

# Judicial Elections: Last Chance to Ask Questions Before the May Primary

---

Janet M. Kleinfelter  
Deputy Attorney General  
TN Attorney General and Reporter

Marshall L. Davidson, III  
Disciplinary Counsel  
Board of Judicial Conduct

Mid-Winter TGSJC  
March 1, 2022



# ELECTION CODE REQUIREMENTS

2022 ELECTION DATES

PRIMARY ELECTION – MAY 3, 2022

GENERAL ELECTION – AUGUST 4,  
2022

# QUALIFYING DEADLINES

If no primary election – noon the first  
Thursday in April – **APRIL 7, 2022**

# WITHDRAWAL OF CANDIDACY

- Candidate may withdraw—for any reason—no later than noon on the 7<sup>th</sup> day after the qualifying deadline.
- Candidate may withdraw after 7<sup>th</sup> day for one of the following reasons:
  - Military call-up
  - Physical or mental disability properly documented by competent medical authority
  - Forced to change residency by employer for job-related reasons
  - Declared ineligible or disqualified by a court or by political party executive committee under § 2-5-204

# WHAT HAPPENS IF CANDIDATE DIES OR WITHDRAWS FOR ONE OF THE PERMITTED REASONS

- If no other candidates on the ballot – then additional candidates may qualify no later than noon on the 40<sup>th</sup> day before the election, UNLESS
- Death or withdrawal occurs within 10 days of the 40<sup>th</sup> day – qualifying deadline is noon on the 10<sup>th</sup> day following the death or withdrawal



# WRITE-IN CANDIDATES

- Must file notice in each county of the district no later than noon 50 days before election to have any write-in votes counted
- To receive party nomination – must receive write-in votes equal to or greater than 5% of total number of registered voters of district – unless there are candidates listed on the official ballot
- Candidate defeated in primary election cannot run as a write-in candidate for same office in general election

# ELECTION CONTESTS

- Primary Election
  - Filed with political party's state primary board/executive committee
  - Filed within 5 days after certification of results by county election commission
- General Election
  - Filed in chancery court of division in which defendant resides
  - Filed within 5 days after certification of election
  - Trial shall be held not less than 15 days nor more the 50 days after complaint is filed, and not less than 10 days after served on the defendant.



# CAMPAIGN FINANCE:

Disclosure Reporting Requirements and  
Limitations



# Appointment of Political Treasurer

For State and Local Candidates and Single-Candidate Committees

## INSTRUCTIONS

The Appointment of Political Treasurer statement must be used to appoint a political treasurer as required by the Campaign Financial Disclosure Act (T.C.A. § 2-10-105) for state and local candidates and single-candidate political campaign committees. A state candidate may not receive or expend funds for an election until a political treasurer has been appointed for that election. A local candidate pursuant to T.C.A. 2-10-101, may be exempt from completing this form, please check with county election commission for more information. A candidate may appoint himself or herself as political treasurer. A new form must be filed if the treasurer is changed.

Candidates for state public office must file their original Appointment of Political Treasurer statement ONLY with the Registry of Election Finance, 404 James Robertson Parkway, Suite 104, Nashville, TN 37243-1360.

Candidates for local public office must file their original Appointment of Political Treasurer statement ONLY with their county election commission.

1. Date:	2. Name of Candidate or Committee:	3. Candidate e-mail address:		
4. Campaign Address and Phone:		City	State	Zip Code Phone
5. Home Address and Phone (if different than item 4 above):		City	State	Zip Code Phone
6. Office Sought (include district number, if applicable)	7. Party Affiliation	8. Election Year		
9. Treasurer Name:	10. Treasurer e-mail address:			
11. Treasurer Address and Phone:		City	State	Zip Code Phone
12. Candidate and Treasurer Signature (both signatures must be witnessed. Treasurer can not witness candidate's signature):				
I certify under the penalty of perjury that the information given on this form is true and accurate. In addition, I understand that the Registry of Election Finance/County Election Commission must be notified of any change in this information.				
_____ Signature of Candidate		_____ Signature of Treasurer		
_____ Signature of Witness		_____ Signature of Witness		

# WHAT IF I DON'T HAVE AN OPPONENT?

If you do not have an opponent in the primary and/or general election **OR**

You do not intend to accept any contributions **AND** you do not intend to spend any money on your campaign **THEN**

You do not have to file the Appointment of Political Treasurer form. See TCA § 2-10-105(e)(1) (“[E]ach candidate . . . shall certify the name and address of the candidate’s political treasurer . . . before the candidate . . . may receive a contribution or make an expenditure. . . .”)

# CAMPAIGN DISCLOSURE REPORTS DUE IN 2022 – ELECTION YEAR

- **1<sup>st</sup> Quarter** – due **April 11, 2022** – covers period of January 16 through March 31, 2022
- **Pre-Primary** – due **April 26, 2022** – covers period of April 1 through April 23, 2022
- **2<sup>nd</sup> Quarter** – due **July 11, 2022** – covers period of April 24 through June 30, 2022
- **Pre-General** – due **July 28, 2022** – covers period of July 1 through July 25, 2022 –only required if candidate in August General Election
- **3<sup>rd</sup> Quarter** – due **October 11, 2022** – covers period of July 26 through September 30, 2022 *if candidate in August election*; otherwise covers period of July 1 through September 30, 2022
- **4<sup>th</sup> Quarter** – due **January 25, 2023** – covers period of October 1 through December 31, 2022

# CIVIL PENALTIES

- Class 1 offense – late filing of report (not including 5-day grace period) – civil penalty of \$25.00 per day up to maximum of \$750
- Class 2 offense – failure to file report within 35 days of assessment letter – civil penalty of not more than \$10,000

# ADDITIONAL "PENALTY"

- Failure to pay civil penalty after it becomes final – candidate is ineligible to qualify for election to any state or local public office until penalty is paid. Tenn. Code Ann. § 2-10-110(c)(2).
- Failure to file report – ineligible to qualify for election to any state or local public office until report is filed. Tenn. Code Ann. § 2-10-110(d).

# CAMPAIGN DISCLOSURE REPORTS

## CAMPAIGN FINANCIAL DISCLOSURE STATEMENT For State and Local Judicial Single - Candidate Committees

1. DATE OF REPORT		2.a. NAME OF CANDIDATE			
2.b. NAME OF CANDIDATE'S COMMITTEE				3. ELECTION DATE	
4.a. CAMPAIGN ADDRESS AND PHONE Street or Rural Route		City	State	Zip Code	Phone
4.b. CANDIDATE'S HOME ADDRESS (if different than 4.a.) Street or Rural Route		City	State	Zip Code	Phone
5. JUDICIAL OFFICE SOUGHT (include district number, if applicable)			6. NAME OF POLITICAL TREASURER		
7. CATEGORY OR REPORT (Check one)					
<input type="checkbox"/> FIRST QUARTER	<input type="checkbox"/> SECOND QUARTER	<input type="checkbox"/> THIRD QUARTER	<input type="checkbox"/> FOURTH QUARTER	<input type="checkbox"/> PRE-PRIMARY	<input type="checkbox"/> PRE-GENERAL
			<input type="checkbox"/> MID-YEAR SUPPLEMENTAL	<input type="checkbox"/> YEAR-END SUPPLEMENTAL	
8.a. BEGINNING DATE OF REPORTING PERIOD			8.b. ENDING DATE OF REPORTING PERIOD		
9. (Check one)					
a. <input type="checkbox"/> This campaign is exempt from detailed disclosures because contributions (including in-kind) received total \$1,000 or less AND expenditures total \$1,000 or less for this reporting period. (Complete items 12d., 12e., and 12f.)					
b. <input type="checkbox"/> This campaign is required to file a detailed financial disclosure because contributions (including in-kind) received total more than \$1,000 and/or expenditures total more than \$1,000 for this reporting period.					
10. SIGNATURE OF CANDIDATE			11. SIGNATURE OF POLITICAL TREASURER		
Signature of Candidate _____ Date _____			I do solemnly swear or affirm that the information contained in this campaign financial disclosure report is true and accurate. Additionally, I swear or affirm that no campaign contributions have been expended for the personal financial benefit of the candidate or for any other nonpolitical purpose as defined by the federal internal revenue code.		
Signature of Witness _____ Date _____			Signature of Political Treasurer _____ Date _____		
			Signature of Witness _____ Date _____		
12. SUMMARY					
a. BALANCE ON HAND LAST REPORT ..... \$ _____					
b. TOTAL RECEIPTS THIS PERIOD ..... \$ _____					
c. TOTAL DISBURSEMENTS THIS PERIOD ..... \$ _____					
d. BALANCE ON HAND (12.a. plus 12.b. minus 12.c.) ..... \$ _____					
e. TOTAL LOANS OUTSTANDING ..... \$ _____					
f. TOTAL OBLIGATIONS OUTSTANDING ..... \$ _____					

**SAMPLE  
SUMMARY PAGE - CANDIDATE**

13. NAME OF CANDIDATE OR COMMITTEE (In Full) <b>Terri George</b>	14. REPORT COVERING THE PERIOD FROM: <b>4/01/06</b> TO: <b>6/30/06</b>
<b>RECEIPTS</b>	
15. CONTRIBUTIONS (other than loans and interest)	
a. Unitemized Contributions (\$100 or less from each source this period) .....	\$ <u>3,000.00</u>
b. Itemized Contributions (over \$100 from each source this period).....	\$ <u>2,875.00</u>
c. TOTAL CONTRIBUTIONS (other than loans and interest)(add 15.a. and 15.b.) .....	\$ <u>5,875.00</u>
16. LOANS RECEIVED THIS REPORTING PERIOD .....	\$ <u>20,000.00</u>
17. INTEREST RECEIVED THIS REPORTING PERIOD .....	\$ <u>52.00</u>
18. TOTAL RECEIPTS (add 15.c., 16., and 17.) (must be shown in item 12.b.) .....	\$ <u>25,927.00</u>
<b>DISBURSEMENTS</b>	
19. EXPENDITURES (other than loan payments)	
a. Expenditures (\$100 or less each payee this period) (must be listed by category - e.g., printing, postage, gasoline)	
<b>Postage</b> .....	\$ <u>32.00</u>
<b>Gas</b> .....	\$ <u>120.00</u>
<b>Office Supplies</b> .....	\$ <u>50.00</u>
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
Total of Expenditures (\$100 or less each payee) .....	\$ <u>202.00</u>
b. Itemized Expenditures (Over \$100 each payee this period) .....	\$ <u>7,933.14</u>
c. TOTAL EXPENDITURES (other than loan repayments)(add 19.a. and 19.b.) .....	\$ <u>8,135.14</u>
20. LOAN REPAYMENTS MADE THIS PERIOD .....	\$ <u>1,000.00</u>
21. TOTAL DISBURSEMENTS (add 19.c. and 20.) (must be shown in item 12.c.) .....	\$ <u>9,135.14</u>
<b>22. IN-KIND CONTRIBUTIONS</b>	
a. Unitemized in-kind contributions (\$100 or less from each source this period).....	\$ <u>130.00</u>
b. Itemized in-kind contributions (over \$100 from each source this period) .....	\$ <u>1,160.00</u>
c. TOTAL IN-KIND CONTRIBUTIONS RECEIVED THIS PERIOD (add 22.a. and 22.b.) .....	\$ <u>1,290.00</u>
<b>23. OBLIGATIONS</b>	
a. Unitemized Obligations Outstanding (\$100 or less each) .....	\$ <u>0.00</u>
b. Itemized Obligations Outstanding (Over \$100 each) .....	\$ <u>2,460.00</u>
c. TOTAL OBLIGATIONS OUTSTANDING (add 23.a. and 23.b.) (must be shown in item 12.f.) .....	\$ <u>2,460.00</u>

## SAMPLE

### ITEMIZED STATEMENT OF CONTRIBUTIONS - CANDIDATE

1. NAME OF CANDIDATE OR COMMITTEE <b>Terri George</b>				2. REPORT COVERING THE PERIOD FROM: <b>4/01/06</b> TO: <b>6/30/06</b>	
				Amount	
3. TOTAL ITEMIZED CAMPAIGN CONTRIBUTIONS FROM PRECEDING PAGE (enter \$0 if first itemized page)				- 0 -	
4. COMPLETE THE APPROPRIATE ITEMS FOR EACH ITEMIZED CONTRIBUTION (contributions totaling more than \$100 from any contributor)					
First Name <b>Don</b>	Middle Name <b>B.</b>	Contribution Received For: <input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election  <input type="checkbox"/> Runoff (Local Elections Only)		Amount of Contribution  <b>600.00</b>	
Last Name/Organization Name <b>George</b>		Date of Contribution <b>4/30/2006</b>		Aggregate This Election <b>600.00</b>	
Address <b>1502 No. Woods Drive</b>		City <b>Nashville</b>		State <b>TN</b>	
		Zip Code <b>37205</b>			
Occupation <b>Attorney</b>		Employer <b>George and Bates</b>			
First Name	Middle Name	Contribution Received For: <input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election  <input type="checkbox"/> Runoff (Local Elections Only)		Amount of Contribution  <b>1,000.00</b>	
Last Name/Organization Name <b>ABC PAC</b>		Date of Contribution <b>6/12/2006</b>		Aggregate This Election <b>1,000.00</b>	
Address <b>210 15th Ave.</b>		City <b>Nashville</b>		State <b>TN</b>	
		Zip Code <b>37219</b>			
Occupation		Employer			
First Name <b>Mary</b>	Middle Name	Contribution Received For: <input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election  <input type="checkbox"/> Runoff (Local Elections Only)		Amount of Contribution  <b>275.00</b>	
Last Name/Organization Name <b>Hill</b>		Date of Contribution <b>5/19/2006</b>		Aggregate This Election <b>595.00</b>	
Address <b>2510 Sunset Circle</b>		City <b>Nashville</b>		State <b>TN</b>	
		Zip Code <b>37221</b>			
Occupation <b>Vice President</b>		Employer <b>Express Inc</b>			
First Name <b>Don</b>	Middle Name <b>B.</b>	Contribution Received For: <input type="checkbox"/> Primary Election <input checked="" type="checkbox"/> General Election  <input type="checkbox"/> Runoff (Local Elections Only)		Amount of Contribution  <b>1,000.00</b>	
Last Name/Organization Name <b>George</b>		Date of Contribution <b>5/22/2006</b>		Aggregate This Election <b>1,000.00</b>	
Address <b>1502 No. Woods Drive</b>		City <b>Nashville</b>		State <b>TN</b>	
		Zip Code <b>37205</b>			
Occupation <b>Attorney</b>		Employer <b>George and Bates</b>			
5. TOTAL ITEMIZED CONTRIBUTIONS <small>(Carry forward to Item 3, of next page if additional pages of this form are used.) (If this is the last page of contributions, this amount must be shown in Item 15b, of summary.)</small>				<b>2,875.00</b>	



**SAMPLE**

**ITEMIZED STATEMENT OF IN-KIND CONTRIBUTIONS - CANDIDATE**

1. NAME OF CANDIDATE OR COMMITTEE <b>Terri George</b>		2. REPORT COVERING THE PERIOD FROM: <b>4/01/06</b> TO: <b>6/30/06</b>	
3. TOTAL ITEMIZED IN-KIND CONTRIBUTIONS FROM PRECEDING PAGE (enter \$0 if first itemized page)			Amount <b>0.00</b>
4. COMPLETE THE APPROPRIATE ITEMS FOR EACH ITEMIZED IN-KIND CONTRIBUTION (in-kind contributions totaling more than \$100 from any contributor during the period)			
First Name <b>Howard</b>		Middle Name	
Last Name/Organization Name <b>Knox</b>		In-Kind Contribution Received For: <input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)	
Address <b>351 West Meade Drive</b>		Date of In-Kind Contribution <b>4/29/2006</b>	
City <b>Nashville</b> State <b>TN</b> Zip Code <b>37205</b>		Value of In-Kind Contribution <b>200.00</b>	
Occupation <b>Controller</b> Employer <b>ABC Corp</b>		Aggregate this Election <b>200.00</b>	
Description of In-Kind Contribution <b>Yard Signs</b>			
First Name <b>Mary</b>		Middle Name	
Last Name/Organization Name <b>Hill</b>		In-Kind Contribution Received For: <input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)	
Address <b>2510 Sunset Circle</b>		Date of In-Kind Contribution <b>5/02/2006</b>	
City <b>Nashville</b> State <b>TN</b> Zip Code <b>37221</b>		Value of In-Kind Contribution <b>320.00</b>	
Occupation <b>Vice President</b> Employer <b>Express Inc</b>		Aggregate this Election <b>595.00</b>	
Description of In-Kind Contribution <b>Postage</b>			
First Name <b>Bob</b>		Middle Name	
Last Name/Organization Name <b>Williams</b>		In-Kind Contribution Received For: <input type="checkbox"/> Primary Election <input checked="" type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)	
Address <b>9260 Hillwood Blvd.</b>		Date of In-Kind Contribution <b>5/06/2006</b>	
City <b>Nashville</b> State <b>TN</b> Zip Code <b>37205</b>		Value of In-Kind Contribution <b>640.00</b>	
Occupation <b>Retired</b> Employer <b>NA</b>		Aggregate this Election <b>640.00</b>	
Description of In-Kind Contribution <b>Postage</b>			
First Name		Middle Name	
Last Name/Organization Name		In-Kind Contribution Received For: <input type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)	
Address		Date of In-Kind Contribution	
City		State	
Zip Code		Description of In-Kind Contribution	
Occupation		Employer	
First Name		Middle Name	
Last Name/Organization Name		In-Kind Contribution Received For: <input type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Elections Only)	
Address		Date of In-Kind Contribution	
City		State	
Zip Code		Description of In-Kind Contribution	
Occupation		Employer	
5. TOTAL ITEMIZED IN-KIND CONTRIBUTIONS (Carry forward to item 3. of next page if additional pages of this form are used.) (If this is the last page of in-kind contributions, this amount must be shown in item 2b. of summary)			<b>1,160.00</b>

**SAMPLE  
ITEMIZED STATEMENT OF EXPENDITURES - CANDIDATE**

1. NAME OF CANDIDATE OR COMMITTEE <b>Terri George</b>				2. REPORT COVERING THE PERIOD FROM: <b>4/01/06</b> TO: <b>6/30/06</b>	
3. TOTAL ITEMIZED EXPENDITURES FROM PRECEDING PAGE (enter \$0 if first itemized page)				Amount <b>0.00</b>	
4. COMPLETE THE APPROPRIATE ITEMS FOR EACH ITEMIZED EXPENDITURE. (expenditures totaling more than \$100 to any payee during the period)					
First Name		Middle Name		Purpose of Expenditure	Amount of Expenditure
Last Name/Business Name <b>First Media</b>				<b>Advertising</b>	<b>1,740.38</b>
Address <b>2573 Broadway</b>					
City <b>Nashville</b>	State <b>TN</b>	Zip Code <b>37203</b>			
First Name		Middle Name			
Last Name/Business Name <b>Fast Print</b>				<b>Printing</b>	<b>1,242.76</b>
Address <b>129 3rd Ave. So.</b>					
City <b>Nashville</b>	State <b>TN</b>	Zip Code <b>37219</b>			
First Name		Middle Name			
Last Name/Business Name <b>Bellevue Hotel</b>				<b>Reception</b>	<b>2,850.00</b>
Address <b>5100 Hwy. 70 So.</b>					
City <b>Nashville</b>	State <b>TN</b>	Zip Code <b>37221</b>			
First Name		Middle Name			
Last Name/Business Name <b>Janet's Catering</b>				<b>Food for Reception</b>	<b>1,300.00</b>
Address <b>139 Old Hickory Blvd.</b>					
City <b>Nashville</b>	State <b>TN</b>	Zip Code <b>37221</b>			
First Name		Middle Name			
Last Name/Business Name <b>Cheryl Ann</b>				<b>Labor</b>	<b>300.00</b>
Address <b>Crockett</b>					
Address <b>157 Cavalcade Circle</b>					
City <b>Franklin</b>	State <b>TN</b>	Zip Code <b>37064</b>			
First Name		Middle Name		<b>Campaign Consulting</b>	<b>500.00</b>
Last Name/Business Name <b>Williams, Irvin &amp; Norris, Inc.</b>					
Address <b>135 2nd Ave. South</b>					
City <b>Nashville</b>	State <b>TN</b>	Zip Code <b>37219</b>			
5. TOTAL ITEMIZED EXPENDITURES (Carry forward to Item 3. of next page if additional pages of this form are used.) (If this is the last page of expenditures, this amount must be shown in Item 5b. of summary.)					<b>7,933.14</b>

**SAMPLE**

**ITEMIZED STATEMENT OF LOANS - CANDIDATE**

1. NAME OF CANDIDATE OR COMMITTEE					2. REPORT COVERING THE PERIOD				
<b>Terri George</b>					FROM:	TO:			
					4/01/06	6/30/06			
3. COMPLETE THE APPROPRIATE ITEMS FOR EACH ITEMIZED LOAN (loans totaling more than \$100 from any source during the period)									
Complete the Following for the Source of the Loan									
First Name		Middle Name		Outstanding Loan Balance (Beginning of Period)	Loans Received	Loan Payments	Outstanding Loan Balance (End of Period)		
				- 0 -	20,000	1,000	align="center">19,000		
Last Name/Organization Name				Address		Loan Received For:		Date of Loan	
<b>Third American Bank</b>				<b>400 2nd Ave.</b>		<input checked="" type="checkbox"/> Primary Election <input type="checkbox"/> General Election <input type="checkbox"/> Runoff (Local Election Only)		<b>6/1/2006</b>	
City		State	Zip Code						
<b>Nashville</b>		<b>TN</b>	<b>37219</b>						
List All Endorsers or Guarantors for Above Loan (If more space is needed please attach a page)									
First Name		Middle Name		First Name		Middle Name			
<b>Terri</b>				<b>Page</b>					
Last Name/Organization Name				Last Name/Organization Name					
<b>George</b>				<b>George</b>					
Address				Address					
<b>284 Oak Street</b>				<b>284 Oak Street</b>					
City		State	Zip Code	City		State	Zip Code		
<b>Nashville</b>		<b>TN</b>	<b>37221</b>	<b>Nashville</b>		<b>TN</b>	<b>37221</b>		
Amount Guaranteed Outstanding				Amount Guaranteed Outstanding					
<b>17,000</b>				<b>1,000</b>					
First Name		Middle Name		First Name		Middle Name			
<b>Phillip</b>									
Last Name/Organization Name				Last Name/Organization Name					
<b>Thompson</b>									
Address				Address					
<b>2916 Warner Drive</b>									
City		State	Zip Code	City		State	Zip Code		
<b>Nashville</b>		<b>TN</b>	<b>37205</b>						
Amount Guaranteed Outstanding				Amount Guaranteed Outstanding					
<b>1,000</b>									
First Name		Middle Name		First Name		Middle Name			
Last Name/Organization Name				Last Name/Organization Name					
Address				Address					
City		State	Zip Code	City		State	Zip Code		
Amount Guaranteed Outstanding				Amount Guaranteed Outstanding					
First Name		Middle Name		First Name		Middle Name			
Last Name/Organization Name				Last Name/Organization Name					
Address				Address					
City		State	Zip Code	City		State	Zip Code		
Amount Guaranteed Outstanding				Amount Guaranteed Outstanding					
4. Totals for all Loans (complete on last page of itemized loans)				Outstanding Loan Balance (Beginning of Period)	Loans Received	Loan Payments	Outstanding Loan Balance (End of Period)		
(Total loans received should also be shown in item 16, on summary page.) (Total loan payments should also be shown in item 20, on summary page.) (Total outstanding loan balance should also be shown in item 12a, on front page.)				- 0 -	20,000	1,000	align="center">19,000		

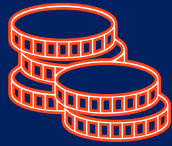
**SAMPLE**

**ITEMIZED STATEMENT OF OBLIGATIONS - CANDIDATE**

1. NAME OF CANDIDATE OR COMMITTEE				2. REPORT COVERING THE PERIOD			
<b>Terri George</b>				FROM: <b>4/01/06</b>		TO: <b>6/30/06</b>	
3. COMPLETE THE APPROPRIATE ITEMS FOR EACH ITEMIZED OBLIGATION (obligations totaling more than \$100 owed to any person/vendor at the end of the reporting period)				Outstanding Balance (Beginning of Period)	Debt Incurred This Period	Payments This Period	Outstanding Balance (End of Period)
First Name		Middle Name		<b>1,000.00</b>	<b>1,200.00</b>	<b>500.00</b>	<b>1,700.00</b>
Last Name/Business Name							
<b>Williams, Irvin &amp; Norris, Inc.</b>							
Address							
<b>135 2nd Avenue South</b>							
City	State	Zip Code					
<b>Nashville,</b>	<b>TN</b>	<b>37219</b>					
Description of Obligation							
<b>Campaign Consulting</b>							
First Name		Middle Name		<b>- 0 -</b>	<b>760.00</b>	<b>- 0 -</b>	<b>760.00</b>
Last Name/Business Name							
<b>Posters, Inc.</b>							
Address							
<b>2571 Thompson Lane</b>							
City	State	Zip Code					
<b>Nashville,</b>	<b>TN</b>	<b>37211</b>					
Description of Obligation							
<b>Printing</b>							
First Name		Middle Name					
Last Name/Business Name							
Address							
City							
State	Zip Code						
Description of Obligation							
First Name		Middle Name					
Last Name/Business Name							
Address							
City							
State	Zip Code						
Description of Obligation							
<b>4. TOTALS</b> (Total from Outstanding Balance - (End of Period) column must also be shown in item 23b. on summary page.)				<b>1,000.00</b>	<b>1,960.00</b>	<b>500.00</b>	<b>2,460.00</b>

# REPORTS DUE AFTER ELECTION

- **Supplemental Semi-annual statement** – required to file a supplemental semi-annual statement until campaign account shows no unexpended balance, continuing debts and obligation, expenditures or deficit.
- **Closing statement** – can close account by filing statement as long as statement on its face shows that there is no unexpended balance, continuing debts or obligations or deficit.



# DIGITAL CURRENCY

- Allowed to accept digital currency as a contribution – considered to be a monetary contribution with value being the market value at the time the contribution is received.
- Any increase in value must be reported as interest on statements.
- Must sell digital currency and deposit proceeds into campaign account before spending funds.

# USE OF CAMPAIGN FUNDS

Tenn. Code Ann. § 2-10-114(b)(1): “Except as otherwise provided in subsection (a), no candidate for public office shall use any campaign funds for any other purpose other than a contribution or expenditure as defined by this part.”

“Personal use” is specifically prohibited – defined as “any use by which the candidate for public office or elected public official would be required to treat the amount of the expenditure as gross income under 26 USC § 361.

# USE OF CAMPAIGN FUNDS CONTINUED . . .

- **Contribution:**

Any advance, . . . or like thing of value, and any contract, agreement, promise or other obligation, whether or not legally enforceable, made for the purpose of . . . nomination for election or the election of any person for public office or for the purpose of defraying any expenses of an officeholder incurred in connection with the performance of the officeholder's duties, responsibilities, or constituent services.

- **Expenditure:**

A purchase, . . . or anything of value made for the purpose of . . . the nomination for election of election of any person to public office; also include the use of campaign funds by an officeholder for the furtherance of the office of the officeholder.

Examples of prohibited expenditures are listed in Tenn. Code Ann. § 2-10-114(b)(2).



# USE OF UNEXPENDED CAMPAIGN FUNDS

- Can be retained or transferred to any campaign fund
- Can be returned to contributors in accordance with a formulate or plan
- Can be distributed to executive committee of candidate's political party
- Can be deposited in volunteer public education trust fund established under title 49, chapter 3, part 4
- Can be distributed to 501(c)(3) or (c)(4) organization
- Can be used to defray an ordinary and necessary expenses incurred in connection with office of officeholder
- Can be distributed to any public or private education institution in state to any existing scholarship trust or program



# INVESTMENT OF CAMPAIGN FUNDS

- Must be deposited and maintained in FDIC insured institution or NCUA accredited credit union
- Any interest, dividends or income earned must be reported on disclosure reports
- Any contribution received in non-monetary form may be held in that form until contribution is to be used to pay expenditures – funds then must be deposited in accordance with the statute
- Any other investment of campaign funds is prohibited – violation is subject to maximum civil penalty of \$10,000 or 115% of the amount invested, whichever is greater.

# CONTRIBUTION LIMITS

- Individual: \$1,600
- Multicandidate PAC: \$8,300
- Political PAC: \$33,900

Cannot accept in aggregate more than \$126,600 from multicandidate PACS

# INDIRECT CONTRIBUTIONS

- Contributions made to PAC authorized by candidate to accept contributions or to make expenditures on candidate's behalf considered to be contributions to candidate.
- Contributions made by a person, directly or indirectly, on behalf of particular candidate, including any earmarked or directed through intermediary or conduit, shall be treated as contributions to candidate.
- All contributions made by affiliated PACs considered to have been made by single PAC.
- Expenditures made in cooperation, consultation or concern with, or at request or suggestion of candidate, candidate's committee or their agents, shall be considered contribution to conduct.



# CASH CONTRIBUTIONS

- Individuals – no more than \$50
- PACs are prohibited from making cash contributions

# SAFE HARBOR PROVISIONS

Contribution made or accepted in excess of limits shall not be a violation if candidate or PAC returns or refunds contribution within 60 days of candidate's or committee's receipt of contribution.

# CAMPAIGN FINANCE QUESTIONS

**Registry of Election Finance:** authority to issue written advisory opinion concerning compliance with campaign disclosure and limitations requirements which may be relied upon without threat of sanction **if** candidate or committee conforms conduct to requirements of advisory opinion.