

INDEPENDENT EXPENDITURE

The Campaign Finance Reporting Law at Section 1621 (e) (25 P.S. §3241 (e)) defines an independent expenditure as “an expenditure by a person made for the purpose of influencing an election without cooperation or consultation with any candidate or any political committee authorized by the candidate and which is not made in concert with or at the request or suggestion of any candidate or political committee or agent thereof.”

The Law further provides for reporting independent expenditures at Section 1626 (g), (25 P.S. §3246(g)).

“Every person other than a political committee or candidate who makes independent expenditures expressly advocating the election or defeat of a clearly identified candidate, or question appearing on the ballot, other than by a contribution of a political committee or candidate, in an aggregate amount in excess of one hundred dollars (\$100) during a calendar year shall file with the appropriate supervisor, on a form designed by the Secretary of the Commonwealth, a report which shall include the same information required of a candidate or political committee receiving such a contribution and, additionally, the name of the candidate or question supported or opposed. Reports required by this section shall be filed on dates on which reports by political committees making expenditures are required to report under this section.”

INSTRUCTIONS FOR FILING INDEPENDENT EXPENDITURE REPORT

Individuals may make independent expenditures to influence the election of a candidate or ballot question. Organizations may make independent expenditures to influence only the election of a ballot question. The Pennsylvania Election Code prohibits corporations or unincorporated associations from making any expenditure to influence the election of a candidate. Those entities, including any group of two or more persons, must form a political committee to make contributions or expenditures to influence the election of a candidate.

You must name the candidate or ballot question supported or opposed by the independent expenditure. The filer must execute the affidavit in the presence of a notary public.

Filers must file this report if the independent expenditure amount, in the aggregate, exceeds \$100 in a calendar year.

When the amount of an independent expenditure exceeds \$100, file the report on the next filing deadline. To determine the actual filing deadline, link to Campaign Finance at the Department of State web page, www.dos.state.pa.us or contact the Bureau of Elections at 717-787-5280 or via e-mail at ra-bcel@state.pa.us

Late Filing Penalty

In accordance with Section 1632 of the Law (25 P.S. § 3252), the bureau may assess a penalty of \$10.00 for each day or part of the day (excluding weekends and holidays) that the report is overdue, plus an additional fee of \$10.00 for each of the first six days that a report is overdue.

Postmarks are acceptable as proof of timely filing where the report is sent by first class mail and postmarked by the U. S. Postal Service not later than the day prior to the filing deadline.