

17 February 2015

Opinion<sup>1</sup>: Campaign Materials

Issue/question:

1. *Is a candidate required to report campaign items to the Election Commission if the aggregate total of all campaign materials (food, flyers, social media) is clearly under \$500?*

Yes. All candidates must file a disclosure form with the Election Commission reporting expenditures for the production and distribution of campaign materials, as well as certain donor expenditures.

Such campaign funding is outlined in Title 4, Chapter 2 of the [OIL Statutes](#). Section 200 of that chapter notes: "No candidate for Executive office may spend more than five hundred dollars (\$500) for the production and distribution of campaign materials. Each candidate must then file a disclosure form with the Election commission no later than midnight on the night before the election commences." Importantly, there is no exception provided for low expenditures, such as for candidates spending less than \$100.

In the absence of an explicit exception, "each candidate must then file a disclosure form" should be interpreted to include *all* candidates. Candidates are advised to keep good records on their campaign material expenditures.

**Additional information:**

Per Title 4, Chapter 2, Section 203, "campaign material" includes: "any paraphernalia excluding organizational publications of O.I.L. bearing the name, likeness, positions, or ideas of any candidate; any food or beverage items used for the furtherance of a candidate's election, any postage required to send campaign materials, and any gift items the candidate gives away to the mass Public during the course of an election."

Section 204 of the same chapter notes: "Candidates shall not be required to report travel expenses, phone expenses, lodging expenses, nonpartisan support given equally among all the candidates for the same office, or any work performed by the individual at no cost."

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<sup>1</sup> The authority to issue opinions is granted in Title 5, Chapter 4, Section 400 of the OIL Statutes.