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Monroe County Board of Elections

DATE: May 11, 2015
TO: All Treasurers of Rochester City School Board Campaign Committees &
Candidates Authorized by those Committees
FROM: The Monroe County Board of Elections
SUBJECT Campaign Finance Disclosure Filings

Please be advised that a recent review of the NYS Education Law and Election Law by the NYS Board of Elections provided a revised decision regarding the filing of campaign finance disclosure reports with the State Board of Elections or the Monroe County Board of Elections.

Although, Education Law provides for the Monroe County Board of Elections to conduct the elections for School Commissioners for the Rochester City School Board (Education Law 2553([9] [c]), Election Law provides specifically that campaign finance disclosure filings are not the responsibility of the Monroe County Board of Elections or the New York State Board of Elections (Election Law 14-100[11]; 14-102). Further, Education Law 1528 (attached) specifies the process for filing campaign finance disclosure reports.

Copy: New York State Board of Elections
Rochester City School District
Constituted Party Chairs

N.Y. EDN. LAW § 1528: NY Code - Section 1528: Expenditure and contribution statement

1. (a) Any candidate for election to the board of education, except a candidate for member of the community district education council of a New York city community school district, shall file sworn statements with the clerk of the school district in which he or she is a candidate and the commissioner setting forth all moneys or other valuable things, paid, given, expended or promised by him or her, or incurred for or on his or her behalf with his or her approval to be filed with the aforesaid clerk and commissioner by any person, firm, association or corporation, to aid his or her own nomination or election, or to aid or influence the nomination or defeat of any candidate to be voted for at the election. Any candidate for election, if he or she expended nothing or his or her only expenditures were for personal expenses which when taken together with the total expenditures incurred by others on his or her behalf and with his or her approval do not exceed five hundred dollars, and if the aggregate amount of all contributions made to such candidate do not exceed five hundred dollars, shall not be required to file any statements with the commissioner; however such candidate shall file with the clerk of the school district a sworn statement to the effect that his or her election expenditures did not exceed five hundred dollars and contributions received did not exceed five hundred dollars. (b) Any required contribution statements shall include the dollar amount of any receipt, contribution or transfer, or the fair market value of any receipt, contribution or transfer, which is other than of money, the name and address of the transferor, contributor or person from whom received, and if the transferor, contributor or person is a political committee as defined in subdivision one of section 14-100 of the election law; the name of and the political unit represented by the committee, the date of its receipt, the dollar amount of every expenditure, the name and address of the person to whom it was made or the name of and the political unit represented by the committee to which it was made and the date thereof. (c) No person or persons shall make expenditures on behalf of a candidate without his or her approval unless such person or persons files a sworn statement with the clerk and commissioner stating that the candidate did not approve such expenditure. Such expenditure shall be limited to twenty-five dollars and shall not be included in determining the five hundred dollars as set forth in paragraph (a) of this subdivision.

2. For the purposes of this section, personal expenses shall include only payments for traveling expenses and expenses incidental thereto, for writing, printing and preparing for transmission any letter, circular, or other publication not issued at regular intervals, containing a statement of the position or views of the candidate or person upon public or other questions, for stationery and postage and for telegraph, telephone and other public messenger service; but all such expenses shall be limited to those which are directly and personally incurred and paid by the candidate.