

WYOMING CAMPAIGN GUIDE



An informative guide for campaign finance reporting that applies to state, county, and municipal candidates, their campaign committees, state and local PAC's, political parties, and organizations.

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Introduction

(The guide is not intended to provide legal advice and should not be used as a substitute for legal guidance.)

This guide provides candidates, campaign committees, political groups, the media, and voters with an overview of Wyoming statutes governing campaigns and campaign finance reporting for state and local candidates, political action committees, political parties, and organizations. The guide is a resource on the legal requirements and restrictions on campaigning (fundraising, accepting & making contributions, reporting contributions and expenditures, and political advertising).

In all matters, the Wyoming Election Code is the final authority. Changes enacted by the Wyoming Legislature may alter dates or other information in this guide. Readers should review the current statutes and consult with an attorney for legal advice concerning specific situations.

Candidates for federal office, such as U.S. Senate or House, their committees, and PACs supporting candidates for federal offices are required to file with the Federal Election Commission.

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CAMPAIGNING & THE LAW

Information	Corresponding Statute
Only natural persons, political action committees (PACs), political parties, and candidate campaign committees can make direct contributions to candidates. Corporate contributions to candidates, political parties and most political action committees (PACs) are prohibited.	W.S. 22-25-102
PACs can make unlimited contributions to <u>statewide candidates</u> , with the exception of contributions donated to the PAC which are designated by the donor to be used only for a particular candidate and no other purpose. These contributions are subject to the individual contribution limitations, W.S. 22-25-102(m).	W.S. 22-25-102(m)
PACs may contribute no more than \$5,000 per election to any candidate for <u>nonstatewide office</u> , W.S. 22-25-102(m).	W.S. 22-25-102(m)
There is no limit on how much the candidate or “immediate family” may contribute to the candidate’s campaign. “Immediate family” means a spouse, parent, sibling, child or other person living in the candidate’s household.	W.S. 22-1-102(xxxvii)
No person (other than the candidate and his family) may contribute more than \$2,500 per election to any one candidate/candidate’s campaign committee for <u>statewide office</u> and no more than \$1,500 per election for <u>nonstatewide office</u> .	W.S. 22-25-102(c)
Corporations, partnerships, trade unions, professional associations or civic, fraternal or religious groups or other profit or nonprofit entity (except a political party) are prohibited from making contributions to candidates, political parties, and PACs. <u>However</u> , corporations may make contributions for the adoption or defeat of a ballot proposition or to support or oppose an initiative or referendum petition drive.	W.S. 22-25-102

CAMPAIGNING & THE LAW

Information	Corresponding Statute
Electioneering within 100 yards of the building in which absentee or regular voting is being conducted is prohibited. Electioneering consists of any form of campaigning, including displaying campaign signs or distributing campaign literature.	W.S. 22-26-113
Written campaign advertising (e.g., signs or posters) shall not be placed on or attached to: any real or personal property of the state or its political subdivisions, except for colleges or schools and subject to regulation by their governing boards. Counties, municipalities, and private properties have their own regulations on campaign advertising. Check with your county or city clerk for local ordinances on campaign signs.	W.S. 22-25-115
Robocalls/Automated dialing prohibited: No person shall use an automated telephone system or device for the selection and dialing of telephone numbers and playing of recorded messages if the message is for the purpose of promotion or any other use related to a political campaign. If you believe there has been a violation of W.S. 6-6-104, contact your county attorney.	W.S. 6-6-104

Wyoming statutes on campaign finance apply to candidates, candidate campaign committees, and PACs supporting candidates for Governor, Secretary of State, State Auditor, State Treasurer, State Superintendent of Public Instruction, State Legislature, County Offices, School and Community College Board Trustees, and Municipal Offices, as well as Supreme Court Justices, District and Circuit Court Judges and Magistrates standing for retention in office.

Federal Candidates & PACs: Candidates for **U.S. Senate** and **U.S. House of Representatives**, candidate campaign committees and PACs supporting candidates for federal offices are required to file with the **Federal Election Commission (FEC)**, 999 E Street, NW, Washington, D.C., 20463. FEC's toll-free telephone number is (800) 424-9530 and the website address is <http://www.fec.gov/>.

FILING CAMPAIGN FINANCE REPORTS

In an election year, candidates, candidate campaign committees, and PACs are required to file reports before and after elections. A report on contributions is due seven days before each election (Primary, General, & Special) and a report of contributions & expenditures is due ten (10) days after the election (Primary, General, & Special).

Candidate committees and PACs that are ongoing are required to file an annual report by December 31st in odd years (non-election years) reporting their contributions and expenditures. If the committees are supporting a candidate who is not running for election that year, they are still required to file the Pre-Primary and Pre-General reports.

HOW & WHERE TO FILE REPORTS

Who?	How?	Where?
Local candidates, candidate committees for county and municipal offices, and local PACs W.S. 22-25-107(a)(i)	Paper Forms*	County Clerk
*These forms may be found at: http://soswy.state.wy.us/forms/default.aspx?root=Elections		

Who?	How?	Where?
Candidates and candidate committees for Governor, Secretary of State, State Auditor, State Treasurer, State Superintendent of Public Instruction, State Legislature, Supreme Court Justice, District and Circuit Court Judges standing for retention, State PACs, Organizations, and Political Parties W.S. 22-25-107(b)	Electronic filing*	Wyoming's Campaign Finance Information Systems (WYCFIS) (Online with Secretary of State)
* Electronic filing may be done at: https://www.wycampaignfinance.gov		

IMPORTANT: Candidates are required to file campaign finance reports. If a candidate chooses to have a campaign committee, both the candidate and the committee must file reports.

OR

The committee may now file reports on behalf of the candidate. This is only if a candidate has formed a candidate's campaign committee. (Even if the candidate does not receive or spend any money, or if his election bid is unsuccessful, reports must be filed.) W.S. 22-25-106(j)

CAMPAIGN FINANCE REPORTING – TIPS & GUIDELINES

- **Prior to filing for office**, a candidate may accept contributions and make expenditures.
- **Fully itemize all contributions over \$25.** Contributions of \$25 or more must be itemized by contributor, amount, date received, city and state of the contributor. All contributions under \$25 shall be reported, but need not be itemized. However, if you receive \$10 from a contributor who later gives you \$20, you must itemize the total \$30 contribution. W.S. 22-25-106(a)(iv)
- **Ticket Sales for Fundraisers:** If the ticket price is \$25 or more, the name and address of each ticket purchaser and purchase price of ticket(s) must be itemized under “receipts.” If the ticket price is under \$25, the fundraiser does not have to be itemized and needs only to be reported under “unitemized contributions.”
- **Anonymous contributions** are those contributions whose origin cannot be determined, i.e., “pass the hat” type of contributions. Anonymous contribution does not mean that an individual may contribute to a candidate with the understanding the contributor’s name will not be reported. The campaign reporting forms have a specific section to record anonymous contributions where the candidate attests that he/she does not know the origin of the contribution.
- **Contributions also include donations** of any items of value, services, or election assistance provided for a candidate. These “in-kind” contributions must be itemized by name, city and state of the contributor, date, item or service donated, and estimated value of the donated item or service.
- **Each expenditure must be itemized** by date expended, name, city and state of the person or business to which the expenditure is made, and the purpose and amount of expenditure. Examples are: Advertising and printing expenses, expenses for services of a campaign consultant or public relations firm, office space, etc.
- **Campaign expenditures that are not required to be reported include:** Filing fee for office, a candidate’s own personal campaign expenses for travel, meals, and checking account service charges. W.S. 22-25-103(b)
- **A candidate is not required to report advertising expenses by a party central committee** for the candidate if the entire slate of candidates below national level is advertised. This applies even though all candidates are not included in each advertisement, as long as the expenses for each candidate are substantially the same. W.S. 22-25-103(c)
- **If there are additional contributions and expenditures after a report has been filed:** an amendment to the report must be filed. Amendments to filed reports must be made within 90 days from the time an error or additional contributions and expenditures become known. Net changes amounting to less than \$50 do not need to be reported. W.S. 22-25-106(e)

Wyoming Campaign Contribution Limits for 2015-2016

	To Candidate or Candidate's Campaign Committee	To Political Party	To Political Action Committee (PAC)
Individual may give	No more than \$2,500 per election* to any candidate for <u>statewide</u> office No more than \$1,500 per election to any candidate for <u>nonstatewide</u> W.S. 22-25-102(c)	No Limit**	There are no limits on what an individual can give to a PAC. However, if a donor earmarks a contribution for a specific candidate, the individual limits per candidate per election apply.
Political Party Committee may give	No Limit	No Limit	No Limit
Political Action Committee (PAC) may give	No limit on contributions to statewide candidates*** No more than \$5,000 per election to any candidate for nonstatewide office W.S. 22-25-102(m)	No Limit	No Limit
Corporation, Union, Partnership, Professional Association or Civic, Fraternal or Religious Group	Organizations are prohibited from making contributions (direct or indirect) to candidates, candidate committees, PACs, and political parties with the following exceptions. These entities may: 1) Make <i>independent</i> expenditures for speech expressly advocating the election or defeat of a candidate (W.S. 22-25-102(k)(i)); 2) Bear any portion of a PAC's administrative costs or costs of soliciting contributions (W.S. 22-25-102(k)(ii)); 3) Make contributions to support or oppose ballot propositions, initiative or referendum petition drives. A non-profit (501)(c) organization should consult an attorney, an accountant, or the Internal Revenue Service before making contributions to an initiative or referendum drive to avoid jeopardizing its tax status. (For Independent Expenditures, see W.S. 22-25-102(k)(i) and WS 22-25-110.)		

*The primary, general, and special elections are deemed separate elections.

**No Limit "...provided the contributions are available to use as the appropriate party authorities choose and are not exclusively dedicated to any particular candidate. Contributions donated to political parties which are designated by the donor to be used only for a particular candidate and no other purposes are subject to the limitations..." W.S. 22-25-102(f)

***Contributions donated to a PAC which are designed by the donor to be used only for a particular candidate and no other purpose are subject to the individual contribution limitations. W.S. 22-25-102(m)

CAMPAIGN ADVERTISING

Campaign literature does not include small campaign items such as bumper stickers, pens, pencils, buttons, rulers, nail files, balloons and yard signs displaying the name of the candidate or office sought.

Candidates, candidate committees, PACs and organizations are required to comply with W.S. 22-25-110, campaign advertising in communications media. The following examples may be helpful in determining the proper language for the “paid for” line in campaign advertising and literature.

1. Jane Doe is running for the legislature. She doesn’t form a committee. Jane decides to buy an ad in the newspaper. The “paid for” line should read “Paid for by Jane Doe.”
2. Jane Doe decides to form a committee. The committee’s name is Committee to Elect Jane Doe. The committee then buys ads for Jane. The “paid for” line should read “Paid for by the Committee to Elect Jane Doe.”
3. Jane has four friends who buy a newspaper ad supporting her candidacy. They do not consult with the candidate or coordinate with her committee. Each friend pitches in money for the ad. The “paid for” line should read “Paid for by Bill Jones, Connie Smith, Tom Williams and Julie Noe,” *or* their signatures could be a part of the ad and read “Paid for by the Individuals Signing Above.” *(Note: These are “independent expenditures” which neither Jane nor her committee needs to report.)*
4. A group of Jane’s friends want to support her candidacy, but they do not form a PAC or a candidate’s campaign committee. They buy an ad which has a “paid for” line which reads “Paid for by Friends of Jane Doe” but they do not list their names in the advertisement. **THIS IS ILLEGAL.** In this scenario, individual names are required.
5. Jane’s good friend, Bill Jones, buys a newspaper ad supporting Jane. He pays for the ad personally. No disclosure on the ad is required.
6. Jane Doe is a member of the Cowboy Party. The Cowboy Party buys an ad for Jane. (This is allowed only if Jane is the *only* Cowboy Party candidate running in the primary election, or if she is *the* Cowboy Party candidate for the general election.) The “paid for” line should read “Paid for by Wyoming Cowboy Party” or “Paid for by the Wilson County Cowboy Party,” depending on whether it is the state or county party.

Other advertisements:

Radio: the “paid for” lines should be announced.

Television: the “paid for” lines should be announced and/or appear on the screen.

CAMPAIGN FINANCE REPORT FILING DEADLINES

C = Statement of Contributions

C&E= Statement of Contributions and Expenditures

Candidates who are running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
PRE-PRIMARY REPORT	1/1/2015	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRIMARY REPORT	8/3/2016	8/15/2016	1/1/2015	8/15/2016	Anytime 08/16/2016 through 08/26/2016	C&E
PRE-GENERAL REPORT	8/16/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	8/16/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

* The General C&E report may be amended at any time after the General Election through the end of the election cycle. The amendments will likely be the recording of contributions received and expenses paid after the election; thus the time frame.

Candidates who are not running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
PRE-PRIMARY REPORT	1/1/2015	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRE-GENERAL REPORT	8/3/2016	12/31/2016			Anytime 10/25/2016 through 11/01/2016	C

Candidate Committees supporting candidates who are running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
NON ELECTION YEAR (ODD YEAR)	1/1/2015	12/31/2015	1/1/2015	12/31/2015	Anytime 07/01/2015 through 12/31/2015	C&E
PRE-PRIMARY REPORT	1/1/2016	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRIMARY REPORT	8/3/2016	8/15/2016	1/1/2016	8/15/2016	Anytime 08/16/2016 through 08/26/2016	C&E
PRE-GENERAL REPORT	8/16/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	8/16/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

* The General C&E report may be amended at any time after the General Election through the end of the election cycle. The amendments will likely be the recording of contributions received and expenses paid after the election; thus the timeframe.

CAMPAIGN FINANCE REPORT FILING DEADLINES

Candidate Committees supporting candidates who are not running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
NON ELECTION YEAR (ODD YEAR)	1/1/2015	12/31/2015	1/1/2015	12/31/2015	Anytime 07/01/2015 through 12/31/2015	C&E
PRE-PRIMARY REPORT	1/1/2016	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRE-GENERAL REPORT	8/3/2016	12/31/2016			Anytime 10/25/2016 through 11/01/2016	C

Political Action Committee (PAC) which are supporting or opposing candidates:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
NON ELECTION YEAR (ODD YEAR)	1/1/2015	12/31/2015	1/1/2015	12/31/2015	Anytime 07/01/2015 through 12/31/2015	C&E
PRE-PRIMARY REPORT	1/1/2016	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRIMARY REPORT	8/3/2016	8/15/2016	1/1/2016	8/15/2016	Anytime 08/16/2016 through 08/26/2016	C&E
PRE-GENERAL REPORT	8/16/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	8/16/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

Political Action Committee (PAC) which are supporting or opposing a ballot issue:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
10 DAYS AFTER PETITION FILED					Anytime 01/01/2016 through 12/31/2016	C&E
GROUPS REPORTING FOR BALLOT ISSUES	1/1/2015	9/23/2016	1/1/2015	9/23/2016	Anytime 09/23/2016 through 10/10/2016	C&E
PRE-GENERAL REPORT	9/24/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	9/24/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

CAMPAIGN FINANCE REPORT FILING DEADLINES

Organizations which are supporting or opposing a statewide ballot initiative or referendum petition drive:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
GROUPS REPORTING FOR BALLOT ISSUES	1/1/2015	9/23/2016	1/1/2015	9/23/2016	Anytime 09/23/2016 through 10/10/2016	C&E
PRE-GENERAL REPORT	9/24/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	9/24/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

***Any PAC or organization formed for the support of any statewide initiative or referendum petition drive shall:**

- Electronically file using the Secretary of State's Wyoming Campaign Finance Information System (WYCFIS). The reports shall be filed at least thirty (30) days but no more than forty-five (45) days before the election at which the statewide initiative or referendum proposition will be voted on, with a statement signed by both chairman and treasurer showing (W.S. 22-25-106(f)):
 - The total amount expended to circulate the petition;
 - The number of persons paid to circulate the petition;
 - The period of time during which signatures on the petition were obtained.

Political Parties (including statewide and county central committees):

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
POLITICAL PARTY REPORTS	1/1/2015	12/31/2016	1/1/2015	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

CAMPAIGN FINANCE REPORT FILING DEADLINES

School or Community College Board Candidate and Candidate's Campaign Committee:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start Date	End Date	Start Date	End Date		
PRE-GENERAL REPORT	08/16/2016	10/25/2016			Anytime 08/02/2016 through 08/09/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	08/16/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

Statement of Formation required 10 days after formation for:

- Candidate's Campaign Committee
- School or Community College Candidate's Campaign Committee
- Political Action Committee (PAC)

Filing Office:

- **Secretary of State:** Candidates or committees supporting or opposing candidates for state legislature, statewide office, judicial offices or a committee formed to support or defeat a statewide ballot proposition or an initiative or referendum petition drive. County and state central political party reports. All required reports must be filed electronically by accessing the Wyoming Campaign Finance Information System (WYCFIS) at <https://www.wycampaignfinance.gov>
- **County Clerk:** County and municipal candidates or committees supporting or opposing a candidate for county, district attorney, municipal, school & college board, or a committee formed to support or defeat a local ballot proposition.

CANDIDATE'S CAMPAIGN COMMITTEE

Candidate's campaign committee means every group of two (2) or more persons who join together for the purpose of raising, collecting or expending money to be used in the aid of the election of a specific candidate for public office. W.S. 22-1-102(a)(vii)

- **A Statement of Formation** for the committee must be filed within ten (10) days after its formation. W.S. 22-25-101(b)
 - **County/municipal candidates:** Statement of formation (form available on the Secretary of State's website) must be filed with the county clerk. Addresses and telephone numbers for county clerks are posted on the Secretary of State's website at <http://soswy.state.wy.us>.
 - **Committees for candidates for Governor, Secretary of State, State Auditor, State Treasurer, State Superintendent of Public Instruction, State Legislature, Supreme Court Justice, District and Circuit Court Judges:** Electronic filing of the Statement of Formation is required for the campaign. To file online, go to the Wyoming Campaign Finance Information System (WYCFIS) at <https://www.wycampaignfinance.gov>.
- **The Statement of Formation requires:** the committee's name and address, the candidate's name, and names and residence addresses of the committee chairman and treasurer, and date the committee was formed. The chairman and treasurer must be separate individuals. A candidate may serve as chairman or treasurer of his or her campaign committee.
- **The Committee's Statement of Contributions** must be signed by both the chairman and the treasurer and filed within seven (7) days before the primary, general, or special election.
- **The Statement of Contributions and Expenditures** must be signed by both the chairman and treasurer and filed at least ten (10) days after the primary, general or special election.
- **Terminating the committee:** After all debts are retired, the committee may terminate.
 - **Statewide candidate committees:** terminate online at <https://www.wycampaignfinance.gov>.
 - **County and municipal committees:** terminate by filing a Candidate's Campaign Committee Termination Report with the county clerk, or by checking the appropriate box on the final Statement of Contributions and Expenditures.
- **Odd-numbered year filings:** Candidate campaign committees that have not filed a Candidate Campaign Committee Termination Report must file a Statement of Contributions and Expenditures by December 31st of the odd-numbered years. W.S. 22-25-106(b)(ii)

POLITICAL ACTION COMMITTEE

PAC means any group of two or more persons who are organized and associated for the purpose of raising, collecting or spending money to be used in a campaign.
W.S. 22-1-102(a)(xx)

- **A Statement of Formation:** must be filed within ten (10) days after a PAC is formed. This filing is required by law for a committee formed before an election to raise and expend campaign funds or after an election to defray debts.
- **The Statement of Formation requires:** Name and mailing address of the committee, date formed, name and residence address of the committee chairman and treasurer, purpose of the committee, name of candidates supported or opposed (if known). If the committee forms to aid in the support or defeat of a ballot proposition (such as a proposed constitutional amendment or bond issue) or to support or oppose a petition drive, this is to be described on the Statement of Formation.
- **Contribution restrictions:** Contributions may not be received from a corporation, partnership, trade union, professional association, or civic, fraternal or religious group to be used for candidates or political parties. However, contributions from these entities may be used for the support or defeat of ballot propositions or initiative and referendum petition drives.
- **The Committee's Statement of Contributions** must be signed by both the chairman and the treasurer and filed within seven (7) days before the primary, general, or special election.
- **The Statement of Contributions and Expenditures** must be signed by both the chairman and treasurer and filed at least ten (10) days after the primary, general or special election.
- **Odd-numbered year filings:** PACs that have previously filed a statement of contributions and expenditures and have not filed a PAC Termination Report must file a Statement of Contributions and Expenditures by December 31st of odd-numbered (non-election) years. W.S. 22-25-106(b)(ii)
- **Terminating the committee:** After all committee debts are retired, the committee may terminate.
 - **Statewide PACs** must terminate online at <https://www.wycampaignfinance.gov>.
 - **County/local PACs** may terminate by filing a Termination Report with the county clerk, or by checking the appropriate box on the final Statement of Contributions and Expenditures.

ORGANIZATIONS

The Wyoming Election Code uses the word “organization” but does not define it. Any kind of association, business or otherwise which exists for a purpose other than supporting or opposing a petition drive or ballot proposition, and which receives or spends money to support or oppose a petition drive or ballot issue is required to file a campaign finance report. (For example, ABC Tobacco Company spends money on an ad campaign against an initiative to ban smoking in all public places. The company is an “organization” and must file a Statement of Contributions and Expenditures.)

- Any organization making an independent expenditure under W. S. 22-25-102(k) and any other organization supporting or opposing a ballot proposition which expends funds in any election shall file:
 - **Statement of Contributions** at least seven (7) days before the election, current to any day from the eighth day up to the fourteenth day before the election. (Primary, General, or Special)
 - **Statement of Contributions and Expenditures** within ten (10) days after the election. (Primary, General, or Special)
 - See section “Campaign Finance Reporting” for details about contributions and expenditures and filing deadlines.
- Campaign Finance filings:
 - **Organizations supporting or opposing local or municipal ballot issues or petition drives:** must file with the city or county clerk.
 - **Organizations supporting or opposing statewide ballot issues or petition drives:** File electronically on the Secretary of State’s Campaign Finance Information System (WYCFIS).
 - In addition to the reports above, the organization must file a Statement of Contributions and Expenditures ten **(10) days after the petition is submitted** to the Secretary of State. Contact the Secretary of State’s office for information on filing the report. W.S. 22-25-106(b)(i)
- **“Independent Expenditure”** means an expenditure that is made without consultation or coordination with a candidate or an agent of a candidate whose nomination or election the expenditure supports or whose opponent’s nomination or election the expenditure opposes. W.S. 22-25-102(k)(i)

POLITICAL PARTIES

No political party funds shall be expended directly or indirectly in aid of the nomination of any one person against another person of the same political party running in the primary election. In the general election, a party may specifically contribute to their party's candidate for office. W.S. 22-25-104

- **Electronic filing of the campaign finance report:** Each state party and county central committee must electronically file an itemized Statement of Contributions and Expenditures using the Wyoming Campaign Finance Information System (WYCFIS).
 - Must be filed within ten (10) days after the general or special election.
 - The report must include all contributions and expenditures relating to campaign expenses, including all normal operating expenses from the time the report was filed for the previous general election to the filing deadline for the current general election.
 - This means any financial party activity done in odd-numbered years must be reported. To electronically file reports, go to <https://www.wycampaignfinance.gov>
- **Contributions and expenditures report** shall attribute all campaign contributions, expenses and obligations to a specific candidate only if the campaign contributions, expenses and obligations can be specifically identified to that specific candidate to the exclusion of other candidates on the ticket.
 - If a candidate is identified in the statement, the party committee must provide a copy of the report to the candidate within ten (10) days after the general or special election. The report must be signed by the chairman or an officer designated by the chairman. W.S. 22-25-106(d)
- **Organizations affiliated with a political party**, such as Young Democrats or Republican Women's Club, should check with their respective party authority to determine whether the party's internal governance allows direct contributions to candidates. W.S. 22-25-102(f)

VIOLATING THE CAMPAIGN PRACTICES ACT

Anyone violating any provision of the Wyoming Campaign Practices Act may be guilty of a misdemeanor or felony resulting in a fine, incarceration, or both. Any corporation, person or organization violating the contribution limits or prohibited acts is subject to a civil penalty up to \$10,000. Civil action may be brought by any candidate adversely affected by the transgression, by any political party or by a prosecuting authority.

Campaign Finance Reporting Violations

Candidates or committees who fail to file the required campaign finance reports within the stipulated time are subject to civil and other penalties. A candidate who fails to file the Statement of Contributions required by the 7th day before the election will have his/her name printed on a list that will be made available to the public. In addition, a candidate who fails to file the statement required under W.S.22-25-106 within 30 days of the report due date is ineligible to run as a candidate for any state or local office for which a statement is required by W.S. 22-25-106 until five years have elapsed from the date the statement was first due, or until the required statement has been filed. W.S. 22-25-108

Civil penalties of up to \$1000 and a maximum of \$500 in attorney's fees may be assessed against any candidate failing to file the reports required by law. An action to impose a civil penalty may be prosecuted by and in the name of any candidate adversely affected by the violation, any political party, any district attorney or the attorney general.

Any officer of a political action committee who is responsible for filing a report and who knowingly and willfully fails to file a required report or who knowingly makes a false report is guilty of a felony punishable by imprisonment not to exceed two years.

The Secretary of State and the county clerks are to report the names of all candidates in violation of the Election Code to the Attorney General or the district attorney, respectively, for appropriate action. W.S. 22-15-109

ELECTION & CAMPAIGN RESOURCES

Local Campaign Finance Report Forms	(County and municipal candidates/committees)
Voter Data Order Form	(May request voter data from SOS or County Clerk)
Key Election Dates	(Main election events and activities)
Statewide online reporting system: (WYCFIS)	(Statewide candidates/committees/PACs/Political Parties/Organizations)
Wyoming Election Code	(May purchase for \$3 - Secretary of State's office)
Rules	(Ensure compliance with state and federal laws; provides uniformity.)

CHAPTER 25

CAMPAIGN PRACTICES

22-25-101. Definitions; statement of formation.

(a) Repealed By Laws 1998, ch. 100, § 5.

(b) A political action committee and a candidate's campaign committee, except those formed under federal law, shall file a statement of formation within ten (10) days after formation. This filing is required when any political action committee or candidate's campaign committee is formed, whether before an election to aid in the campaign or formed after an election to defray campaign debts incurred. The chairman and treasurer of a committee shall be separate individuals. The statement of formation shall list the name and mailing address of the committee, name and address of the committee chairman and treasurer, date committee formed and the purpose of committee. The statement of formation shall be filed in those offices as provided by W.S. 22-25-107.

22-25-102. Contribution of funds or election assistance restricted; limitation on contributions; right to communicate; civil penalty.

(a) Except as otherwise provided in this section, no organization of any kind including a corporation, partnership, trade union, professional association or civic, fraternal or religious group or other profit or nonprofit entity except a political party, political action committee or candidate's campaign committee organized under W.S. 22-25-101, directly or indirectly through any officer, member, director or employee, shall contribute funds, other items of value or election assistance directly to any candidate or group of candidates. No person shall solicit or receive a payment or contribution from an organization prohibited from making contributions under this subsection.

(b) Except as otherwise provided in this section, only a natural person, political party, or a political action committee or a candidate's campaign committee organized under W.S. 22-25-101 shall contribute funds or election assistance directly to any candidate or group of candidates. No person shall solicit or receive a political payment or contribution from any source other than a natural person, political party, political action committee or candidate's campaign committee organized under W.S. 22-25-101.

(c) Except as otherwise provided in this section, no individual other than the candidate, or the candidate's immediate family shall contribute directly or indirectly:

(i) To any candidate for statewide political office, or to any candidate for statewide political office's candidate's campaign committee:

(A) More than two thousand five hundred dollars (\$2,500.00) per election; and

(B) No contribution for the general election may be given prior to the date for the primary election.

(ii) To any candidate for nonstatewide political office, or to any candidate for nonstatewide political office's candidate's campaign committee:
 (A) More than one thousand five hundred dollars (\$1,500.00) per election; and
 (B) No contribution for the general election may be given prior to the date for the primary election.
(iii) Repealed by Laws 2015, ch. 80, § 1.

(d) Any organization, in the aid of the election or defeat of candidates for public office or for the adoption or defeat of any ballot proposition may communicate directly with its own members on behalf of a particular candidate or political party.

(e) Any corporation, person or organization violating the provisions of subsection (a), (b), (c), (j), (m) or (n) of this section is subject to a civil penalty up to five thousand dollars (\$5,000.00) and costs including a reasonable attorney's fee for a first violation and up to ten thousand dollars (\$10,000.00) and costs including a reasonable attorney's fee for a second or subsequent violation which shall be imposed in a court of competent jurisdiction. The amount of penalty imposed shall be in such amount as will deter future actions of a similar nature. An action to impose the civil penalty may be prosecuted by and in the name of any candidate adversely affected by the transgression, any political party, any county attorney, any district attorney or the attorney general. Proceeds of the penalty collected shall be paid to the state treasurer and credited as provided in W.S. 8-1-109.

(f) Direct contributions from any organization affiliated with a political party do not violate subsection (a) of this section. These contributions shall be a matter of internal party governance. Contributions to political parties are not subject to the limits of subsection (c) of this section provided the contributions are available to use as the appropriate party authorities choose and are not exclusively dedicated to any particular candidate. Contributions donated to a political party which are designated by the donor to be used only for a particular candidate and no other purpose are subject to the limitations of subsection (c) and of this section.

(g) The prohibitions in this section do not apply to contributions of funds or other items of value to political parties for the purpose of supporting multi-state or national political party conferences or conventions. Any contribution made pursuant to this subsection shall also comply with all applicable federal election commission regulations governing contributions to political parties. Any political party which receives funds to sponsor such conferences or conventions shall file an itemized statement of contributions and expenditures with the secretary of state within ten (10) days after the conference or convention.

(h) No organization of any kind, as specified in subsection (a) of this section, shall solicit or obtain contributions for any of the purposes specified in subsection (a) of this section from an individual on an automatic basis, including but not limited to a payroll deduction plan or reverse checkoff method, unless the individual who is contributing affirmatively consents in writing to the contribution. Nothing in this subsection shall be construed to authorize contributions otherwise prohibited under this election code.

(j) For purposes of subsection (c) of this section the primary, general and special elections shall be deemed separate elections. No candidate for political office shall accept, directly or indirectly,

contributions which violate subsection (c) of this section. Contributions to a candidate's campaign committee shall be considered to be contributions to the candidate. Subsection (c) of this section does not limit political contributions by political parties, nor expenditures by a candidate from his own funds nor from his candidate's campaign committee funds.

(k) The prohibitions in this section shall not be construed to prohibit any organization of any kind including a corporation, partnership, trade union, professional association or civic, fraternal or religious group or other profit or nonprofit entity from:

(i) Exercising its first amendment rights to make independent expenditures for speech expressly advocating the election or defeat of a candidate. For purposes of this subsection, "independent expenditure" means an expenditure that is made without consultation or coordination with a candidate or an agent of a candidate whose nomination or election the expenditure supports or whose opponent's nomination or election the expenditure opposes;

(ii) Bearing any portion of a political action committee's administrative costs or costs of soliciting contributions.

(m) Except as otherwise provided in this section, no political action committee shall contribute directly or indirectly more than five thousand dollars (\$5,000.00) per election to any candidate for political office other than statewide political office. For purposes of this subsection the primary, general and special elections shall be deemed separate elections. No candidate for political office shall accept, directly or indirectly, contributions which violate this subsection. Contributions to a candidate's campaign committee shall be considered to be contributions to the candidate. This subsection does not limit political contributions by political parties, nor expenditures by a candidate from his own funds nor from his candidate's campaign committee funds.

(n) Contributions donated to a political action committee which are designated by the donor to be used only for a particular candidate and no other purpose are subject to the limitations of subsection (c) of this section.

22-25-103. Identifiable expenses; exceptions.

(a) Identifiable expenses include:

(i) All forms of advertising expenses, including, but not limited to, radio, television, billboards and posters;

(ii) Printing expenses;

(iii) Expenses for retaining the services of a professional campaign consultant, or public relations or management firm;

(iv) Postage.

(b) Staff and postage expenses of a political party central committee, checking account service charges of a political action committee and a candidate's personal campaign expenses for travel and meals and checking account service charges are not identifiable expenses.

(c) Advertising expenses by a party central committee are not identifiable expenses for the candidate if the entire slate of candidates, below the national level, is advertised by the committee even though all candidates are not included in each advertisement so long as the expenses for each candidate on the slate are substantially the same in any election.

22-25-104. Restriction on party funds in primary elections.

No political party funds shall be expended directly or indirectly in the aid of the nomination of any one person as against another person of the same political party running in the primary election.

22-25-105. Campaign reporting forms; instructions and warning.

(a) The secretary of state shall prescribe the forms for reporting contributions and expenditures for primary, general and special election campaigns, together with written instructions for completing the form and a warning that violators are subject to criminal charges and that a vacancy will exist if the forms are not completed and filed pursuant to law. Until January 1, 2010, the forms along with instructions and warning shall be distributed to the county clerk and shall be given by the county clerk to each person filing an application for nomination in his office and to each political action committee and candidate's campaign committee required to file with the county clerk. Until January 1, 2010, the county clerk shall also distribute the reporting forms to the chairmen of the county party central committees.

(b) The secretary of state shall promulgate rules to allow the forms required pursuant to subsection (a) of this section and any other forms and reports required to be filed with him pursuant to this chapter to be filed electronically.

22-25-106. Filing of campaign reports.

(a) Except as otherwise provided in subsections (g) and (j) of this section and in addition to other statements required by this subsection:

(i) Every candidate shall file a fully itemized statement of contributions at least seven (7) days before any primary, general or special election with information required by this subsection current to any day from the eighth day up to the fourteenth day before the election;

(ii) Every candidate, whether successful or not, shall file a fully itemized statement of contributions and expenditures within ten (10) days after any general or special election;

(iii) Every candidate in any primary election shall file a fully itemized statement of contributions and expenditures within ten (10) days after the primary election;

(iv) Statements under this subsection shall set forth the full and complete record of contributions including cash, goods or services and except for statements of contributions required under paragraph (i) of this subsection, of actual and promised expenditures, including all identifiable expenses as set forth in W.S. 22-25-103. For purposes of this section, a contribution is reportable when it is known and in the possession of, or the service has been furnished to, the person or organization required to submit a statement of contributions or a statement of contributions and expenditures. The date of each contribution of twenty-five dollars (\$25.00) or more, any expenditure or obligation, the name of the

person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed. All contributions under twenty-five dollars (\$25.00) shall be reported but need not be itemized. Should the accumulation of contributions from an individual exceed the twenty-five dollar (\$25.00) threshold, all contributions from that individual shall be itemized. Contributions, expenditures and obligations itemized in a statement filed by a political action committee, a candidate's campaign committee or by a political party central committee need not be itemized in a candidate's statement except by total with a reference to the statement;

(v) Statements under this subsection shall be filed with those officers as provided in W.S. 22-25-107.

(b) Reports of itemized statements of contributions and statements of contributions and expenditures, and statements of termination shall be made with the appropriate filing officers specified under W.S. 22-25-107 and in accordance with the following:

(i) Except as otherwise provided in this section, any political action committee, candidate's campaign committee, or any political action committee formed under the law of another state that contributes to a Wyoming political action committee or to a candidate's campaign committee, any organization making an independent expenditure under W.S. 22-25-102(k), and any other organization supporting or opposing any ballot proposition which expends any funds in any primary, general or special election shall file an itemized statement of contributions at least seven (7) days before the election current to any day from the eighth day up to the fourteenth day before the election and shall also file a statement of contributions and expenditures within ten (10) days after a primary, general or special election;

(ii) A committee formed after an election to defray campaign expenses incurred during a previous election and any political action or candidate's campaign committee which has not filed a statement of termination shall file an itemized statement of contributions and expenditures on December 31 of each odd-numbered year;

(iii) All candidates and committees shall continue to make the reports required under this subsection until the committee terminates and the candidate or committee files a statement of termination with the appropriate filing officer. A statement of termination may be filed upon retirement of all debts;

(iv) In addition to the reports required under paragraphs (i) through (iii) of this subsection, a political action committee formed for the support of or opposition to any initiative or referendum petition drive or any organization supporting or opposing a petition drive shall file an itemized statement of contributions and expenditures within ten (10) days after the petition is submitted to the secretary of state pursuant to W.S. 22-24-115.

(c) All statements required by subsection (b) of this section shall be signed by both the chairman and treasurer. The statements shall set forth the full and complete record of contributions including cash, goods or services and except for statements of contributions required under paragraph (i) of this subsection, of actual and promised expenditures. The date of each contribution of twenty-five dollars (\$25.00) or more, any expenditure or obligation, the name of the person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed. Nothing in this subsection shall be construed to require the disclosure of the names of individuals paid to circulate an initiative or referendum petition. All contributions under twenty-five dollars (\$25.00) shall be reported but need not be itemized. Should the accumulation of contributions from an individual exceed the twenty-five dollar (\$25.00) threshold, all contributions from that individual shall be itemized. If the contributions, expenditures or obligations were for more than one (1) candidate, the amounts attributable to each shall be itemized separately.

(d) The chairman of each political party central committee for the state or county, or an officer of the party designated by him, shall file an itemized statement of contributions of twenty-five dollars (\$25.00) or more, and any expenditures and obligations. The statement shall be filed within ten (10) days after a general or special election. The statement shall report all contributions, expenditures and

obligations relating to campaign expenses, including normal operating expenses. All contributions under twenty-five dollars (\$25.00) shall be reported but need not be itemized. Should the accumulation of contributions from an individual exceed the twenty-five dollar (\$25.00) threshold, all contributions from that individual shall be itemized. It shall attribute all campaign contributions, expenses and obligations to a specific candidate only if the campaign contributions, expenses and obligations can be specifically identified to that specific candidate to the exclusion of other candidates on the ticket. A copy of the statement shall be furnished to each candidate identified in the statement within ten (10) days after the general or special election.

(e) Amendments to the statements required by this section may be filed at any time. If inaccuracies are found in the statements filed or additional contributions or expenditures occur or become known after the statements are filed, amendments to the original statements or additional statements shall be filed within a reasonable time not to exceed ninety (90) days from the time the inaccuracies or additional contributions or expenditures became known. Any net change less than fifty dollars (\$50.00) need not be reported.

(f) In addition to the statement of contributions and expenditures required by subsection (b) of this section, any political action committee formed for the support of any initiative or referendum petition drive or any organization supporting an initiative or referendum petition drive shall file with the secretary of state, at least thirty (30) days but no more than forty-five (45) days before the election at which the initiative or referendum proposition will be voted on, a statement signed by both the chairman and treasurer showing:

- (i) The total amount expended to circulate the petition;
- (ii) The number of persons paid to circulate the petition; and
- (iii) Repealed By Laws 2000, Ch. 67, § 2.
- (iv) The period of time during which signatures on the petition were obtained.

(g) Candidates for federal office, campaign committees for candidates for federal office and federal political action committees shall not be required to file contribution and expenditure reports under this section if the candidate or the committee is required to comply with federal election law reporting requirements.

(h) In addition to any other report required by this section, an organization required by W.S. 22-25-110(c) to report expenditures shall report as follows:

- (i) The report shall identify the organization making the expenditure and the individual acting on behalf of the organization in making the expenditure;
- (ii) The report shall be filed at least seven (7) days before the next primary, general or special election with information current to any day from the eighth day up to the fourteenth day before the election;
- (iii) If not previously reported, the report shall include the disclosure of any source of funding to the organization in excess of one thousand dollars (\$1,000.00) to further the expenditure.

(j) If a candidate has formed a candidate's campaign committee, the committee may file reports required by this section on behalf of the candidate if the candidate provides a signed document one (1) time each election cycle authorizing the committee to file reports on behalf of the candidate and attesting that the facts provided in the report are accurate. If a committee has filed a required report on behalf of a

candidate under this subsection, the candidate shall not be required to separately file the report provided that the candidate shall remain individually responsible for any deficiencies in a report filed by the committee.

22-25-107. Where statements to be filed.

(a) All statements required under this chapter shall be filed as follows:

(i) Any candidate for a municipal, county, judicial, school or college board office and any political action committee or candidate's campaign committee supporting such a candidate and any political action committee supporting or opposing a municipal initiative or referendum or ballot proposition within the county, shall file with the county clerk;

(ii) Any candidate for a state legislative or district judgeship office and any political action committee or candidate's campaign committee supporting or opposing such a candidate, shall file with the secretary of state;

(iii) Any candidate for statewide office shall file with the secretary of state;

(iv) A county party central committee shall file with the secretary of state;

(v) A state party central committee shall file with the secretary of state;

(vi) Precinct committeemen and precinct committeewomen elected at the primary election shall not be required to file a statement of contributions and expenditures;

(vii) Any political action committee or organization supporting or opposing any statewide initiative or referendum petition drive, any statewide ballot proposition or any candidate for statewide office and any organization making an independent expenditure under W.S. 22-25-102(k) and filing pursuant to W.S. 22-25-106(b)(i) or (h) shall file statements required by this section with the secretary of state.

(b) Statements required to be filed at least seven (7) days before any primary, general or special election and statements required to be filed after any primary, general or special election shall be filed electronically.

(c) Any statement required under this chapter to be filed with:

(i) The secretary of state, shall be filed electronically as provided under W.S. 9-2-2501 if the secretary of state has adopted rules which allow for the electronic filing;

(ii) A county clerk, may be filed electronically if the board of county commissioners has adopted rules consistent with the requirements of W.S. 9-2-2501 which allow for electronic filing.

(d) Whenever "county clerk" is used in this chapter, it means the county clerk of the county in which the person resides.

(e) After December 31, 2009, the secretary of state shall maintain a searchable database of reports filed pursuant to this chapter available to the public on or through the Internet, the World Wide Web or a similar proprietary or common carrier electronic system. The secretary of state shall be responsible for the provision of training and instruction for filers on how to access and use the campaign finance electronic filing system. The training shall be for the purpose of educating filers about use of the system, and is not intended to assist filers with filing their reports.

22-25-108. Failure of candidate or committee to file statement.

(a) Candidates shall be given notice prior to an election that failure to file, within the time required, a full and complete itemized statement of contributions if required pursuant to W.S. 22-25-107 and a statement of contributions and expenditures shall subject the candidate to civil penalties as provided in subsection (e) of this section.

(b) A candidate who fails to file the statement of contributions required by the seventh day before the election shall have his name printed on a list drafted by the appropriate filing office specified under W.S. 22-25-107. The list shall immediately be posted in the filing office and made available to the public.

(c) In addition to any other penalty provided by law, a candidate who is convicted of failure to file the statement required by W.S. 22-25-106 within thirty (30) days of the report due date is ineligible to run as a candidate for any state or local office for which a statement is required by W.S. 22-25-106 until:

- (i) Five (5) years have elapsed from the date the statement was first due; or
- (ii) The person has filed the required statement.

(d) Each political action committee and each candidate's campaign committee shall be given notice prior to an election that failure to file the statement may result in the filing of criminal charges against the committee's officers responsible for the filing. Any officer of a political action committee or candidate's campaign committee who is responsible for filing a report and who knowingly and willfully fails to file a report as required or who knowingly and willfully subscribes to, makes or causes to be made a false report is guilty of a misdemeanor punishable by imprisonment not to exceed one (1) year.

(e) Any candidate failing to file the reports required by W.S. 22-25-106 within the times required by that section is subject to a civil penalty and costs, including reasonable attorney's fees not to exceed five hundred dollars (\$500.00), as hereinafter provided. An action to impose a civil penalty may be prosecuted by and in the name of any candidate adversely affected by the violation, any political party, any district attorney or the attorney general. No filing fee shall be charged for the filing of an action under this subsection nor shall a fee be charged for service of process. Civil penalties shall be paid to the clerk of court for deposit to the public school fund of the county in which the fine was assessed. The civil penalty imposed under this subsection shall be not more than one thousand dollars (\$1,000.00).

22-25-109. Reporting candidates in violation.

The secretary of state and the county clerks shall report the names of all candidates in violation of the Election Code of the state of Wyoming to the attorney general or to the district attorney, respectively, for appropriate action.

22-25-110. Campaign advertising in communications media.

(a) It is unlawful for a candidate, political action committee, organization, including organizations making expenditures pursuant to W.S. 22-25-102(k), candidate's campaign committee, or any political party central committee to pay for campaign literature or campaign advertising in any communication medium without printing or announcing the candidate, organization or committee sponsoring the campaign advertising or campaign literature. The communications media in using the campaign advertising shall print or announce the name of the candidate, organization or committee paying for the advertising.

(b) For purposes of this section, "campaign literature" does not include small campaign items such as tickets, bumper stickers, pens, pencils, buttons, rulers, nail files, balloons and yard signs displaying the name of the candidate or office sought.

(c) Any organization making an expenditure pursuant to W.S. 22-25-102(k) which is subject to this subsection and in excess of five hundred dollars (\$500.00) shall report the expenditure as specified in W.S. 22-25-106(h).

22-25-111. Repealed by Laws 1980, ch. 31, § 1.

22-25-112. Campaign advertising rates.

Rates charged for political campaign advertising shall not be higher than rates charged for local advertising of the same quality and quantity.

22-25-113. Repealed By Laws 1998, ch. 100, § 5.

22-25-114. Repealed by Laws 1991, ch. 243, § 5.

22-25-115. Written campaign advertising; prohibiting placement on public property; exception.

Except as provided herein, written campaign advertising shall not be placed on or attached to any real or personal property of the state or its political subdivisions. This prohibition shall not apply to fairgrounds of the Wyoming state fair or of any county fair organized under the laws of this state. The University of Wyoming, any community college and school district may permit such advertising subject to regulation by their governing board as to time, place and manner. Any rules and regulations adopted shall provide for equal access to opposing political views. Subject to the approval of the landowner and any rules and regulations adopted by a municipality, campaign materials may be placed on municipal street rights-of-way. The department of transportation shall allow campaign materials to be placed on a state right-of-way within a municipality to the same extent which the municipality allows campaign materials to be placed on municipal street rights-of-way. Nothing in this section shall apply to any interstate highway.