Wyoming Campaign Guide

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Introduction

♦ It is important to know and study the law before embarking on a campaign. Therefore, this guide has been prepared as an aid to candidates and committees and contains highlights of campaigning and reporting requirements required by the Wyoming Election Code.

♦ It is very important that every candidate and the chairman and treasurer of the candidate's campaign committee read this entire campaign guide, giving close attention to the Campaign Practices section, and know the legal requirements which are contained in that section.

♦ The Wyoming Campaign Practices Act (W.S. 22-25-101 through 22-25-115) applies to candidates for Governor; Secretary of State; State Auditor; State Treasurer; Superintendent of Public Instruction; State Legislature; District Attorney; County Offices; School, Community College and Hospital Board Trustees; Municipal Offices; and to Supreme Court, District Court and Circuit Court Judges standing for retention in office.

♦ Candidates for U.S. Senator and U.S. Representative and committees supporting candidates for federal offices are required to file with the Federal Election Commission, 999 "E" Street, N.W., Washington D.C. 20463. The toll-free telephone number is 1(800)424-9530.

Important Campaign Facts

♦ There are no limits on campaign spending.

♦ Individual contributions are limited.

♦ Corporate contributions to candidates are prohibited.

♦ There are no limits on political action committee contributions to candidates.

♦ No person may contribute more than $1000 per election to any one candidate. Also, no person may contribute more than $25,000 in total political contributions during the same two-year period. W.S. 22-25-102(c).

♦ There is no limit on how much the candidate or the "immediate family" may contribute to the candidate's campaign. The Attorney General has determined that the term "immediate family" means a candidate, spouse, and any child, parent, grandparent, brother, half-brother, sister or half-sister of the candidate and the spouse of such persons.

♦ Corporations, unions, partnerships, professional associations and civic, fraternal or religious groups are prohibited from making contributions to candidates, political parties, and PAC's supporting candidates and political parties. However, these entities may make contributions for the adoption or defeat of a ballot proposition or to support or oppose an initiative or referendum petition drive.

♦ The Wyoming Election Code prohibits electioneering near a polling place on election day. This consists of any form of campaigning, including displaying campaign signs or distributing campaign literature. Canvassing or polling of voters, except by the news media, is also prohibited. All of these activities are prohibited within one hundred yards of the building in which the polling place is located.

♦ Written campaign advertising shall not be placed on or attached to any real or personal property of the state or its political subdivisions except for colleges and schools. Political ads may be placed on fairgrounds and municipal street rights-of-way subject to W.S. 22-25-115. Please see the section of this Campaign Guide titled "Campaign Advertising" for more information about newspaper, radio and/or television advertisements.

♦ The rates for political ads shall not be higher than the rates charged for local advertising of the same quality and quantity.

Violations

♦ Anyone violating any of the provisions of the Campaign Practices Act is guilty of a misdemeanor and punishable by not more than six months in the county jail, a fine of not more than $1,000, or both.

♦ Any corporation, person or organization violating the contribution limits or prohibited acts is subject to a civil penalty up to $10,000. This civil action may be brought by any candidate adversely affected by the transgression, any political party or a prosecuting authority.

Candidate Information

♦ A candidate is not required to have a committee.

♦ Right from the beginning, it is important to keep accurate records of receipts (contributions) and expenditures.

♦ A candidate may accept contributions and make expenditures prior to filing for office.

♦ Every candidate, and every candidate's campaign committee, whether successful or not, is required to file a report. This includes candidates who neither receive nor spend any money during the campaign.

♦ Reporting forms are included in the candidate campaign packet and are available on the Secretary of State website at: soswy.state.wy.us\election\forms.htm.

♦ It is important to file Report and Expenditure forms on time because there are strict penalties for failure to comply. **Reports are due** not later than ten days after the primary and ten days after the general election. (September 1, 2000, and November 17, 2000)

♦ The campaign report may be filed by FAX provided the original is sent by mail postmarked by the Post Office on the same day.

♦ Fully itemize all receipts (contributions) over $25.00 and itemize all expenditures on the reports.

♦ If there are additional receipts and expenditures after the general election report has been filed, you may file an amended report.

♦ If a mistake is discovered, correct it promptly and straightforwardly. If the campaign report has already been filed, make the correction by filing an amended report.

♦ Amendments to statements may be filed at any time, but must be made within 90 days from the time the error or additional receipts and expenditures become known. Net changes amounting to less than $50.00 do not need to be reported.

♦ Contributions of $25.00 or more must be itemized by date received, name, city and state of the contributor and amount contributed. All receipts under $25.00 shall be reported, but need not be itemized. However, if you receive $10.00 from a contributor who then later gives you $20.00, you must give an itemized report of the total $30.00 contribution.

♦ Contributions include in-kind contributions which are goods and services, in place of cash, which are provided for a candidate. All in-kind contributions must be itemized by name, city and state of the contributor, item or service contributed and market value of the item or service contributed.

♦ Sale of tickets for fund-raisers: If the ticket price is $25.00 or more, the name and address of each ticket purchaser and purchase price of ticket(s) must be itemized under "receipts." If the ticket price is under $25.00, the fundraiser does not have to be itemized and needs only to be reported under "unitemized contributions."

♦ Anonymous Contributions are those contributions whose origin cannot be determined, i.e. "pass the hat" type of contributions. Anonymous contribution does not mean that an individual may contribute to a candidate with the understanding the contributor's name will not be reported. The campaign reporting form has a specific section to record anonymous contributions where the candidate states he/she does not know the origin of the contribution.

♦ Each expenditure must be itemized by date expended, name, city and state of the person or business to whom the expenditure is made, and the purpose and amount of expenditure. Examples are: Advertising and printing expenses; expenses for services of a professional campaign consultant or public relations firm; expenses for staff salaries, travel, renting office space; postage and sign materials.

♦ Campaign expenditures that are not required to be reported include: filing fee for office; a candidate's own personal campaign expenses for travel and meals; and checking account service charges.

♦ A candidate is not required to report advertising expenses by a party central committee for the candidate, if the entire slate of candidates (below national level) is advertised. This applies, even though all candidates are not included in each advertisement, as long as the expenses for each candidate are substantially the same.

♦ Loans are to be itemized by name, city and state of the creditor, amount, date, payment to date and outstanding balance of loan.

♦ The Wyoming Election Code does not specify how excess campaign funds may be used.

Candidate's Campaign Committee

♦ Candidate's campaign committee means every group of two or more persons who join together for the purpose of raising, collecting or expending money to be used in the aid of the election of a specific candidate for public office.
(See W.S. 22-1-102(a)(vii))

♦ A Statement of Formation must be filed within ten days after formation. This filing is required by law for a committee formed before an election to aid a candidate or after an election to defray campaign debts.

The statement is to list: name and mailing address of the committee, name and residence address of the committee chairman and treasurer, date the committee was formed and the name of the candidate supported (including office sought and party affiliation). The chairman and treasurer must be separate individuals. Occasionally, the candidate wishes to be the chairman or treasurer of his or her campaign committee. The Election Code does not prohibit these designations.

♦ Filing the campaign report: See previous section "Candidate Information" for details about receipts and expenditures.

♦ The report must be signed by both the chairman and the treasurer and filed within ten days of the primary and general election day.

♦ Terminating the Committee: once all committee debts are retired, the Committee may terminate by filing a Termination Statement or by checking the appropriate box on the final report.

Political Action Committee

♦ Political action committee means every group of two or more persons who are associated for the purpose of raising, collecting or spending money to be used in a campaign. (See W.S. 22-1-102(a)(xx))

♦ A Statement of Formation must be filed within ten days after formation. This filing is required by law for a committee formed before an election or after an election to defray campaign debts.

The statement is to list: name and mailing address of the committee, name and residence address of the committee chairman and treasurer, date the committee was formed and, if known at the time of filing, the names of the candidates the committee is supporting or opposing. The chairman and treasurer must be separate individuals.

♦ If the committee forms to aid in the support or defeat of a ballot proposition (such as a proposed constitutional amendment or bond issue) or to support or oppose a petition drive, this is to be described on the Statement of Formation.

♦ Contribution Limitations

Contributions may not be received from a corporation, partnership, trade union, professional association, or civic, fraternal or religious group to be used for candidates or political parties. However, contributions from the above organizations may be used for the support or defeat of ballot propositions or initiative and referendum petition drives.

♦ Filing the Campaign Report: See previous section "Candidate Information" for details about receipts and expenditures and filing deadlines.

♦ The committee is to provide a copy of the statement to any candidate for whom money was received, paid or obligated.

♦ Terminating the Committee: Once all committee debts are retired, the Committee may terminate by filing a Termination Statement.

♦ Off election year filings: All active PACs must file by July 1st and December 31st of the odd-numbered years.

Organizations

♦ The Election Code uses the word "organization" but does not define it. The Attorney General has stated that "organization" should be given its ordinary meaning. Any kind of association, business or otherwise, which exists for a purpose other than supporting or opposing a petition drive or ballot proposition which receives or spends money for either of those two purposes, is required to file a campaign report. (For example, ABC Tobacco Company spends money on an ad campaign against an initiative drive to ban smoking in all public places. The company is an "organization" and must file a campaign expenditures report.)

♦ Any organization which supports or opposes a petition drive or any organization which supports or opposes a ballot proposition, shall file a Statement of Receipts and Expenditures within ten days after the election or ten days after the petition is submitted to the Secretary of State.

♦ Statements shall be signed by both the chairman and treasurer of the organization. See previous section "Candidate Information" for details about receipts and expenditures and filing deadlines.

Political Party Contributions

♦ No political party funds shall be expended directly or indirectly in the aid of the nomination of any one person against another person of the same political party running in the primary election. In the general election, a party may specifically contribute to their party's candidate for office.

■ Filing the campaign report

■ Each state and county party committee must file a fully itemized Statement of Receipts and Expenditures within ten days after the general election.

■ Report must include all receipts and expenditures relating to campaign expenses, including all normal operating expenses, from the time the report was filed for the previous general election to the filing deadline for the current general election. This means any financial party activity done in odd-numbered years must be recorded.

■ See previous section "Candidate Information" for details about receipts and expenditures. *Exception: Staff and postage expenses need not be reported.*

■ Receipts and expenditures must be attributed to specific candidates, if the receipts and expenditures can be specifically identified to that candidate to the exclusion of other candidates on the ticket. If a candidate is identified, the party committee must provide a copy of the report to the candidate.

■ The report must be signed by the chairman or an officer of the party designated by him.

♦ Clubs, such as the Young Democrats or a county Republican Women's Club, should check with their respective party authority to determine their power to contribute directly to a candidate.

Information and Publications

♦ The following 2000 election information is available:

■ Campaign Guides, Campaign Reporting Forms and the Election Code (state statutes) are available at no cost by accessing the Secretary of State's website at soswy.state.wy.us\election\election.htm.

■ Campaign Guides are available from the Secretary of State.

■ Campaign Reporting Forms are available from the Secretary of State and the County Clerks.

■ Election Codes are available from the Secretary of State for a pre-paid fee of $3.00.

■ Voter registration lists, mailing labels, computer disks and tapes may be purchased from the Secretary of State and some County Clerks who have the computer capability. Order forms are available from both the Secretary of State and County Clerks.

Campaign Practices

22-25-101. Definitions; statement of formation.

(a) Repealed By Laws 1998, ch. 100, § 5.

(b) A political action committee and a candidate's campaign committee, except those formed under federal law, shall file a statement of formation within ten (10) days after formation. This filing is required when any political action committee or candidate's campaign committee is formed, whether before an election to aid in the campaign or formed after an election to defray campaign debts incurred. The chairman and treasurer of a committee shall be separate individuals. The statement of formation shall list the name and mailing address of the committee, name and address of the committee chairman and treasurer, date committee formed and the purpose of committee. The statement of formation shall be filed in those offices as provided by W.S. 22-25-107.

22-25-102. Contribution of funds or election assistance restricted; limitation on contributions; right to communicate; civil penalty.

(a) Except as otherwise provided in this section, noorganization of any kind including a corporation, partnership, trade union, professional association or civic, fraternal or religious group or other profit or nonprofit entity except a political party, political action committee or candidate's campaign committee organized under W.S. 22-25-101, directly or indirectly through any officer, member, director or employee, shall contribute funds, other items of value or election assistance to aid, promote or prevent the nomination or election of any candidate or group of candidates or to aid or promote the interests, success or defeat of any political party. No person shall solicit or receive a payment or contribution from an organization prohibited from making contributions under this subsection.

(b) Except as otherwise provided in this section, only a natural person, political party, or a political action committee or a candidate's campaign committee organized under W.S. 22-25-101 shall contribute funds or election assistance in order to aid, promote or prevent the nomination or election of any candidate or group of candidates, or in order to aid or promote the interests, success or defeat of any political party. No person shall solicit or receive a political payment or contribution from any source other than a natural person, political party, political action committee or candidate's campaign committee organized under W.S. 22-25-101.

(c) Except as otherwise provided in this section, no individual other than the candidate, or the candidate's immediate family shall contribute directly or indirectly, more than one thousand dollars ($1,000.00) per election during the two (2) year period consisting of a general election year and the preceding calendar year to any candidate for political office, or to any candidate's campaign committee, nor make more than twenty-five thousand dollars ($25,000.00) total political contributions during the same two (2) year period. For purposes of this subsection the primary, general and special elections shall be deemed separate elections. No candidate for political office shall accept, directly or indirectly, contributions which violate this subsection. Contributions to a candidate's campaign committee shall be considered to be contributions to the candidate. This subsection does not limit political contributions by political parties, nor expenditures by a candidate from his or her own funds nor from his or her candidate's campaign committee funds.

(d) Any organization, in the aid of the election or defeat of candidates for public office or for the adoption or defeat of any ballot proposition may communicate directly with its own members on behalf of a particular candidate or political party.

(e) Any corporation, person or organization violating the provisions of subsection (a), (b) or (c) of this section is subject to a civil penalty up to ten thousand dollars ($10,000.00) and costs including a reasonable attorney's fee. The amount of penalty imposed shall be in such amount as will deter future actions of a similar nature. An action to impose the civil penalty may be prosecuted by and in the name of any candidate adversely affected by the transgression, any political party, any county attorney, any district attorney or the attorney general. Proceeds of the penalty imposed shall be credited to the state general fund.

(f) Direct contributions from any organization affiliated with a political party do not violate subsection (a) of this section. These contributions shall be a matter of internal party governance. Contributions to political parties are not subject to the limits of subsection (c) of this section provided the contributions are available to use as the appropriate party authorities choose and are not exclusively dedicated to any particular candidate. Contributions donated to a political party which are designated by the donor to be used only for a particular candidate and no other purpose are subject to the limitations of subsection (c) and of this section.

(g) The prohibitions in this section do not apply to contributions of funds or other items of value to political parties for the purpose of supporting multi-state or

national political party conferences or conventions. Any contribution made pursuant to this subsection shall also comply with all applicable federal election commission regulations governing contributions to political parties. Any political party which receives funds to sponsor such conferences or conventions shall file an itemized statement of receipts and expenditures with the secretary of state within ten (10) days after the conference or convention.

(h) No organization of any kind, as specified in subsection (a) of this section, shall solicit or obtain contributions for any of the purposes specified in subsection (a) of this section from an individual on an automatic basis, including but not limited to a payroll deduction plan or reverse checkoff method, unless the individual who is contributing affirmatively consents in writing to the contribution at least once in every calendar year. Nothing in this subsection shall be construed to authorize contributions otherwise prohibited under this election code.

22-25-103. Identifiable expenses; exceptions.

(a) Identifiable expenses include:

(i) All forms of advertising expenses, including, but not limited to, radio, television, billboards and posters;

(ii) Printing expenses;

(iii) Expenses for retaining the services of a professional campaign consultant, or public relations or management firm;

(iv) Postage.

(b) Staff and postage expenses of a political party central committee, checking account service charges of a political action committee and a candidate's personal campaign expenses for travel and meals and checking account service charges are not identifiable expenses.

(c) Advertising expenses by a party central committee are not identifiable expenses for the candidate if the entire slate of candidates, below the national level, is advertised by the committee even though all candidates are not included in each advertisement so long as the expenses for each candidate on the slate are substantially the same in any election.

22-25-104. Restriction on party funds in primary elections.

No political party funds shall be expended directly or indirectly in the aid of the nomination of any one person as against another person of the same political party running in the primary election.

22-25-105. Campaign reporting forms; instructions and warning.

The secretary of state shall prescribe and furnish the forms for reporting receipts and expenditures for primary, general and special election campaigns, together with written instructions for completing the form and a warning that violators are subject to criminal charges and that a vacancy will exist if the forms are not completed and filed pursuant to law. The forms along with instructions and warning shall be distributed to the county clerk and shall be given by the county clerk to each person filing an application for nomination in his office and to each political action committee and candidate's campaign committee required to file with the county clerk. The county clerk shall also distribute the reporting forms to the chairmen of the county party central committees.

22-25-106. Filing of campaign reports.

(a) Except as otherwise provided in this section, every candidate, whether successful or not, shall file a fully itemized statement of receipts and expenditures within ten (10) days after any primary, general or special election. The statement shall set forth the full and complete record of receipts including cash, goods or services and of actual and promised expenditures, including all identifiable expenses as set forth in W.S. 22-25-103. The date of each receipt of twenty-five dollars ($25.00) or more, any expenditure or obligation, the name of the person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed. All receipts under twenty-five dollars ($25.00) shall be reported but need not be itemized. Should the accumulation of receipts from an individual exceed the twenty-five dollar ($25.00) threshold, all receipts from that individual shall be itemized. Receipts, expenditures and obligations itemized in a statement filed by a political action committee, a candidate's campaign committee or by a political party central committee need not be itemized in a candidate's statement except by total with a reference to the statement. The statement shall be filed with those officers as provided in W.S. 22-25-107. The statement may be filed by facsimile transmission if the original is postmarked on the day the facsimile is sent.

(b) Reports of itemized statements of receipt and expenditures, and statements of termination shall be made with the appropriate filing officers specified under W.S. 22-25-107 and in accordance with the following:

(i) Except as otherwise provided for in this section, any political action committee, candidate's campaign committee, or any political action committee

formed under federal law or the law of another state that contributes to a Wyoming political action committee or to a candidate's campaign committee, and any other organization supporting or opposing any ballot proposition which expends any funds in any primary, general or special election shall file an itemized statement of receipts and expenditures within ten (10) days after the election;

(ii) A committee formed after an election to defray campaign expenses incurred during a previous election and any political action or candidate's campaign committee which has previously filed a statement of receipts and expenditures and has not filed a statement of termination shall file an itemized statement of receipts and expenditures on July 1 and December 31 of each odd-numbered year;

(iii) All candidates and committees shall continue to make the biannual reports required under this subsection until the committee terminates and the candidate or committee files a statement of termination with the appropriate filing officer. A statement of termination may be filed upon retirement of all debts;

(iv) In addition to the reports required under paragraphs (i) through (iii) of this subsection, a political action committee formed for the support of or opposition to any initiative or referendum petition drive or any organization supporting or opposing a petition drive shall file an itemized statement of receipts and expenditures within ten (10) days after the petition is submitted to the secretary of state pursuant to W.S. 22-24-115.

(c) All statements required by subsection (b) of this section shall be signed by both the chairman and treasurer. The statements shall set forth the full and complete record of receipts including cash, goods or services and of actual and promised expenditures. The date of each receipt of twenty-five dollars ($25.00) or more, any expenditure or obligation, the name of the person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed. All receipts under twenty-five dollars ($25.00) shall be reported but need not be itemized. Should the accumulation of receipts from an individual exceed the twenty-five dollar ($25.00) threshold, all receipts from that individual shall be itemized. If the receipts, expenditures or obligations were for more than one (1) candidate, the amounts attributable to each shall be itemized separately. The statement may be filed by facsimile transmission if the original is postmarked on the day the facsimile is sent.

(d) The chairman of each political party central committee for the state or county, or an officer of the party designated by him, shall file an itemized statement of receipts of twenty-five dollars ($25.00) or more, any expenditures and obligations. The itemized statement shall be filed. The statement may be filed by facsimile transmission within ten (10) days after a general or special election provided an original signed statement is sent by mail on the same day. The statement shall report all receipts, expenditures and obligations relating to campaign expenses, including normal operating expenses. All receipts under twenty-five dollars ($25.00) shall be reported but need not be itemized. Should the accumulation of receipts from an individual exceed the twenty-five dollar ($25.00) threshold, all receipts from that individual shall be itemized. It shall attribute all campaign receipts, expenses and obligations to a specific candidate only if the campaign receipts, expenses and obligations can be specifically identified to that specific candidate to the exclusion of other candidates on the ticket. A copy of the statement shall be furnished to each candidate identified in the statement within ten (10) days after the general or special election.

(e) Amendments to the statements required by this section may be filed at any time. If inaccuracies are found in the statements filed or additional receipts or expenditures occur or become known after the statements are filed, amendments to the original statements or additional statements shall be filed within a reasonable time not to exceed ninety (90) days from the time the inaccuracies or additional receipts or expenditures became known. Any net change less than fifty dollars ($50.00) need not be reported.

(f) In addition to the statement of receipts and expenditures required by subsection (b) of this section, any political action committee formed for the support of any initiative or referendum petition drive or any organization supporting an initiative or referendum petition drive shall file with the secretary of state, at least thirty (30) days but no more than forty-five (45) days before the election at which the initiative or referendum proposition will be voted on, a statement signed by both the chairman and treasurer showing:

(i) The total amount expended to obtain signatures on the petition;

(ii) The number, the names and the addresses of persons paid to obtain signatures on the petition;

(iii) The amount paid to each person who collected signatures on the petition; and

(iv) The period of time during which signatures on the petition were obtained.

(g) Candidates for federal office and campaign committees for candidates for federal office shall not be

required to file receipt and expenditure reports under this section if the candidate or the committee is required to comply with federal election law reporting requirements.

22-25-107. Where statements to be filed.

(a) All statements required under W.S. 22-25-101, 22-25-102 and 22-25-106 shall be filed as follows:

(i) Any candidate for a municipal, county, judicial, hospital, school or college board office and any political action committee or candidate's campaign committee supporting such a candidate and any political action committee supporting or opposing a municipal initiative or referendum within the county, shall file with the county clerk;

(ii) Any candidate for a state legislative or district judgeship office and any political action committee or candidate's campaign committee supporting or opposing such a candidate, shall file with the secretary of state;

(iii) Any candidate for statewide office shall file with the secretary of state;

(iv) A county party central committee shall file with the secretary of state and county clerk;

(v) A state party central committee shall file with the secretary of state;

(vi) Precinct committeemen and precinct committeewomen elected at the primary election shall not be required to file a statement of receipts and expenditures;

(vii) Any political action committee or organization supporting or opposing any statewide initiative or referendum petition drive, any statewide ballot proposition or any candidate for statewide office shall file statements required by this section with the secretary of state.

(b) Whenever "county clerk" is used in this chapter, it means the county clerk of the county in which the person resides.

22-25-108. Failure of candidate or committee to file statement.

(a) A candidate who fails to file, within the time required, a full and complete itemized statement of receipts and expenditures shall receive a notice by certified mail return receipt requested stating that failure to file the statement within three (3) calendar days of receipt of the notice shall result in a vacancy in nomination or a vacancy in office, as the case may be and may be charged with a criminal offense as provided by W.S. 22-26-112. If he fails to file within three (3) calendar days after receipt of notice, he shall not receive a certificate of nomination, or election, nor shall he enter upon the duties of the office, as the case may be and may be charged with a misdemeanor as provided by W.S. 22-26-112. A late filing fee of twenty-five dollars ($25.00) shall accompany all late reports.

(b) In addition to any other penalty provided by law, a candidate who fails to file the statement required by subsection (a) of this section within one (1) month of receipt of the notice provided is ineligible to run as a candidate for any state or local office for which a statement is required by W.S. 22-25-106 until:

(i) Five (5) years have elapsed from the date the statement was first due; and

(ii) The person has filed the required statement and has paid the late filing fee assessed under subsection (a) of this section.

(c) Any political action committee which fails to file a report as required shall be sent notice by the secretary of state, by certified mail return receipt requested or personal service in accordance with rule 4 of the Wyoming Rules of Civil Procedure, stating that failure to file the statement within three (3) calendar days of receipt of the notice may result in the filing of criminal charges against the committee's officers responsible for the filing. A late filing fee of twenty-five dollars ($25.00) shall accompany all late reports. Any officer of a political action committee who is responsible for filing a report and who knowingly and willfully fails to file a report as required or who knowingly and willfully subscribes to, makes or causes to be made a false report is guilty of a felony punishable by imprisonment not to exceed two (2) years.

22-25-109. Reporting candidates in violation.

The secretary of state shall report the names of all candidates in violation of the Election Code of the state of Wyoming to the attorney general or to the district attorney for appropriate action. The secretary of state shall publish a list of those persons violating W.S. 22-25-106, once in a newspaper in general circulation throughout the state.

22-25-110. Campaign advertising in communications media.

(a) It is unlawful for a candidate, political action committee, candidate's campaign committee, or any political party central committee to pay for campaign literature or campaign advertising in any communication medium without printing or announcing the candidate or

committee sponsoring the campaign advertising or campaign literature. The communications media in using the campaign advertising shall print or announce the name of the candidate or committee paying for the advertising.

(b) For purposes of this section, "campaign literature" does not include small campaign items such as tickets, bumper stickers, pens, pencils, buttons, rulers, nail files, balloons and yard signs displaying the name of the candidate or office sought.

22-25-111. Repealed by Laws 1980, ch. 31, § 1.

22-25-112. Campaign advertising rates.

Rates charged for political campaign advertising shall not be higher than rates charged for local advertising of the same quality and quantity.

22-25-113. Repealed By Laws 1998, ch. 100, § 5.

22-25-114. Repealed by Laws 1991, ch. 243, § 5.

22-25-115. Written campaign advertising; prohibiting placement on public property; exception.

Except as provided herein, written campaign advertising shall not be placed on or attached to any real or personal property of the state or its political subdivisions. This prohibition shall not apply to fairgrounds of the Wyoming state fair or of any county fair organized under the laws of this state. The University of Wyoming, any community college and school district may permit such advertising subject to regulation by their governing board as to time, place and manner. Any rules and regulations adopted shall provide for equal access to opposing political views. Subject to the approval of the landowner and any rules and regulations adopted by a municipality, campaign materials may be placed on municipal street rights-of-way. The department of transportation shall allow campaign materials to be placed on a state right-of-way within a municipality to the same extent which the municipality allows campaign materials to be placed on municipal street rights-of-way. Nothing in this section shall apply to any interstate highway.

Filing Deadlines & Offices

	Statement of Formation	Statements of Receipts and Expenditures		Filing Offices
		Primary Election	General Election	
Candidate	N/A	Sep. 1, 2000	Nov. 17, 2000	**Secretary of State:** Candidate or committee supporting or opposing a candidate for state legislature, statewide office or district or supreme court judgeship, or a committee formed to support or defeat a statewide ballot proposition or an initiative or referendum petition drive. **Secretary of State and County Clerk:** Candidate or committee supporting or opposing a candidate for district attorney. **County Clerk:** Candidate or committee supporting or opposing a candidate for a county, judicial, municipal, school, college or hospital district trustee office, or a committee formed to support or defeat a local ballot proposition. **Secretary of State:** State Central Committees **Secretary of State and County Clerk:** County Central Committees
Candidate's Campaign Committee	10 Days After Formation	Sep. 1, 2000	Nov. 17, 2000	
School or Community College District Trustee Candidate	N/A	N/A	Nov. 17, 2000	
School or Community College District Trustee Candidate's Campaign Committee	10 Days After Formation	N/A	Nov. 17, 2000	
Political Action Committee supporting candidates [1, 2]	10 Days After Formation	Sep. 1, 2000	Nov. 17, 2000	
Political Party Central Committee	N/A	N/A	Nov. 17, 2000	
Organization [1, 2]	N/A	Sep. 1, 2000 (If ballot prop. appeared on Prim. Elec. ballot.)	Nov. 17, 2000 (If ballot prop. appeared on Gen. Elec. ballot.)	

1. An organization or political action committee supporting or opposing an initiative or referendum petition drive shall file a report within 10 days after the petition is filed with the Secretary of State. An organization or a political action committee supporting or opposing a ballot proposition shall file a report ten (10) days after the election at which the ballot proposition was voted upon.

2. Any political action committee formed for the support of any initiative or referendum petition drive or any organization supporting an initiative or referendum petition drive shall file with the secretary of state, at least thirty (30) days but no more than forty-five (45) days before the election at which the initiative or referendum proposition will be voted on, a statement signed by both chairman and treasurer showing:

(i) The total amount expended to obtain signatures on the petition;
(ii) The number of persons paid to obtain signatures on the petition;
(iii) The rate paid per signature to obtain signatures on the petition; and
(iv) The period of time during which signatures on the petition were obtained.

The filing period for this report is September 23, 2000, through October 8, 2000.

Contribution Limits & Prohibitions Under Wyoming Law

There are **no** limits on how much a candidate can **spend,** but only limits on how much an individual can **contribute.**

Contribution from ...	To Candidate or Candidate's Campaign Committee	To Political Party Committee	To Political Action Committee	Total Contributions
Individual	A specific limit of $1,000 per candidate per election. A general limitation of no more than $25,000 in total contributions within the same two-year period.*	**No specific limits under either category, but the general limit of $25,000 in a two-year period applies.***		$25,000 per two-year period
Political Party Committee	No Limit	No Limit	No Limit	No Limit
Political Action Committee	No Limit	No Limit	No Limit	No Limit
Corporation, Union, Partnership, Professional Assn. or Civic, Fraternal or Religious Group**	Prohibited from making contributions to candidates and political parties. However, these organizations may make contributions to support or oppose a ballot proposition or an initiative or referendum petition drive. A non-profit (501(c)) organization should consult an attorney, an accountant or the Internal Revenue Service before making contributions to an initiative or referendum drive to avoid jeopardizing its tax status.			

*For example, if a person contributed $1,000 to a political candidate, that would leave $24,000 available for contributions under these categories within the two-year period.

Campaign Advertising

To remain in compliance with W.S. 22-25-110 **Campaign advertising in communications media**, a candidate or committee purchasing radio, television or newspaper advertisements must abide by specific requirements. The following are examples which may assist in determining the proper language for the "paid for" line.

1. Jane Doe is running for the legislature. She doesn't form a committee. Jane decides to buy an ad in the newspaper. The "paid for" line should read: "Paid for by Jane Doe".

2. Jane Doe decides to form a committee. The committee then buys media for Jane. The "paid for" line should read "Paid for by the Committee to Elect Jane Doe".

3. Jane has four friends who want to buy a newspaper advertisement for her. They each pitch in some money. The "paid for" line should read: "Paid for by: Bill Jones, Connie Smith, Tom Williams, Julie Noe" OR their signatures could be a part of the ad and read "Paid for by the Individuals Signing Above." These are called "independent expenditures" which neither Jane nor her committee need to report.

4. Jane's good friend Bill Jones wants to buy a newspaper advertisement supporting Jane. He pays for the ad personally. No disclosure is required.

5. A group of people have formed a political action committee (PAC) and have filed with the Secretary of State or the County Clerk. They call this committee "The Committee to Elect Reasonable People." This committee supports Jane and buys a newspaper ad. The "paid for" line should read: "Paid for by the Committee to Elect Reasonable People."

6. Jane Doe is a member of the "Cowboy Party." The Cowboy Party buys an advertisement for Jane. (This is allowed only if Jane is the only Cowboy running in the primary election or she is the Cowboy Party candidate for the general election.) The "paid for" line should read "Paid for by Wyoming Cowboy Party" or "Paid for by the Wilson County Cowboy Party" (depending upon whether it is the state or county party).

7. Jane Doe is running for office. A group of Jane's friends want to support her. However, they do not form a political action committee or a candidate's campaign committee. They buy an ad which has a "paid for" line which reads: "Paid for by Friends of Jane Doe", but they do not list their names in the ad. THIS IS ILLEGAL.

For radio advertisements, the "paid for by" lines should be announced.

For television advertisements, the "paid for by" lines should be announced and/or appear on the screen.

STATE OF WYOMING COUNTY CLERKS
(Terms expire January , 2003)

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