



Candidate Guide

to Campaign Finances

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INTRODUCTION

This Guide summarizes campaign finance laws applicable to candidate campaigns. This publication provides guidance on certain aspects of campaign finance laws and was written to help Osage Nation candidates comply with *The Osage Nation Election Code* and *Osage Nation Election Board Rules and Regulations*. It is not intended to replace law or to change its meaning.

The Board has the authority to impose fines for violations of ONC 12 § 14 and the Osage Nation Election Board Rules and Regulations. Fines are automatic for failure to file required reports and for filing required reports late.

Osage Nation Election Board (Board)

CURRENT MEMBERS:

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Terry Hazen, Vice Chair

Belle Wilson, Member

Fred Byers, Alternate

Vacant, Alternate

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I. CAMPAIGNING

Separate Account Required

Before filing for office, candidates are required to establish a separate bank account to be used for campaign purposes only.

- All donations are required to be deposited into this account, including the candidate's personal funds.
- All expenditures are required to be spent from this account.

Failure to use this account for any and all donations and expenditures shall result in a fine of \$125.

Rule 1, Sec. 4(C) and Rule 2, Sec. 5(G)

Campaign Activities or Purposes

“Campaign activities” or “campaign purposes” means

- Selling, purchasing or distributing campaign fundraiser tickets, including complimentary tickets
- Conducting campaign meetings
- Distributing campaign literature or materials
- Soliciting campaign assistance or support
- Producing campaign literature or materials or storing such materials
- Traveling to or from campaign meetings
- Encouraging voters to vote for or against a candidate

Rule 1, Sec. 3(B)(3)

2. RESTRICTIONS

Donation Limits

- All donations to each candidate for elective office in the Osage Nation, and the candidate's respective campaign are limited to \$5,000 per individual donor.
- Candidates may donate to their own campaign in any amount without monetary limitation.

ONC 12 § 14-101(A)

Corporate Donations Prohibited

Corporations are prohibited from donating to candidates for elective office in the Osage Nation and candidate committees are prohibited from accepting any such donation. A donation not returned to the donor within 10 days is deemed accepted by the candidate committee.

ONC 12 § 14-101(B)

Limited Liability Company and Partnership Donations

- No limited liability company or partnership that has one or more incorporated members may contribute to a candidate committee.
- A limited liability company or partnership may donate to a candidate committee when no owners are incorporated.
 - A candidate committee that receives a contribution from a limited liability company is required to report the contribution by attributing the contribution to the individual members of the limited liability company in proportions equal to the individual member's ownership interest in the limited liability company.
 - Donations to a candidate campaign shall not exceed \$5,000 per member-owner.

ONC 12 § 14-101(C)

Donations by Current Business Partners Prohibited

All individuals and business entities currently doing business with the Osage Nation or any of the businesses owned by the Osage Nation, are strictly prohibited from donating to any candidate committee.

ONC 12 § 14-101(D)

Donation Limits per Election Cycle

Donation limits apply to the two-year general election cycle that begins after a general election has concluded, or, if for a special election, then when the special election is announced continuing through the conclusion of the special election.

ONC 12 § 14-101(E)

Anonymous Donations

A candidate campaign for elective office in the Osage Nation is prohibited from accepting anonymous donations. All anonymous donations received by a candidate campaign shall be submitted to the Osage Nation Foundation as a donation for its purposes.

ONC 12 § 14-102(A)

Personal Use

Campaign funds shall not be used for personal use of a candidate, employee or volunteer of the candidate's campaign, or any third party.

Rule 2, Sec. 3(A)

Funds Required to be Used for Campaign Purposes

Donations and other funds collected for campaign by a candidate for election to the Osage government shall be used for campaign purposes or other purposes expressly allowed in this section.

Rule 2, Sec. 3(B)

Minor Donations Prohibited

Minors are prohibited from making donations to candidates for elected office in the Osage Government. No person shall be allowed, nor shall any candidate accept, a donation in the name of a minor person. Minors are allowed to serve as campaign volunteers.

Rule 2, Sec. 3(C)

3. REPORT REQUIREMENTS

Donations

All donations are required to include the following information for each donor:

- First and last names of each donor or the name of the business entity
- Employer, or indicate self-employment or unemployment, if known
- Date the donation was made to the candidate or campaign
- Amount
- Equivalent of such amount in goods or services
- Limited Liability Company and Partnership donations require the following additional information:
 - Address
 - Occupation
 - Employer

ONC 12 § 14-101(C)(2)(a)

Rule 2, Sec. 1(G)

Expenditures

All expenditures are required to include the following:

- Name of the individual or vendor
- Goods or services received
- Date
- Amount

ONC 12 § 14-101(A)

Forms

Standard forms for campaign reporting statements will be provided that include deadlines for report filing. Forms are required to be completed, include the balance of funds at the time of the end date, and accompanied by bank documentation.

Rule 2, Sec. 1(D), (E), and (F)

Bank Documentation

Bank documentation is required to show the campaign account deposits and expenditures from the campaign start date until the end date.

ONC 12 § 14-101(A)

4. PENALTIES FOR VIOLATIONS

As a candidate, you alone, are responsible for Campaign Finance Report filing. Failing to file a report on time or filing an incomplete report may subject you to penalties. Candidates shall make all reasonable efforts to identify the source of the campaign donations made to them and their respective campaigns.

Report Filing Deadline

Candidates who fail to submit their campaign reporting statements by the required deadlines shall be assessed a fine of \$500. Failure to comply shall prohibit the candidate from filing for office in future elections until the fine is paid.

Rule 2, Sec. 5(E)

Submission of Corrections Deadline

Candidates who fail to submit their corrected inaccuracies by the deadline shall be assessed a fine of \$125.

Rule 2, Sec. 5(F)

Failure to Use Campaign Bank Account

Candidates who fail to use their campaign bank account shall be assessed a fine of \$125.

Rule 2, Sec. 5(G)

Corporate Donations

Any candidate who is found to have violated the prohibition on accepting corporate donations shall forfeit the donation amount and pay a fine of \$1,000.

ONC 12 § 14-101(F)

Limited Liability Company & Partnership Donations

Any candidate who is found to have violated reporting the limited liability company and partnership donations according to ownership shall forfeit the donation amount and pay a fine of \$1,000.

ONC 12 § 14-101(F)

Donations Over the Individual Limit

Any candidate who is found to have violated the prohibition on accepting a donation over the individual limit shall forfeit the donation amount and pay a fine of \$1,000.

ONC 12 § 14-101(F)

Osage Nation Vendor Donations

Any candidate who is found to have violated the prohibition on accepting a donation from a business or individual currently doing business with the Osage Nation shall forfeit the donation amount and pay a fine of \$1,000.

ONC 12 § 14-101(F)

Anonymous Donations

Any candidate who is found to have violated the prohibition on accepting anonymous donations shall forfeit the donation amount and pay a fine of \$1,000.

ONC 12 § 14-102(B)

Violation of Rules and Regulations Not Specified

Any candidate deemed to have violated any of the Osage Nation Election Board Rules and Regulations shall be subject to a fine of up to \$1,000.

Rule 2, Sec. 5(D)

Improper Donations or Reporting

Any funds found to have been improperly donated or reported shall be subject to forfeiture to be paid into the Osage Nation Election Fund.

Rule 2, Sec. 5(B)

Disqualification, Removal from Race, and Voided Votes

Any candidate who commits a campaign violation may be disqualified, removed from the race, and his or her votes shall be considered void.

Rule 2, Sec. 5(A)

5. FILING REPORTS

Reports must be received no later than the close of business on the report's due date.

Filing Dates

**This information will be updated as soon as it becomes available.*

	Reporting Period	Filing Dates
1 st Report		
2 nd Report		

Where to File

File reports with  Elections in person or by email, preferably.

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