

2020 CANDIDATE COMMITTEE CAMPAIGN FINANCE GUIDE

Revised for the June 9, 2020 Primary Election



WEST VIRGINIA SECRETARY OF STATE'S OFFICE ELECTIONS DIVISION

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CANDIDATE FINANCIAL RECORDS

WHAT MUST BE TRACKED?

“Every candidate or treasurer of every political committee shall keep detailed accounts of every sum of money or other thing of value received by him or her, including all loans of money or things of value and of all expenditures and disbursements made, or liabilities incurred, by the candidate or political committee.”(W. Va. Code §3-8-5(a)(2))

KEEPING FINANCIAL RECORDS

“Except for candidates for party committeeman and committeewoman, all candidates for nomination or election to state or local offices and all persons supporting, aiding, or opposing the nomination, election, or defeat of any such candidate shall keep, for a period of two years, records of receipts and expenditures which are made for political purposes.” (W. Va. Code §3-8-5(a)(1)) Furthermore, the Secretary of State or County Clerk may conduct an audit of any sworn financial statement, and this may require the committee to present receipts. (W. Va. Code §3-8-7(b)(5)) If any violation of code is found, the committee may be held accountable for transactions for up to five years. (W. Va. Code §3-8-5d); therefore, it is highly recommended that receipts be kept for the entire five-year period.

FINANCIAL RESPONSIBILITY

The treasurer of the committee is responsible for the candidate committee’s finances. All reporting requirements and financial transactions must be handled through the committee’s treasurer. Agents of the committee may make transactions on behalf of the committee and have the treasurer reimburse the transaction for the lawful expense incurred by the agent. An agent may also accept contributions for the committee; however, the contributions must pass through the hands of the treasurer to ensure the contribution meets the criteria of a lawful contribution.

POLITICAL CONTRIBUTIONS

Contribution “means a gift, subscription, loan, assessment, payment for services, dues, advance, donation, pledge, contract, agreement, forbearance, promise of money, or other tangible thing of value, whether conditional or legally enforceable, or a transfer of money or other tangible thing of value to a person, made for the purpose of influencing the nomination, election, or defeat of a candidate.” (W. Va. Code §3-8-1a(8))

Remember to get all of the information required for your campaign finance report from your contributors at the time they make their donation. This will prevent you from using precious campaign time to track down this information later.

Except from the provisions of W.Va. Code §3-8-9b, coordinated expenditures are considered to be contributions and are subject to all reporting requirements contained in W. Va. Code §3-8-9a(a).

HOW MUCH MONEY CAN A CANDIDATE COMMITTEE ACCEPT?

A candidate committee may accept up to \$2,800 per Primary Election and \$2,800 per General Election from an individual, political action committee, or party executive committee. (W. Va. Code §3-8-5c) It is unlawful for a candidate committee to spend any funds that exceed the contribution limit. When a contribution exceeds the limit, the excess money must be returned to the contributor. All items of value (cash and in-kind contributions) given to a committee are counted toward this \$2,800 limit.

A candidate may contribute as much as he or she desires to his or her own campaign; however, he or she may not be reimbursed unless it is treated as a loan to the campaign, which requires a written agreement. A candidate committee may also receive loans from financial institutions and from the candidate's spouse.

A candidate committee may not accept contributions from another candidate committee that is campaigning for the current election; however, a committee may accept up to \$2,800 per Primary Election and \$2,800 per General Election from a candidate committee from a past election that has excess funds.

Note: A candidate committee may accept a General Election contribution prior to the Primary Election, but cannot spend the contribution until after nomination at the Primary Election. If the candidate does not win nomination in the Primary Election, the committee must return the General Election contribution to the donor.

As a State Candidate Committee, you may not receive money from an Independent Expenditure PAC

As a State Candidate Committee, you may not solicit, accept, or receive money from a foreign national

HOW MUCH CAN A CANDIDATE COMMITTEE CONTRIBUTE TO OTHER CAMPAIGNS OR COMMITTEES?

A candidate committee may contribute up to \$10,000 per calendar year to a party executive committee or a caucus campaign committee. These contributions may not be earmarked or designated to be used in support or opposition of a particular candidate, per W. Va. Code §3-8-5c(b).

CANDIDATE CONTRIBUTION LIMIT SUMMARY

As a current State Candidate Committee, you may give up to \$10,000 per calendar year:

Party Executive Committee
Campaign Caucus Committee

As a current State Candidate Committee you may NOT give money to the following:

Another State Candidate
PAC*
Federal Committee*

As a State Candidate Committee you may receive up to \$2,800 in each General or Primary Election from:

Individuals
State Political Action Committee (PAC)
Executive Committee
Federal Committee
Corporate PAC

**Unless the expense is toward the purchase of an allowable expense as specified in W. Va. Code §3-8-9 and W. Va. C.S.R. §146-3-6.*

CASH CONTRIBUTIONS

A cash contribution can be accepted for up to \$50. The name of the contributor must be recorded and reported or it must be donated to the General Revenue Fund of the State. All contribution amounts above \$50 must be by means other than cash.

ANONYMOUS CONTRIBUTIONS

Anonymous contributions are illegal to accept. Activities such as passing the hat, to bring in contributions, are not permissible. All contributions must be identified with the full name of the person or group of persons that gave the contribution. If the identification of the donor of a contribution cannot be determined, the contribution must be given to the General Revenue Fund of the State. The only exception is for executive committees that are holding an event; please review this exemption in W. Va. Code §3-8-5a. If an anonymous contribution is in the possession of a committee, you must send an amount equal to the anonymous contribution to:

**WV Secretary of State's Office
Elections Division
State Capitol Building 157-K
Charleston, WV 25305**

CANDIDATE COMMITTEE ELECTION CYCLES

There are two possible contribution periods for a candidate committee within the election year. A contribution to a candidate committee is considered in connection with the Primary Election if it is received on or before the Primary Election Day. A contribution is considered in connection with the General Election if it is received after the day of the Primary Election and until the committee has paid all of its financial obligations after the General Election.

A contribution given after the Primary Election period can be considered in connection with the Primary Election if, with the consent of the contributor, it is clearly marked on the financial statement as a contribution for the previous contribution period, provided that the funds are used to repay unpaid bills, loans or debts incurred during that contribution period.

A candidate may accept a General Election contribution prior to the Primary Election, but cannot expend until after nominated at the Primary Election.

FUND-RAISING EVENTS

As defined by the Election Code, a fund-raising event is *"an event such as a dinner, reception, testimonial, cocktail party, auction or similar affair through which contributions are solicited or received.* (W. Va. Code §3-8-1a(20))

A committee may pay for food, drink and entertainment costs that are incurred in holding a fund-raising event. The committee must be careful in determining the methodology of the fund-raising event to be certain that personal gifts are not given to attendees from committee funds. Fund-raising transactions are reported separately from other transactions. The total amount raised, after expenses, is reported as the net receipt of funds for each event. (W. Va. Code §3-8-5a)

Committees may engage in joint fund-raising efforts with other political committees, including those committees registered with the FEC. W. Va. Code §3-8-9c requires joint fund-raising agreements that identify the political committees involved and define terms of fund allocation. All joint fund-raising agreements must be in writing and filed with the Secretary of State.

EXPENDITURE OF FUNDS

SPENDING MONEY

The committee has now raised money (contributions, transfers of money from previous campaign accounts, loans, out of pocket expenses, etc.) and is ready to spend the funds for electioneering purposes. No money may be spent from committee funds unless it is allowed by W. Va. Code §3-8-9 or W. Va. C.S.R. §146-3-6. The law is: if it's not on the list, then it's not allowed. This is to ensure that the funds are spent on electioneering purposes only, without exception.

Records of all transactions are to be kept for two years after date of the transaction. The information to be kept for reporting purposes are:

- The name of the person or business to which the expenditure was given
- The date of the transaction
- The purpose of the transaction
- Amount of the expenditure

Things to remember about spending money...

- All expenditures must be reported. Detailed accounts of all expenditures and disbursements made, and liabilities incurred must be reported
- Money spent out-of-pocket on the election must be reported as an expenditure. If money is spent on behalf of a candidate, and is not reimbursed by the committee, it must be reported as an in-kind contribution, and is subject to contribution limitations
- All loans must be listed in the loan section on the campaign finance report
- An active candidate's committee (before the election date of the candidate) cannot give donations to other candidate's committees, political action committees, or charitable organizations
- An active committee (candidate, PAC or executive committee) cannot give a donation to a charitable organization, however can purchase tickets to events if it has a political purpose.
- All expenditures must be made at a rate and an amount which is "proper and reasonable" to the services purchased citation.
- Expenditures are reported on the date the check is written or the date the transfer of funds takes place
- A contribution is reported "on the date that the check, cash or other thing of value is received by the treasurer or agent of the political committee"

ALLOWABLE EXPENDITURES

(W. Va. Code §3-8-9)

A candidate or political committee may make expenditures only for the following purposes:

- Office expenses, overhead costs for headquarters, and for costs related to postage
- Candidates who do not have headquarters may purchase or rent filing cabinets, other office equipment and furnishings, computers, computer hardware and software, scanners, typewriters, calculators, audio visual equipment
- Paid legitimate advertisements for the promotion of the candidate on the ballot
- Costs related to public meetings and political conventions such as food, drink, and entertainment

- Necessary travel and hotel expenses
- Costs incurred with petitions for nomination of candidates
- Lists of registered voters, investigating an individual's right to vote and conducting proceedings to prevent unlawful registration or voting
- Taking voters to the polls
- Securing publication in newspapers, radio, and television broadcasting of information that is relevant to an election
- Conducting a public opinion poll or polls
- Legitimate advertising agency services
- The purchase of memorials, flowers or citations by political party executive committees or political action committees representing a political party
- The purchase of nominal, noncash expressions of appreciation following the close of the polls of an election or within thirty days thereafter
- The payment of dues or subscriptions to any national, state, local, or legislative caucus committee of any political party
- To employ persons to perform functions enumerated in W. Va. Code §3-8-9, either on a full-time, part-time, or temporary basis
- Transfers to any national, state, or local committee, so long as there is no coordination between the candidate and political party committee
- Contributions to a county party executive committee, state party executive committee, or caucus campaign committee
- Payment for legal and accounting services
- Payment of any required filing fees

CAMPAIGN FINANCE REPORTS

(W. Va. Code §3-8-5)

Every candidate, pre-candidate and elected official is required to file campaign finance reports until the committee is closed. Even committees with a zero balance should file their reports in a timely manner to avoid fines. Candidates running for or elected to executive committee positions are not required to file campaign finance reports. These reports are to be filed in succession of one another.

There are two important time periods for campaign finance reports:

- The **transaction period** is the specific time period committees must track all contributions and expenditures for their campaign finance reports
- Financial activity tracked during each transaction period must be recorded on the campaign financial statement and submitted during the appropriate **time period in which the report is due**.

All candidates participating in the Primary Election are required to file the Primary Report in addition to all Quarterly Reports.

All candidates participating in the General Election are required to file the General Report in addition to all Quarterly Reports.

CAMPAIGN FINANCE REPORTING SCHEDULE

<u>Report</u>	<u>Transaction Dates</u>	<u>Filing Dates</u>
2019 2 nd Quarter	March 30, 2019 – June 30, 2019	July 1, 2019 – July 7, 2019
2019 3 rd Quarter	July 1, 2019 – September 30, 2019	October 1, 2019 – October 7, 2019
2019 4 th Quarter	October 1, 2019 – December 31, 2019	January 1, 2020 – January 7, 2020
2020 1 st Quarter	January 1, 2020 – March 31, 2020	April 1, 2020 – April 7, 2020
2020 Primary Report	April 1, 2020 – May 24, 2020	May 25, 2020 – May 29, 2020
2020 2 nd Quarter	May 25, 2020 – June 30, 2020	July 1, 2020 – July 7, 2020
2020 3 rd Quarter	July 1, 2020 – September 30, 2020	October 1, 2020 – October 7, 2020
2020 General Report	October 1, 2020 – October 18, 2020	October 19, 2020 – October 23, 2020
2020 4 th Quarter	October 19, 2020 – December 31, 2020	January 1, 2021 – January 7, 2021

* Filing deadlines falling on Saturdays, Sundays, or legal holidays are to be extended to the following day that is not a Saturday, Sunday, or legal holiday. (W. Va. Code 2-2-1(15)(e))

CONSEQUENCES FOR LATE REPORTS

If your committee submits a late report, it shall be fined \$10 per day by the Secretary of State. The Secretary of State shall publish a list of late filers online, which shall be publically available. Furthermore, if a candidate nominated by Primary Election or appointed by the executive committee or executive committee chair fails to file their campaign finance report by the eighty-fourth day before the General Election, he or she will be disqualified and will not appear on the General Election ballot. If a committee files late or grossly inaccurate campaign finance reports, the committee will be contacted by a member of the Elections Division with instructions for proper resolution. (W. Va. Code §3-8-7)

THE CAMPAIGN FINANCE REPORTING SYSTEM

The Campaign Finance Reporting System (CFRS) is designed to allow candidates and committees to file their financial reports in an efficient and accessible online method.

Candidates for the following offices are required to use the CFRS to file their financial reports:

- Governor
- Secretary of State
- Attorney General
- Auditor
- Treasurer
- Commissioner of Agriculture
- House of Delegates
- State Senate
- Supreme Court of Appeals
- Circuit Court Judge
- Family Court Judge

ELECTIONEERING COMMUNICATIONS, INDEPENDENT EXPENDITURES, AND POLITICAL ACTION COMMITTEE FINANCE REPORTING

As a result of legislative action in 2019, any person filing electioneering communication reports or independent expenditure reports, and any political committee filing campaign finance reports with the Secretary of State's Office **must be filed online** via the Campaign Finance Reporting System (CFRS).

The CFRS system allows committees to keep a record of contributions and expenditures in one convenient location throughout the election cycle. This system performs calculations and informs the user of errors which need to be corrected. While you can add your contributions and expenditures at any time, the finance reports cannot be submitted unless the reporting period is open.

PAPER FILERS ONLY: DETERMINING WHAT FORM TO USE

Only candidates for Greater Huntington Park Board, county, and municipal offices may use paper forms.

The Long Form Campaign Financial Statement includes all activities that are required by W. Va. Code §3-8-5a. If a candidate's committee answers YES to any of the following questions, he or she must file the *Long Form*:

- Has your committee received any loans?
- Has your committee held any fundraisers?
- Has your committee received any miscellaneous receipts, such as refunds or checking account interest?
- Does your committee have any unpaid bills or loans?
- Have you or anyone else given an in-kind contribution to your campaign?
- Has your committee given or received a transfer of excess campaign funds?

The Short Form Campaign Financial Statement is designed to accommodate committees that do not have transactions beyond simple contributions and expenditures; it does not cover any other reporting requirements, such as loans and in-kind contributions, which are required by W. Va. Code §3-8-5a.

The short and long finance forms require both the candidate or committee name and the treasurer's contact information. The candidate, agent, or treasurer must also sign the oath or affirmation at the end of the form.

One must mark the reporting period during the election cycle to which the financial report applies: 1st Quarter Report, 2nd Quarter Report, 3rd Quarter Report, 4th Quarter Report, Primary Report, and General Report. Each election cycle reporting period covers a certain time span during the election cycle for which candidates and committees must report financial transactions.

These reports are to be filed in succession of one another. In addition to the Quarterly, Primary, and General Reports, individuals may file amended and final reports, which are defined below:

AMENDING REPORTS

If a mistake is discovered, a report already submitted by the committee may be altered to reflect the accurate financial activity. An amended report may be submitted at any time and with no penalty. If an amended report is submitted, it must include the same information as the previously submitted report with the errors corrected. All financial transactions for the reporting period must be included in the amended report, not just the portion that has been changed by the amendment.

REPORTING LOANS

A candidate, spouse of a candidate or a lending institution may give a loan to the committee. When a loan is taken, the treasurer must include a copy of the loan agreement for each loan with the next campaign finance report that is due. The loan agreement must state the date, amount, interest amount (if any), a description of collateral and full names, and addresses of all persons involved in the loan.

If a loan is to be forgiven, the loan should then be considered as a contribution from the candidate or spouse to the candidate's committee. To report the forgiving of a loan, report the remaining amount of the loan as a contribution to the committee from the candidate or spouse. In the loans section of the finance report, show the loan as paid; this will show that the committee no longer carries the liability.

Paper filers: If a loan is taken for a candidate's committee, the information required on the loans page of the Long Form Campaign Financial Statement must be completed, and a copy of the loan agreement must be included with the same financial statement. The following information must be reported on outstanding loans:

- The name and address of the bank, candidate, or candidate's spouse making the loan;
- The balance of the loan carried from the previous report;
- The amount of all new loans received during this period;
- Repayments made during the reporting period;
- The outstanding balance at the end of the reporting period for each loan listed.

REPORTING UNPAID BILLS

All liabilities incurred by a committee must be reported. This includes all bills or promises of payment that have been left unpaid at the end of the reporting period. Listing unpaid bills will prevent the committee from having a negative ending cash balance and will show all transactions that have taken place. The transaction date of an unpaid bill will be the date that the vendor provides a bill for payment.

REPORTING OTHER INCOME

Receipts of income that are not considered contributions must also be reported. These include refunds on bills paid, interest on investments, checking accounts or saving accounts, sale of equipment, or any income not reported as a contribution or an in-kind contribution.

REPORTING CONTRIBUTIONS \$250 OR LESS

For each contribution of \$250 or less, the committee must include (1) the full name of the individual, association, or committee donating; (2) the amount of the contribution; and (3) the date the contribution was made.

REPORTING CONTRIBUTIONS OVER \$250

Once contributions from an individual, association, or committee reach an accumulated total of more the \$250 during an election cycle, the committee must collect and record additional information on the campaign finance report.

Required information from contributors of more than \$250:

Full name

Amount of contribution

Date the contribution was made

Residential and mailing addresses

Individual contributors only:

- Occupation (e.g., attorney, doctor, homemaker, retired)
- Employer (this is the contributor's primary employer; if self-employed it should be noted; if a homemaker or retired, write "not applicable")
- Political committees only:
- Political affiliation of the committee (or if the donation comes from a business-affiliated PAC, the business that the PAC is sponsored by)

REPORTING A FUND-RAISING EVENT

Committees must report contributor information under the same requirements for reporting contributions as outlined above.

Paper filers must use the long form to report on a fund-raising event.

Total Monetary Contributions: Total of money received (cash or check) in connection with this particular fund-raising event.

Paper filers: All contributions received at a fund-raising event must be reported on the fund-raising events page of the campaign financial statement.

Total Expenditures: All committee funds spent in relation to the fund-raising event.

Paper filers: These expenditures are to be listed on the itemized expenditures page of the campaign financial statement.

Net Receipts: The total amount of funds accumulated in relation to the fund-raising event minus all committee expenses.

In-Kind Contribution: A donation of goods or services used toward the fund-raising event that can be assigned a monetary value.

Paper filers: In-kind contributions must be itemized in the in-kind contributions section of the campaign financial statement.

Joint Fund-raising Agreements: Prior to participation in joint fund-raisers, a written joint fund-raising agreement must be filed with the Secretary of State. The agreement must provide terms of allocation of proceeds between the participating committees.

REPORTING OTHER INCOME AND IN-KIND CONTRIBUTIONS

If the committee receives “other income” or an in-kind contribution, the Long Form Campaign Financial Statement must be used to report the committee finances.

Other Income: Income that does not fit the definition of a contribution – such as interest on a bank account, refunds, or the sale of equipment – is considered other income. Information required for the other income category includes the date of the receipt, source of the income, the type of receipt (brief description), and the amount of the transaction.

In-Kind Contributions: A donation of goods or services used toward the campaign is considered an in-kind contribution. The amount of an in-kind contribution should be reported at the fair market value of the goods received or services rendered. The committee should include the full name of the contributor, date of the transaction, description of the contribution, and the value. If the value of the contribution is over \$250, additional contributor information is required: address; occupation and employer if it is an individual; and affiliation if it is a PAC.

REPORTING FOR ADVERTISING AGENCIES

When lump sum payments are made to an advertising firm or campaign management firm that will disburse the money on behalf of a committee, the advertising agency must also file a campaign finance report under the same expenditure guidelines as your own committee. All disbursements of funds must be disclosed and tracked to its final recipient and are subject to West Virginia campaign finance law outlined in W. Va. C.S.R. §146-3.

ADDITIONAL REPORT TYPES

In addition to the campaign finance reports required to be filed according to the schedule set by code, a candidate committee may file the following reports at any time:

Amended Report: Filed to replace a previously submitted report to correct information.

Paper filers: both the amended report box and the reporting period that will be amended must be clearly marked.

Online filers: depending on the date of the transaction you are correcting, the system will prompt you to file an amended reporting for the appropriate filing period.

Final Report: Filed to close your account. The final report box must be marked. The committee's ending balance must be zero if filing a final report.

Paper filers: if the report is submitted during a required reporting period, the box for the reporting period must also be checked.

POLITICAL COMMUNICATIONS

POLITICAL DISCLAIMERS (W. Va. C.S.R. §146-3-12)

No person may publish, issue, or circulate, or cause to be published, issued, or circulated, any anonymous letter (including e-mail), circular, placard, radio or television advertisement, or other publication supporting or aiding the election or defeat of a clearly identified candidate. For this reason, political advertisements and publications should include the name of the person who is responsible for the content. (W. Va. Code §3-8-12(a))

Political disclaimers must be legible on the face of all political advertisements and other political materials, and they must clearly state the name of the person or organization authorizing the distribution of the material.

Political advertisements on broadcast, cable, or satellite transmission must include a statement identifying the person paying for the communication.

INDEPENDENT EXPENDITURES

Any expenditure that advocates for the election or defeat of a clearly identified candidate or candidates of a political party that is made without the consultation or coordination of a candidate or a candidate's committee is considered an independent expenditure.

A disclaimer must be present on any communication paid for by an independent expenditure, which clearly states that the communication is not authorized by the candidate or representative of the candidate and clearly identifies the person making the expenditure. If the communication is made for broadcast, cable or satellite transmission, it must be both spoken clearly and appear in a written format at the end of the communication.

ELECTIONEERING COMMUNICATIONS

Any electioneering communication, defined by W. Va. Code §3-8-1a(14), must have a disclaimer clearly stating the name of the person or organization authorizing the communication. If the communication is made for broadcast, cable or satellite transmission, it must be both spoken clearly and appear in a written format at the end of the communication.

SOLICITATION OF FUNDS OR SUPPORT FROM STATE, COUNTY OR MUNICIPAL EMPLOYEES

Soliciting funds from a state employee or an employee of a political subdivision of the state is not allowed. However, if a mass solicitation is done, it should include a disclaimer such as "Please disregard if you are a public employee" to prevent you from violating this provision. (W. Va. C.S.R. §146-3-10.7)

Asking for money, support, or votes is not permitted, nor is the delivery of written communications to the workplace of state, county, or municipal employees. The disclaimer mentioned above does not excuse knowingly delivered communications to a workplace or government email account. (W. Va. Code §3-8-12(c))

AFTER THE ELECTION

(W. Va. C.S.R. §146-3-7)

Amounts of funds received by a candidate as contributions that are in excess of the amount of expenditures for the election are considered "Excess Campaign Funds". No person may receive or use excess campaign funds for personal economic gain.

ALLOWABLE USES OF EXCESS CAMPAIGN FUNDS

The **only** allowable expenditures of excess campaign funds are outlined below (if it's not on the list, then it's not allowed):

- **Transfer of funds from a candidate's committee to the same candidate's committee for a subsequent election year:** The candidate must form a new committee by filing a Pre-Candidacy Statement for the later election year prior to making the transfer of funds. It should be reported as an expenditure on the old campaign and a contribution on the new campaign. There is no limitation of the amount of funds that may be transferred.
- **Making a charitable contribution:** There is no monetary limitation for charitable contributions.
- **Contribution to another candidate's committee:** The limit on this contribution is \$2,800 per Primary Election and \$2,800 per General Election.
- **Offsetting any usual and customary expense incurred in connection with the duties as a holder of public office:** Any items purchased will become the property of the State, or the district, county, or municipality of the office that is held.
- **Contribution to any state political party executive committee or a legislative caucus committee:** The limit on this contribution is \$15,000 in a calendar year.
- **Return of contributions on a pro-rata basis to each donor.**
- **Transfer to any national committee of any political party:** The limit on this contribution is in accordance with federal requirements.

- **Contribution to a county or political subdivision executive committee of a political party:** The limit on this contribution is \$10,000 per calendar year.

HOW TO CLOSE A COMMITTEE

When a committee no longer has outstanding debts or liabilities and has a zero balance in their campaign account, the committee may close. To close a committee, one must file a **Final Report** itemizing all transactions made since the last report was filed. The report must reflect the zero balance. Filing a proper Final Report ends all reporting requirements for that particular committee.

ELECTION CYBERSECURITY INCIDENT RESPONSE PLANS FOR CAMPAIGNS

Protection against a cyber-attack should be thought out well in advance of the necessity for cybersecurity protections. The West Virginia Secretary of State's Office has partnered with Harvard's Belfer Center to create guidance for cyber security training. One set of guidance is specifically tailored for campaigns. Please review the Cybersecurity Campaign Playbook at the Belfer Center's website at www.belfercenter.org/publication/cybersecurity-campaign-playbook.

It's just as important to plan for responding to an attack as it is to develop a security strategy to prevent one. How you respond often has more to do with the ultimate outcome of an incident than what was compromised.

Be prepared for an incident to occur

- Establish cybersecurity rules and provide cybersecurity training for your campaign staff;
- Make available a cybersecurity incident response in case of an incident; and
- Plan how to respond ahead of an incident.

If a breach occurs

1. Unplug the physical device from power and the internet – "kill it";
2. Change the password using a different device with different web services;
3. Notify the platform of the possible compromise; and
4. Contact the appropriate officials. At a minimum, contact the WVSOS and they will advise on contacting the others.

Candidate Cyber Incident Communication Contacts

1. Campaign IT specialist for an internal systems review
2. Your state political party headquarters:
 - a. Democratic (304) 342-8121
 - b. Libertarian (855) 687-5798
 - c. Mountain (304) 669-0247
 - d. Republican (304) 768-0493
3. WV State Police
 - a. If ransomware is involved, call the local authorities at (304) 746-2100
4. WV Secretary of State
 - a. Dave Tackett, CIO, DTackett@wvsos.com, (304) 558-6000
5. Department of Homeland Security
 - a. Kenneth C. Ullom (Charleston, WV), DHS Protective Security Advisor, Kenneth.c.ullom@hq.dhs.gov, (304) 266-8274
6. Your legal and communications teams or key staff who oversee your campaign operations

ELECTION RESOURCES

Elections Division

WV Secretary of State
State Capitol Building 157-K
Charleston, WV 25305
(304) 558-6000
(866) 767-8683
elections@wvsos.gov
www.wvsos.gov

Information on state election laws/regulations, candidate filing, campaign finance reporting requirements, forms, official election returns for statewide elections, and voter registration information.

West Virginia Ethics Commission

210 Brooks Street, Suite 300
Charleston, WV 25301
(304) 558-0664
(866) 558-066
ethics@wv.gov
www.ethics.wv.gov

Forms and information on filing personal financial disclosures, questions regarding conflicts of interest between outside employment and public office.

Federal Election Commission (FEC)

1050 First Street, NE
Washington, DC 20463
(800) 424-9530, menu option 6
info@fec.gov
www.fec.gov

Administers and enforces federal campaign finance law. The FEC has jurisdiction over the financing of campaigns for the U.S. House, Senate, Presidency and the Vice Presidency.

State Election Commission (SEC)

C/o WV Secretary of State
State Capitol Building 157-K
Charleston, WV 25305
elections@wvsos.gov
www.wvsos.gov

Voter system certification, filling vacancy on General Election ballot when candidate withdraws for extenuating circumstances, campaign finance issues.

U.S. Election Assistance Commission (EAC)

1335 East West Highway, Suite 4300
Silver Spring, MD 20910
(866) 747-1471
www.eac.gov

Serves as a national clearinghouse for information and reviews procedures for federal elections.

RECOGNIZED POLITICAL PARTIES

West Virginia Democratic Party

P.O. Box 11926
Charleston , WV 25339
(304) 342-8121
wvparty@wvdems.org
<http://www.wvdems.org>

Information on Democratic Party political activities, functions of executive committees, process for delegates to national contention, and party rules.

West Virginia Libertarian Party

P.O. Box 135
Jane Lew, WV 26378
(855) 687-5798
www.lpwv.org

Information on Libertarian Party political activities, functions of executive committees, process for delegates to national contention, and party rules.

West Virginia Mountain Party

121 Village Green Road
Salem, WV 26426
(304) 669-0247
mountainpartywv@gmail.com
www.mountainpartywv.com

Information on Mountain Party political activities, functions of executive committees, process for delegates to national contention, and party rules.

West Virginia Republican Party

P.O. Box 2711
Charleston, WV 25330
(304) 768-0493
wvgop@wvgop.org
www.wvgop.org

Information on Republican Party political activities, functions of executive committees, process for delegates to national contention, and party rules.