



# Greenwood Village Campaign Finance Guide

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## Who is this guide for, and how can I use it?

This guide provides a summary of the City's campaign finance laws, intended for use by candidates, committee chairs, committee treasurers, campaign managers, and other individuals involved in Greenwood Village municipal elections. The guide provides answers to common or frequent questions and is not inclusive of all requirements regarding the City's campaign finance ordinance. This guide is not a substitute for legal advice and does not cover every aspect of the City's Elections Code, the entirety of which can be found in the Greenwood Village Municipal Code, [Chapter 2](#). Persons with questions are encouraged to contact the Office of the City Clerk.

## Registration of Candidate

Candidates and organizations seeking to participate in an election in the City of Greenwood Village must be registered with the Office of the City Clerk of Greenwood Village. They must file timely campaign finance forms and reports. Campaign finance reporting is governed by [Section 2-1-170](#) of Chapter 2.

Within 10 days of becoming a candidate, the [Candidate Affidavit](#) must be filed. The statement must contain the name, address, and email address of the candidate. This form requires a notary.

## Registration of Committees

Committees must register by filing a statement of organization. These include candidate committees, political committees, small donor committees, and issue committees.

If the committee has opened a bank account, the financial institution where the account is held must be listed on the statement of organization. If a committee files paperwork before opening a bank account, this may be left blank. When a bank account is opened, the committee should file updated paperwork with the name of the institution. A candidate committee is authorized to collect contributions, receive contributions in-kind, and make expenditures on behalf of a candidate. If the candidate committee has not appointed a treasurer, the candidate serves as the treasurer. A candidate is prohibited from having more than one candidate committee.

It is recommended that candidate committees open a separate bank account for the committee's business to ensure proper segregation of funds and proper documentation of committee contributions and expenditures. The bank account name should include the name of the committee. It is recommended that committee funds not be commingled with personal funds or used by any entity other than the committee.

## Candidate and Political Committee Reporting

Candidates and political committees are required to report both contributions received and expenditures made. More details on contributions and expenditures are found in the City's Code Chapter 2, [Section 2-1-170](#).

Any candidate contributions and expenditures made prior to filing an affidavit of candidacy must be reported on the first campaign finance report filed by the candidate.

Reporting dates are provided in the Election Calendar of the Candidate Guide, Section 2. All reports required must be filed with the City Clerk. These reports are public records and are open to public inspection. Electronic copies of the reports are acceptable; however, the original must be filed within 5 days.

If a campaign finance deadline falls on a weekend or city holiday, then the deadline is moved to the next business day.

## **Forms for Reporting**

Campaign Committee Forms are available from the City's Website at:  
[greenwoodvillage.com/elections](http://greenwoodvillage.com/elections)

Hard Copy Forms (these forms must be printed out and notarized for submission)

[Candidate Affidavit \(PDF\)](#)

[Political Committee Affidavit \(PDF\)](#)

Fillable Web Forms (these forms can be completed and submitted online)

[Committee Registration Form](#)

[Amendment\(s\) to Existing Committee Registration](#)

[Statement of Personal Expenditures by a Candidate](#)

[Statement of No Contributions or Expenditures of Funds by a Candidate/Committee](#)

[Detail Report of Contributions and Expenditures of Funds by a Candidate/Committee \(Excel Spreadsheet\)](#)

[Candidate General Information](#)

## **Raising Money**

Candidates and committees may accept contributions by check, online credit card payment, money order, or cash.

Candidate campaign contributions, including in-kind contributions, are limited to two thousand dollars (\$2,000.00) per person per candidate per election. A “person” includes a partnership, committee, association, corporation, labor organization, political party, or other organization or group of persons.

When a candidate or committee solicits or accepts contributions from any person who has made an aggregate contribution over twenty dollars (\$20.00) or a contribution in-kind more than one hundred dollars (\$100.00), it must collect the name and address of each contributor. For contributors who make an aggregate of \$250, who are natural persons, and over the course of a calendar year, the occupation and employer of the contributor must also be reported. It is strongly recommended that committees use a donation form to collect this information at the time of the contribution.

Although contributors who donate less than \$250 in a year are not required to disclose their employer and occupation, it is strongly recommended that all committees collect and disclose this information. That way, if a donor makes an additional contribution that puts them over the \$250 aggregate limit, the campaign has all the necessary information to file their legally required reports.

All monetary contributions must be deposited within 10 days of receipt.

## **In-Kind Contributions**

Contributions may be made in one of two ways: as a monetary contribution or an in-kind contribution. An in-kind contribution is any non-monetary donation made to a committee for the purpose of influencing an election. For example, if a supporter of a candidate donates a computer to the candidate for use by the campaign, that is an in-kind contribution that must be reported. When reporting an in-kind contribution, a reasonable estimate of fair market value must be used. In-kind contributions are subject to the same value limits as monetary contributions. A candidate may not accept in-kind donations with a fair market value over the contribution limit. The contribution limit for total monetary and in-kind may not exceed the contribution limit of \$2,000 per person per candidate per election.

### *Example:*

***Molly Brown, the owner of a bakery, supports the John Q Public for Mayor committee. For a campaign event, she donates \$500 worth of cupcakes to the committee. After the event, she makes a \$1500 contribution by check to the committee. She has now hit the contribution limit of \$2,000 for this candidate for this election and is prohibited from donating additional money or goods to the committee.***

An item that is loaned to a committee for its use must be reported as an in-kind contribution in the same manner as an item that is given to the committee. For the purposes of financial disclosures, the same information must be collected and reported for monetary and in-kind contributions. Volunteer time is not considered an in-kind donation and therefore does not require reporting.

## **Candidate Personal Funds**

For candidates who wish to donate to their own candidate committee, the contribution limits do not apply to personal funds. However, the funds should not be listed as a loan. Loans are listed further in this guide. Candidates are encouraged to mark any “seed” money as a contribution.

## **Anonymous Contributions**

Although the names and addresses of persons contributing less than \$20 do not need to be reported, anonymous contributions of any size are strongly discouraged.

## **Cash Contributions**

No person can contribute cash, coin, or digital currency exceeding one hundred dollars (\$100.00) in support of or in opposition to any candidate, political committee, or issue.

## **Commercial Loans**

Committees may seek financing from commercial lenders. If a committee accepts a commercial loan, it must not receive special treatment compared to other banking customers. The loan must be made in writing, with a due date or amortization schedule, and an interest rate typical of the lending institution. On the next campaign finance report, the committee accepting the commercial loan must report the loan. They must include the identification of the lender, the amount, the method of disposition, the balance due on the loan, and the terms of interest.

## **Spending Money**

When committees spend money, it is referred to as an expenditure. While committees have the flexibility to make expenditures, there are legal limitations on this spending. An expenditure means the purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made by any person for the purpose of influencing an election. Expenditures cannot be transferred between candidate committees. No candidate committee may accept contributions from, or make contributions to, another candidate committee, including any candidate committee or equivalent entity established under federal law, as per the City's Code [Section 2-1-190](#). An expenditure occurs when the actual payment is made, not when the goods or services are rendered.

## **Documenting and Reporting Expenditures**

All expenditures made by a committee must be reported using the forms provided by the City Clerk. The City may request records and receipts. It is required by the City's Municipal Code that all records about such accounts be maintained by the candidate or committee for one hundred eighty (180) days after submission of the final report unless a complaint is filed, in which case they must be maintained until final disposition of the complaint and any consequent litigation. When a committee files a campaign finance report, the following information is required for all expenditures:

- Name and address of the person or vendor paid
- Date of expenditure
- Amount of expenditure
- Type of goods, services purchased, or purpose.

## **Electioneering Communication Expenditures over \$1000 in a calendar year**

Candidates and committees are responsible for disclosing who paid for campaign communications referring to any candidate if more than one thousand dollars (\$1000) is spent during any calendar year. All such communications where \$1000 or over is spent must include a disclaimer statement that the communication has been “paid for by” (full name of person paying for the communication).

This includes communication through television, newspapers, outdoor advertising facilities, billboards, direct mail, digital advertising, campaign signage, or any other type of public political advertising. All campaign material, including fundraising communications, that advocates or opposes a candidate or issue should include a disclosure. When in doubt, committees should err on the side of including a disclosure. For audiovisual communications, the disclosure should be spoken. If the communication is made in a language other than English, the disclaimer should be provided in the same language as the rest of the communication.

*Example:*

*Paid For by John Q Public Candidate  
or (full name of the person paying for the communication)*

## **Cash or Digital Currency**

No candidate, candidate committee, small donor committee, issue committee, or political committee shall make any expenditure in cash, coin, or digital currency exceeding one hundred

dollars (\$100.00) for any purpose related to such candidate's campaign or the passage or defeat of an issue.

## **Unspent Campaign Funds**

No unexpended balance of contributions, loan proceeds balance, or expenditure deficit may exist later than ninety (90) days after the date of the election. Before a committee can close its accounts, all outstanding loans and unpaid obligations must be settled or forgiven. Any remaining funds must then be expended in accordance with the limitations outlined in Greenwood Village's Municipal Code. Candidates and committees have several options for how to spend unused campaign funds, and candidates who are elected to public office have additional choices.

## **Legal Uses for Unexpended Campaign Funds:**

### **Candidates and Candidate or Issue Committees**

Unused campaign funds for Candidates, Candidate Committees, or Issue Committees may not be spent on personal expenses or entertainment expenses, but may be disposed of in any of the following ways.

- Returned to the contributors
- Retained by the committee for use by the candidate in a subsequent campaign for any nonpartisan office with the City of Greenwood Village
- Donated to a charitable organization recognized by the Internal Revenue Service
- Voter Registration
- Political issue education, which includes obtaining information from or providing information to the electorate
- Postsecondary educational scholarships
- To defray reasonable and necessary expenses related to mailings and similar communications to constituents
- Donated to any charitable organization recognized by the Internal Revenue Service or returned to the contributors.

Candidates who are elected to a public office are given additional options for spending unused campaign funds. These options enable officeholders to allocate funds for constituent communication, official travel, and other expenses while serving in public office.

### **Other Committees**

Unexpended contributions to an issue committee, small donor committee, or political committee may be donated to any charitable organization recognized by the Internal Revenue Service or returned to the contributors.

For any questions or copies of additional forms, contact the City Clerk's office at [cityclerk@greenwoodvillage.com](mailto:cityclerk@greenwoodvillage.com) or 303-804-4113.