



State of New York
STATE BOARD OF ELECTIONS

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November 18, 2005

Dear Candidate/Treasurer:

Re: New Campaign Financial Disclosure filing requirement for local filers beginning with the January 15, 2006 Periodic Filing

New Law

The New York State Election Law has been amended to require candidates and committees for local elections who file with a county board of elections or with NYC Board of Elections, that raise or expend or expect to raise or expend more than \$1,000 in any calendar year, to file their campaign finance statements in electronic format with the New York State Board of Elections and to continue to file on paper format or electronic format with the county board of elections or with the NYC Board of Elections, as the case may be. The new law does not apply to candidates or committees that are required to make their filings with a village clerk.

Current filers with a county board of elections or with the NYC Board of Elections, who have not effectively terminated with their 2005 27 Day Post General report and who have either exceeded the \$1,000 threshold in receipts or expenditures in 2005 or expect to exceed the \$1,000 threshold in 2006, are required to file electronically at the New York State Board of Elections (the State Board) in January 2006, and continue to file using the appropriate format with the county board.

Technical Information on Electronic Filing

Before a filing can be accepted by the State Board, a filer must be assigned a Filer Identification Number (Filer ID) and Personal Identification Number (PIN). It is critical that you do not use our software to prepare a report for filing in January 2006, before you receive a Filer ID and PIN from the State Board. Doing so will result in the filer having to re-enter all data in the report, as reports prepared without a correct Filer ID/PIN can not be uploaded into the database.

In order to receive your Filer ID/PIN, you must register with the State Board by filing a CF-02 (The Committee Designation of Treasurer and Depository), a CF-03 (Committee Statement of Authorization or Non-Authorization by Candidates), and a CF-16 (Candidate Committee Authorization and Non-Expenditure Statement), as the case may be. These forms all require original signatures and form CF-03 and CF-16 need to be notarized. Current local filers

who will be required to file electronically with the State Board in January 2006, must register with the State Board by **December 15, 2005**.

Electronic filings can be submitted to the State Board via the following:

As an attachment to e-mail: efsfiling@elections.state.ny.us

On a diskette via mail to: NYS Board of Elections
40 Steuben Street
Albany, New York 12207
Attn: Campaign Finance Unit

Forms and Electronic Filing Software

All forms and the computer software necessary to comply with this requirement, as well as installation and use instructions, are available at the State Board's website at www.elections.state.ny.us

If you do not have access to the internet, you may request forms and/or the software on CD by calling the Campaign Finance Unit at 518-474-8200 or 1-800-458-3453. If you have **technical questions** concerning installation and/or use of the electronic filing software, you may call (518) 473-4803 or send e-mail inquiries to efshelp@elections.state.ny.us.

Initial Filing Requirements

Please note that your first electronic filing with the State Board will have a beginning cash balance of zero. It is our goal that the ending cash balance on your most recent filing with the local board prior to your first electronic filing, be properly carried forward on that first electronic filing. Therefore, local filers are required to do a one time entry on Schedule G (Transfers-In) on their first electronic filing as follows:

Date - Use the cut off date of this filing you are preparing now as your first filing for the State. (For example: 01/11/06 is the cut off date for January 15, 2006 Periodic filing.)

Transfer Type - Use type 2 (Committee solely supporting same candidate).

Name - Treasurers will list their committee name. Candidates filing their own report will list their name.

Amount - record the ending cash balance from your last paper report you filed with the local board of elections. (i.e., the ending cash balance of the report prior to this filing that you are preparing now.)

After you transmit your filing, check our website to verify that the data and the ending cash balance is correct.

Future Filings

The State Board assumes that all active committees are supporting candidates for election and therefore, we will expect to receive election reports from them (3 primary election reports and/or 3 general election reports), unless we are notified otherwise. In order to do so, you may notify this office by filing a Notice of Inactive Status (CF-20). This form may be filed on paper or via our website under Campaign Finance. The CF-20 requires an original signature. If filing online, you are required to use your ID# and PIN.

You are required to continue to file your reports in electronic format with the State Board and in paper or electronic format, as the case may be, with the county board of elections until you terminate your filing with the State Board and County Board of Elections. This includes all applicable election reports as well as all January and July Periodic reports. The process for termination can be found on our website.

Electronic Filing Exemption

An exemption from the electronic filing requirement is available to filers that meet both of the following criteria:

Filers who do not have access to the technology necessary to comply with the electronic filing requirement and that filing by such means would constitute a substantial hardship to comply, may submit an Application for Electronic Filing Exemption (CF-19) with the State Board, at least 30 days prior to the filing.

NOTE: For purposes of granting an exemption to the electronic financial disclosure requirements of Article 14 of the Election Law, the following definitions apply:

“Access to the technology” is defined as the ownership and/or the ability to access a computer with a windows-based operating system capable of complying with electronic filing requirements.

“Substantial hardship” is defined as the financial inability to purchase and/or acquire access to the technology necessary to comply with the electronic financial filing requirements.

The exemption is valid for one year from the date of granting and the filer is obligated to inform the State Board of any change in circumstances which would disqualify the committee/candidate from the exemption for electronic filing. The State Board may revoke the exemption at any time.

Please do not hesitate to contact the State Board if you need assistance to comply with the new electronic filing requirements. Please call 518-474-8200 or 1-800-458-3453.

