds on their campaign. This includes funds that are jointly held with a spouse or unemancipated children.

However, a candidate may contribute or loan an aggregate amount up to three times the individual contribution limit to their authorized committee.⁴ This would include funds jointly held by the candidate and their spouse or unemancipated children.

The following count toward the candidate's contribution limit:

- Contributions;
- Loans; and
- Outstanding liabilities owed to the candidate.

Loans made by the candidate or their spouse must:

- Be interest-free; and
- Not contain any finance charges.

⁴ The combined aggregate of contributions and loans by candidates for Governor and Lieutenant Governor to their authorized committee cannot exceed \$27,000 for each covered election.

Forgiven Debt/Liability

If your committee incurs a debt or liability to a vendor that is later forgiven, the amount associated with the forgiven debt/liability will be considered an in-kind contribution from the vendor to your campaign. This in-kind contribution is subject to contribution limits.

This is not the same as when a vendor refunds money because it did not provide the goods or services purchased.

Example 4. Dale for Comptroller contracts for airtime with EZ Listening LLC. radio station for \$60,000 to promote Dale in the Primary Election. Dale for Comptroller used all the airtime. EZ Listening LLC later decided to forgive the \$60,000 agreed to in the contract.

The \$60,000 forgiveness is considered an in-kind contribution. It is not allowed because it goes over the LLC annual contribution limit of \$5,000. This transaction also exceeds the receiving limit for Dale's committee.



Compliance Alert: Keeping Political Communications

The committee treasurer must keep copies of all committee political communications, including broadcast schedules, print ads, campaign literature and more.

Chapter 11

While all committees are routinely audited during the election cycle, some committees will undergo a more stringent post-election audit.

Post-Election Audits

When an election ends, your responsibilities as a candidate to follow NYS Election Law and PCFB rules continue. The outcome of the election does not change this requirement.

Winding Down Your Campaign

After the election, you should begin taking steps to wind down your campaign and prepare for the post-election audit. Winding down your campaign includes paying all outstanding debts/liabilities and ensuring your records are organized in preparation for a post-election audit.

All campaigns must file a disclosure statement after the election. For primaries, the July Periodic filing acts as the post-primary report. For the General Election, this is the 27-Day Post-General filing. For a Special Election, this is the 27-Day Post-Special filing.

Post-election spending with public funds is narrowly restricted. Campaigns can make post-election expenditures with public funds, but only for routine activities involving:

- Small costs to close a campaign; and
- Preparing for a post-election audit.

These expenditures must be made within 60 days of Election Day, unless specifically authorized by the PCFB.

Compliance Alert: 3% Audit Reserve

Participating committees must set aside and maintain 3% of the total matching funds they received for the election cycle to be used for the costs of complying with a potential audit.

What Is the Post-Election Audit?

The **post-election audit** is a comprehensive review of your campaign's disclosure statements and supporting documentation. The purpose of the audit is to verify your campaign's compliance with the PCFB's rules and requirements.

What Committees are Subject to the Post Election Audit?

All statewide candidates and candidates that receive more than \$500,000 in public funds will automatically be audited after the election.

One-third of the remaining participating candidates will be selected by lottery to be audited. The lottery will be weighted in subsequent elections such that districts that have recently been audited will be less likely to be audited in the next cycle.

How Long Does the Post Election Audit Take?

In general, audits can take up to 18 months from the relevant election. They can take longer if there is suspected fraud, criminal activity, or knowing and willful violations of Article 14 of NYS Election Law.

Once the audit is complete, the PCFB will issue a *Draft Audit Report* to the committee. If this draft audit report finds that the committee has violated the Program rules or regulations and/or NYS Election Law, the committee, candidate, and/or treasurer may be subject to enforcement.

The committee will have an opportunity to respond to this draft report before the PCFB issues the final report and takes any further action.

Once the committee has responded or waived its right to respond to the *Draft Audit Report*, the PCFB will issue a *Final Audit Report* and undertake any necessary enforcement action.



Compliance Alert: Complying with an Audit

Compliance with post-election audits, including permitting PCFB staff to examine all of the committee's records, is a condition of applying to participate in the Program. Candidates and treasurers agree to this condition when they complete the *PCF-22 Application/Certification Form*.

Failure to comply with this requirement can be grounds for enforcement action and penalties, regardless of the outcome of the audit.

Chapter 12

Repayments

When Does a Campaign Have to Repay Public Matching Funds?

There are a few reasons when a campaign must repay public matching funds:

- When it received more funds than it is entitled.
- When public funds are spent on an impermissible purpose.
- When there is a surplus of funds.

What Is a Surplus of Funds?

Participating campaigns must give any funds left over after the election back to the PCFB. **Surplus** is what is left over when you subtract the amount of money you spent on your campaign in an election cycle from the money you raised.

This amount does not include remaining funds from a previous election cycle. This surplus calculation is:

$[(\text{Campaign contributions}) + (\text{public matching funds})] - (\text{total campaign expenditures}^5)$

If your campaign spent less than it received from contributions plus matching funds during an election, you must repay the leftover money back to the Program.

The surplus amount is capped at the amount of total matching funds you received.

Tip: Remaining Funds from a Previous Election Cycle (Legacy Funds) and Surplus

Remaining funds from a previous election cycle are not used when calculating the total surplus. The only funds used to figure out how much a candidate needs to pay back are contributions received during an election cycle and matching funds received from the state.

⁵ Campaign expenditures include transfers, contributions out, and all other lawful liabilities incurred.

What Expenditures Are Used in Calculating Surplus?

For purposes of calculating the surplus repayment, campaign expenditures include permissible expenditures existing under Title I of the Article 14 of NYS Election Law including for the purpose of holding a public office, transfers to a party or constituted committee, or contributions to another campaign. These are not qualified campaign expenditures, and public funds cannot be used to pay them. Outstanding loans and loan repayments are not expenditures for the purpose of the surplus calculation.

Example 1. Assembly candidate Sean received:

- \$15,000 in total contributions in the current election cycle; and
- \$50,000 in public matching funds,

for a total of \$65,000 in campaign funds subject to a surplus repayment.

The campaign spent:

- \$10,000 on lawn signs;
- \$50,000 on TV ads; and
- made a \$5,000 contribution to Senator X.

That is \$65,000 in funds spent. The campaign spending amount used in calculating surplus payments is \$65,000.

The surplus payment is:

- A sum of campaign contributions and public matching funds (\$65,000 total)
- Minus campaign spending (\$65,000).

Sean would not owe the PCFB a surplus payment.

Example 2. Assembly candidate Hannah raised:

- \$50,000 in total contributions for her race for Assembly; and
 - Received \$25,000 in public matching funds,
- for a total of \$75,000 in campaign funds subject to a surplus calculation.

Hannah spent:

- \$40,000 on television ads;
- \$15,000 on office space; and
- \$10,000 on lawn signs for a total of \$65,000 in spending.

Hannah does not owe any surplus payment since the \$10,000 counts as non-public funds. Non-public funds fall under the \$50,000 of non-public funds that may be kept.

Example 3. State Senate candidate Madison raised:

- \$20,000 in total contributions; and
- Received \$50,000 in public matching funds, for a total of \$70,000 in campaign funds subject to a surplus calculation.

She then spent:

- \$20,000 on campaign bumper stickers, coffee mugs, and t-shirts;
- \$10,000 on lawn signs; and
- Contributed \$30,000 to gubernatorial candidate Doe.

for a total of \$60,000 in reported expenditures.

Madison must pay the PCFB \$20,000 as she received \$50,000 in public funds but only has \$30,000 in qualified campaign expenditures. Additionally, her surplus calculation results in a \$10,000 surplus owed ($[\$20,000 \text{ contributions} + \$50,000 \text{ public funds}] - \$60,000 \text{ expenditures} = \$10,000 \text{ surplus}$). Since the \$10,000 surplus repayment is less than \$20,000 qualified campaign expenditure repayment owed, it is included in the \$20,000 amount.

Additionally, because Madison used public money for her contribution to the Doe campaign, which is a non-qualified campaign expenditure, she may be liable for violating the election law and related rules and issued further penalties.

Qualified Campaign Expenditure Review

This review confirms the total reported and approved qualified campaign expenditures are at least equal to the amount of public matching funds received. If your qualified campaign expenditures do not equal at least the public funds received, candidates, treasurers, and committees will be liable for repayment.

Compliance Alert: Holding of Office Transactions and Qualified Campaign Expenditure Review

Expenditures for holding public office, transfers to party or constituted committees, or contributions to other campaigns are not qualified campaign expenditures and will not be used in calculation as an offset against public funds received.

Chapter 13 Enforcement

The PCFB has sole jurisdiction on the Program participants and is authorized to bring civil enforcement actions against participating candidates, treasurers, and committees for violations of NYS Election Law and NYSBOE and PCFB Rules & Regulations. Additionally, the PCFB may make criminal referrals.

PCFB enforces filing requirements and will assess late penalties for late filings. The PCFB Enforcement unit also conducts anti-fraud audits throughout the election cycle.

The PCFB can either act on a complaint or start an investigation on its own.

This chapter explains how the PCFB approaches the enforcement process when it receives a complaint.

Making a Complaint About a Candidate, Treasurer, or Committee

Anyone can make a complaint to the PCFB alleging a violation of NYS Election Law or NYSBOE and PCFB regulations⁶.

Complaints shall be sent to PCFB through the online form on our website, by email, by mail, or by hand delivery.

Complaints must be physically signed and sworn to or affirmed by the individual filing the complaint; however, complaints made through the PCFB's online form will satisfy the signature requirement.

When a complaint is made, it remains an internal matter for PCFB Enforcement. Include the following information in your complaint:

- The complainant's full name, current residential address, telephone number, and email address;
- Date(s) and time(s) of the alleged violation(s);
- The place(s) the conduct occurred;
- The names of any witnesses; and
- Copies of all documentary evidence in the complainant's possession.

⁶ Complaints must be made no later than three (3) years after the date(s) of the alleged conduct.

Navigating the Enforcement Process

The enforcement process contains a number of stages:

- Notice of Complaint
- Notice of Alleged Violation
- Notice of Enforcement
- Notice of Hearing and Report of the PCFB
- Notice of Final Determination

If a complaint is made against your campaign, you are encouraged to reach out to PCFB Enforcement staff at any stage of the enforcement process to try to negotiate a disposition.

Notice of Complaint

If the PCFB receives a complaint against you, your treasurer, or your committee, the PCFB will review that complaint for sufficiency. The PCFB will decide whether the complaint alleges a valid violation of NYS Election Law or PCFB and NYSBOE rules and regulations over which the PCFB has jurisdiction.

If the PCFB finds that the complaint alleges a valid violation, you will receive a written *Notice of Complaint* from the PCFB. This notice will describe the allegation(s) against you, your treasurer, or your campaign and remind you to retain all your committee and financial documents (see Chapter 10).

Written Answer to the Notice of Complaint

You will have 10 business days (or fewer, depending on the proximity to the election) from the date you receive the *Notice of Complaint* to submit a written *Answer* to the PCFB. Your *Answer* must be sworn to or affirmed, must set forth a response to all allegations in the complaint, and must be accompanied by copies of any documentary evidence you have available to rebut the allegation(s) or support your position.

Notice of Alleged Violation(s)

After receiving your Answer to the Notice of Complaint or if you fail to submit one, the PCFB will decide whether to open an investigation into the conduct alleged in the complaint or the conduct that was discovered on the PCFB's own initiative.

If the PCFB finds upon completing its investigation that you, your treasurer, or your committee or any agents of your committee have violated NYS Election Law or rule/regulation, the PCFB will send you a *Notice of Alleged Violation(s)*. The *Notice*

of Alleged Violation(s) will list the PCFB's findings of the violations it is alleging you have committed.

30-Day Cure Period

You have 30 days from receipt of the *Notice of Alleged Violation(s)* to correct the alleged conduct or transaction that formed the basis of the violation(s).

However, there is no cure period if the alleged violation is:

- A failure to file financial disclosure statements;
- Repay public matching funds that the candidate was not eligible to receive; or,
- You, your treasurer, or any agents of your campaign or committee engaged in fraud, material misrepresentation, or submit false or fictitious information.

Notice of Enforcement

If you fail to correct the alleged violation within 30 days, the PCFB will send you a *Notice of Enforcement*. The *Notice of Enforcement* will detail:

- The allegations against you;
- The specific laws/regulations the PCFB has found you have violated; and
- The authorized penalties for those violations.

You have 10 business days from receipt of the *Notice of Enforcement* to request a hearing on the charges against you. The PCFB will provide a form for you to complete and return if you wish to contest the PCFB's findings in an in-person hearing, or in writing.

If you fail to respond to the *Notice of Enforcement* within 10 business days, the findings and associated penalties detailed in the *Notice of Enforcement* will be considered final and submitted to the PCFB for final determination.

If the Board upholds the findings and penalties against you, the PCFB will file an action in Albany County Supreme Court to obtain a judgment against you.

Notice of Hearing and Report of the PCFB

If you request a hearing, the PCFB will send you a *Notice of Hearing and the Report of the PCFB*. This notice and report will contain a more detailed description of the allegations against you and the penalty you are facing.

You have 10 business days from receipt of the *Notice of Hearing and the Report of the PCFB* to file a written response called the *Answer to the Report*. In this response, you may detail all the facts, evidence, and defenses you believe are applicable. If you fail to return an *Answer to the Report*, the PCFB will move for a default decision.

You must also indicate if you would like an in-person hearing in the *Answer to the Report*.⁷ Hearings will be conducted before a Hearing Officer in accordance with the State Administration Procedure Act.

Notice of Final Determination

Following a hearing, or a failure to submit an *Answer to the Report*, the Hearing Officer will make a determination on the PCFB's charges against you. The Hearing Officer will also provide written findings of fact and conclusions of law. This determination will be considered and either accepted, rejected, or modified by the Commissioners of the PCFB. Following the Commissioners' determination, the PCFB will issue you a *Notice of Final Determination*.

PCFB Enforcement staff will communicate with you to arrange to satisfy whatever penalties the PCFB has levied against you, your treasurer, or your committee. If there is no resolution within 30 days of service of the *Notice of Final Determination*, the PCFB will file an action in Albany County Supreme Court seeking a judgment.

What Are the Penalties for Common Violations?

Penalties for some of the more common violations are listed below. For a detailed list of violations and associated penalties, please refer to PCFB regulation 9 NYCRR 6221.46.

Late Filing and Failure to File Disclosure Statements

If you fail to file your disclosure statements timely, you will be charged the following amounts according to the office you are seeking:

- \$50 per day overdue, up to \$1,000, for State Senate and State Assembly.
- \$100 per day overdue, up to \$2,000, for Attorney General and Comptroller.
- \$200 per day overdue, up to \$4,000, for Governor/Lieutenant Governor.

If you do not file the missing disclosure statement within 20 days, or by the deadline for the next disclosure statement, it will be considered a "failure to file." A "failure to

⁷ No in-person hearing is available if the only contested issue(s) is whether or not you timely filed required campaign financial disclosure statements; such matters will be decided only on the submitted papers.

file” may result in an increased penalty above the daily penalties, and any matching funds claims made within that period will be denied.

Contribution Overages

Accepting contributions over the limit from any contributor type is prohibited.

Penalties for Overages

If You Return the Overage	Penalty
Before the PCFB issues a Notice of Alleged Violations	None
Within the 30-day cure period following issuance of a <i>Notice of Alleged Violations</i>	\$125 or 25% of the overage (whichever is greater)
After the expiration of the 30-day cure period	\$250 or 50% of the amount of the contributions (whichever is greater)

Cash Contributions Over \$100

Campaigns are prohibited from accepting cash or money order contributions greater than \$100 in the aggregate from a contributor in an election cycle. The penalty for this violation will generally be 25% of the overage plus the amount of the overage. If the over-the-limit portion is refunded, the penalty will be 25% of the overage.

Failure to Maintain Records or to Provide Records to the PCFB

Campaigns must maintain records, such as copies of checks, invoices, and bank records, to verify financial transactions reported in disclosure statements.

Campaigns must provide such records to the PCFB upon request and respond to specific questions regarding compliance with Program rules within a deadline provided by the PCFB.

- If the campaign provides requested documentation past the PCFB’s deadline, the PCFB will issue a penalty of \$50 per day, up to either 2% of public funds received or \$500 (whichever is greater).
- If the campaign fails to respond, the PCFB will issue a penalty of either 10% of public funds received up to \$15,000 or \$1,000 (whichever is greater).

Fraud or Misrepresentation

If the PCFB finds that a candidate, treasurer, or committee, or any agents of the committee has engaged in a material misrepresentation, fraud, or submitted false or fictitious information, the committee will be expelled from the Program, ordered to return all public funds previously received, fined \$15,000, and the conduct will be referred to law enforcement.

Compliance Alert: Don't Forget - We Are Here to Help!

PCFB staff is available to assist you with any questions you may have. The PCFB Call Center can be reached at (518) 473-2784, or you may email PCFB@elections.ny.gov for assistance.

Chapter 14

How to Terminate an Authorized Committee

In order to terminate an authorized committee, a filer must submit a fully completed paper *CF-18 Termination or Resignation Request Form* and a campaign financial disclosure termination report. The form can be submitted either by mail or in person. The final disclosure report is to be submitted using the EFS Web Application or a No-Activity Report can also be submitted on a paper CF-18 form. The CF-18 form must be completed in its entirety with the appropriate “Filing Period” and “Termination Report” boxes checked. The form must contain an original signature. Forms submitted by fax or by an electronic file attached to an email will be rejected.

The termination report must include all transactions from the cut-off date of the last report filed up to the date of the termination request. Any periodic or post-election report can be used as a termination report. At other times, a filer can submit an off-cycle campaign financial disclosure report for termination purposes. The authorized committee termination will not be processed unless you meet all requirements for termination, including the filing of all delinquent reports. A termination is not complete until approved by the PCFB.

In addition to the documentation described above, filers must meet the following requirements to terminate their authorized committee:

- Submit all required campaign financial disclosure reports;
- The committee must have a zero balance in the bank account. The filer must reflect the \$0 cash balance in the campaign financial disclosure termination report;
- All outstanding loans or liabilities must be repaid or forgiven. The filer must submit letters of forgiveness; and
- There can be no negative cash balance on any report.