

Welcome to today's training on "Closure Requests". Please note that although this presentation is geared toward closures, it contains many best practices that can be used by committees throughout the full election cycle including how to address discrepancies for audit deficiency notices.



The following presentation was created for committees to use as a reference before requesting closure. Please note that the list below does <u>not</u> include all items reviewed by the Audit & Enforcement Unit (AEU). Instead, this resource is meant to cover the most common items that prevent timely closure. Furthermore, this resource does not provide legal advice or absolve a committee from complying with State and/or local Election laws.

Please note, this video can be watched all the way through or navigate to different topics by clicking on the hyperlinks on the table of contents.

Additional resources and contact information is available at the end of the presentation.

Please note several slides contain a number in the bottom right-hand corner. This number corresponds to a minute marker in the MDCRIS overview video. Committees are encouraged to review the chapter referenced for additional information.



The campaign finance report must be marked "Final" in order to close, otherwise the committee will remain open and active regardless of its financial activity or cash balance. In MDCRIS, select "File Closeout Report" to indicate that the report is a final report. For new report filings, this button can be found under "View/File Pending Transactions" module located on the left side menu. If the committee needs to amend a previous report to request closure, select "Amend Transactions" from the left side menu.

Once the closeout report has been filed, it will be reviewed by the Audit & Enforcement Team. It is important to know that the committee is not officially closed until the responsible officers receive confirmation from the State Board. Please allow 2-4 weeks for review of the closure request.

State Board Approval Required:

A political committee may not be officially closed if, according to the State Board records:

A. There is an outstanding campaign finance report due (including State Board amendments required);

B. The committee owes late fees; or

C. The reports filed are not in compliance or are incomplete; such as a negative cash on hand balance.

You can review the "Closeout Report" chapter of the MDCRIS OVERVIEW video, which begins at minute marker # 55:42 for more information.



Once reviewed by the State Board of Elections, one of the following two letters will be issued.

If in compliance, the SBE will issue a "Closed & Compliance" Letter. Upon receipt, the committee will officially be closed. Election Law Article § 13-221 requires all treasurers to preserve detailed and accurate records of a campaign finance entity until two (2) years after the entity files their final report and it has been approved by the State Board of Elections. If a committee later decides to conduct *future* campaign finance activity, they must establish a new political committee with SBE prior to the occurrence of any financial transactions.

If not in compliance, the closeout request will not be processed. Instead, the committee will be issued a "Non-Compliance" letter listing the details of each deficiency. The committee will have 30 days to resolve the discrepancy. It is important to note that the committee will not be closed until all deficiencies are corrected. The committee is responsible for compliance will all laws, regulations, and filing deadlines. If assistance is needed in resolving the discrepancies, the committee is encouraged to reach out to the SBE for additional guidance.

Inactive Status

- 1. Late fees or Civil Penalties
- 2. Support Ticket
- 3. Pending an Audit/Reconciliation from SBE

IMPORTANT: Being placed on inactive status does <u>not</u> remove the requirement to file any upcoming campaign finance reports. Failure to file campaign finance reports by the reporting deadline is subject to late fees.

Inactive status change is made by Audit & Enforcement Unit for a period of 30 days only if one of the following reasons is applicable:

- 1. The only non-compliant violation is late fees and/or civil penalties
- 2. There is an open support ticket with software vendor
- 3. The committee is waiting on an audit/reconciliation from AEU team

Please note, only a member of the Audit & Enforcement Unit can change the committee status. If a committee would like to be reactivated prior to 30 days, they will need to contact the AEU team by sending an email with request to audit.sbe@maryland.gov.

IMPORTANT: Being placed on inactive status does not remove the requirement to file any upcoming campaign finance reports. Failure to file campaign finance reports by the reporting deadline is subject to late fees.

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| | Election Cycle | Filing Period Name | Filing Method | Report Due Date | |
| | 2019-2022 | 2022 Gubernatorial Pre-General2 Report | Affidavit (ALCE) | 10/28/2022 | |
| | 2019-2022 | 2022 Gubernatorial Pre-General1 Report | Affidavit (ALCE) | 08/30/2022 | |
| | 2019-2022 | 2022 Gubernatorial Pre-Primary2 | Affidavit (ALCE) | 07/08/2022 | |
| | 2019-2022 | 2022 Gubernatorial Pre-Primary1 | Affidavit (ALCE) | 06/14/2022 | |
| | 2019-2022 | 2022 Annual | Affidavit (ALCE) | 01/19/2022 | |
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When it comes to filing a final report for close out, there are two options.

A). Campaign Finance Report (or a long report)

B). Affidavit of Limited Contributions and Expenditures

It is very important that the committee is aware of the requirements for filing an affidavit. In lieu of filing a detailed campaign finance report, a political committee may file the *Affidavit of Limited Contributions and Expenditures* if the committee did not spend or receive more than \$1,000 in the aggregate, exclusive of the filing fee, within a campaign finance reporting period. Please note, the Affidavit does not relieve the committee of any future reporting requirements and must be renewed every reporting period. Once the political committee does exceed the \$1,000 threshold, a detailed campaign finance report must be filed at the subsequent filing period. This report must also include any and all transactions that occurred during the period covered by the Affidavit. -§§ 13-305 and 13-312(b) of the Election Law Article

Campaigns need to pay close attention to their past report filings to determine the appropriate report to file. A committee can verify the filing types (campaign finance report vs. affidavit) by logging into MDCRIS and selecting "View/Edit Committee Registration" from the left side menu. About halfway down the page, the committee will see "Filing Information" section.

If filing method states "Affidavit (ALCE)" for all filing periods, the final report can be submitted as an Affidavit (example shown on the slide).

You can review the "Filing an Affidavit of Limited Contributions & Expenditures" chapter of the MDCRIS video, which begins at minute # 45:00. Additionally, this screen contains a link to FAQ's regarding ALCE's.

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If a committee has spent/received >\$1,000 at any point while the committee was active, a committee is required to file a full campaign finance report for their final.

A committee can verify the filing types (campaign finance report vs. affidavit) by logging into MDCRIS and selecting "View/Edit Committee Registration" from the left side menu. About halfway down the page, the campaign will see "Filing Information" section. A campaign finance report will be denoted as "Campaign Statement" or "Amended Campaign Statement".

In the example on the slide, this committee filed a campaign finance report in 2022 followed by subsequent Affidavits. If the committee wants to close out, they are required to file their final report as a campaign finance report. Even if the committee spend/received less than \$1,000 during the final period, SBE will reject an affidavit marked final.

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| Name of Entity : Filing Period Name : 10/23/202 | the filing of the last Campaign Finance Report dated Under penalty of perjury, we declare that the matters and facts set forth above are true to the best of our knowledge and belief. | | | | | |
| Can | Chairman Signatu | re Date | Printed Nar | ne of Chairman | | |
| Part 1 | Treasurer Signatu | re Date | Printed Nar | ne of Treasurer | | |
| ransación renou y mis report covers tran | Date | Date | Name and Account | t Number of the Campaign Fi | nance Entity | |
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| Bank Account Name | Bank Account Number | Bank Account Balance* | It has alv It has a r | ays filed affidavits since its e | stablishment, or | or obligations on the last filed |
| Old Line Bank | | \$0.00 | campaig | i finance report to SBE date | | committee may not use the |
| | Add: Deposit in Transits | \$0.00 | Affidavit to close | . If you have any questions, | please contact the Cano | lidacy and Campaign Finance |
| | Less: Uncleared Checks | \$0.00 | Division. | Filing Instr | uctions and Deadlines | |
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| | | | The committee will b activity. The Affidav its next campaign fir by the committee. | e required to file the next schedul it only covers the period for that i nance report, it shall include all co | ed campaign finance report ndividual report. Please ren ontributions and expenditure | or affidavit regardless of the financial nember that when the committee files es covered under the affidavit(s) filed |
| | | | It is recommended th | at the signatories keep a copy of thi | s affidavit. | |
| | | | L | | D 151 West Street, Suite 21 | State Board of Elections ivision of Candidacy and Campaign Finance WP.O. Box 6486, Annapolis, MD 21401-0486 (410) 209-2880 (800) 222-8683 ext. 4 |
| | | | SEE/CCF 13-305 C Revised | 10/2/02/2 | | |

When a closure request is received by the SBE, the auditor will review the most recent campaign finance report (or affidavit) to determine if the campaign marked the report as final. If the report is not marked as final, the committee will remain open and active regardless of its financial activity or cash balance.

A committee can verify their last report was marked final by logging into MDCRIS and selecting "View/Edit Committee Registration" from the left side menu. About halfway down the page, the campaign will see "Filing Information" section. Click on the hyperlink next to the last report filed (most recent is on the top) and verify the report indicates "Final".

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To submit a new campaign finance report and mark as "final", log into MDCRIS and select "View/File Pending Transactions" then select "File Closeout Report."

To submit an amendment campaign finance report and mark as "final", log into MDCRIS and select "Amend Transactions" then select "File Closeout Report."

If filing a final affidavit, select "File Affidavit (ALCE)" from the left side menu then check the box for "Closeout Affidavit".

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| | | | | MDCRIS | 5 Video, Mi | nute 5:52 |

Another common oversight has to do with campaigns not listing their bank account information in MDCRIS.

Pursuant to Election Law Section §13-220(a)2, a political committee must establish a checking account exclusively for campaign use. The checking account must be established at a financial institution that is located or operates branches in Maryland. The name of the political committee must be on the account. All income (including loans) must be deposited in the campaign bank account. *Personal bank accounts of the responsible officer or the candidate may not be used.* Failure to maintain a bank account will result in a civil penalty.

A committee can verify their depository account is listed in MDCRIS by logging into MDCRIS and selecting "View/Edit Committee Registration" from the left side menu. About halfway down the page, the campaign will see "Depository Information" section. If the depository information is not listed, the campaign should select "Add New Depository Information" button. Once the depository information is entered, be sure to select "Save" then scroll all the way to the bottom of the page and select "Submit". If the committee does not select "save" and "submit" the changes will not be recorded and will result in a civil penalty.

You can review the "Depository" chapter of the MDCRIS video, which begins at minute # 5:52.

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| Paymen | t by Debi | it/Credit Ca | ard: | | | | | | |
| Calling (41 | 0) 269-2874 | 4, (410) 269-2 | 871 or | (410) 269- | 2922 | | | | |
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| Mail Pay | ment to: | | Ma | ke Check I | Payable to | : Late Fe | e Waiver | Request Form | : |
| Maryland S | State Board | of Elections | Sta | te Board o | f Elections | https:/ | /elections. | .maryland.gov | /campaign fi |
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Another common oversight is for late fees and/or outstanding civil penalties. Late fees are assessed to committees who did not file their campaign finance reports or amended reports for an audit deficiency notice by the filing deadline. Late fees accrue up to a maximum of \$1,000 per report. Civil penalties are assessed as a result of non-compliance violation resulting from complaints, audits, closure reviews, etc.

A committee can verify all outstanding fees and/or penalties have been paid by logging into MDCRIS and selecting "View/Edit Committee Registration" from the left side menu. About three quarters of the way down the page, the campaign will see "Citation Violation Information" and "Violations" section. If both fields show "no results" or an outstanding balance of \$0, no further action is required.

If a campaign has outstanding late fees, they can be paid by check payable to the Maryland State Board of Elections and mailed to Maryland State Board of Elections, 151 West Street, Suite 200, Annapolis, MD 21401; or paid by debit/credit card by calling phone number (410) 269-2874. *Late fees should be paid ASAP; however, are due within 30 days from the date of the non-compliance letter.*

Alternatively, late fee waivers may be submitted by completing a late fee waiver request form. Late fees are heard and decided by the Board of Elections. To dispute a civil penalty, contact Campaign Finance or Audit and Enforcement Unit as these are addressed differently.

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| Pending Filing for Committee | | | | | |
| Filing Period | Original Due Date | Unfiled Transaction Count | Filing Type | Pending Reason | |
| 2022 Pre-Primary1 Gubernatorial | 6/14/2022 | 2 | Amendment | Unfiled transactions for a filed report | |
| 2022 Pre-Primary2 Gubernatorial | 7/8/2022 | 1 | Amendment | Unfiled transactions for a filed report | |
| 2022 Pre-General2 Report Gubernatorial | 10/28/2022 | 5 | Amendment | Unfiled transactions for a filed report | |
| Displaying page 1 of 1, records 1 to 3 of 3 | | | | | |
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When logging into MDCRIS, verify that all pending transactions have been filed. About ½ way down the reminders page there is a section called "Pending Filling for Committee". This section will show the number (if any) unfiled transactions that need to be addressed. Select the hyperlink for the corresponding report to review and submit or delete these transactions.

| Log Info | into MDCRIS an rmation" from | nd Select "Viev the left side m | w/Edit Re ienu. | egistratio | n Marylan | d Campai |
|--|--|--|---|--|---|----------------|
| Core | ll to "Filing Inf | armation" and | coloct th | | Enter Contributions/Tran | isfers/In-kind |
| 2010 | into Filinginio | ormation and | select th | ie | Contributions | |
| | | | | | | |
| hype | erlink for each | report that is r | needed. | | Enter Non-Candidate Lo | ans |
| hyp | erlink for each | report that is r | needed. | | Enter Non-Candidate Los Enter Loan Payments | ans |
| hyp | erlink for each | report that is r | needed. | | Enter Non-Candidate Los Enter Loan Payments | Outetanding |
| | erlink for each | report that is r | needed. | | Enter Non-Candidate Loc Enter Loan Payments | Outetanding |
| lling Information | erlink for each | report that is r | needed. | Original Filed Date | Enter Non-Candidate Lo Enter Loan Payments Enter Evolonditures and i | Outetanding |
| iling Information Election Cycle 2023-2026 | erlink for each | Pling Method | Report Due Date | Original Filed Date | Enter Non-Candidate Lo. Enter Loan Payments Enter Evnenditures and J Amendment Filed Date 04272023 | Outetanding |
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| Election Cycle 2013-2026 2013-2022 2013-2022 2013-2022 2013-2022 2013-2022 2013-2022 2013-2022 | Pling Pariod Name Pling Pariod | Fling Method Fling Method Arrended Campain Statement Organd Campain Statement Organd Campain Statement Organd Campain Statement Organd Campain Statement | Report Due Date 011920203 11222007 10282022 009000022 001900022 001900022 001900022 001900022 | Original Filed Date 01/05/2023 11/15/2022 09/24/2022 09/24/2022 09/04/2022 06/08/2022 | Enter Non-Candidate Loc Enter Loan Payments Enter Evnanditurae and I Amendment Filed Date 04277023 11/15/2022 | Outstanding |
| hype iling Information Election Cycle 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 | Erling Period Name 2022 Annual 2022 Annual 2022 Generatives Des General 2022 Generatives Des General 2022 Generatives Des Des Person 2022 Generatives Des Person 2022 Gene | Filing Method Amerido Campaign Statement Amerido Campaign Statement Original Campaign Statement Original Campaign Statement Original Campaign Statement Original Campaign Statement Original Campaign Statement | Report Due Date 01162023 11022002 0000022 000000 | Original Filed Date 01/05/023 11/15/002 10/24/022 06/24/022 06/06/022 01/15/022 | Enter Non-Candidate Lo Enter Loan Payments Enter Evnanditurae and i Amendment Filed Date 0427/2023 1115/0022 | Outstanding |
| Ing Information Election Cycle Cores | Pling Pariod Name Pling Pariod | Fling Method Arrended Campain Statement Arrended Campain Statement Organd Campain Statement Organd Campain Statement Organd Campain Statement Organd Campain Statement Organd Campain Statement Organd Campain Statement | Report Due Date 01163023 11220020 00380202 00300202 00300202 00190202 01190202 01190202 01190202 01190202 01190202 | Original Filed Date 010502023 111:50109 10424022 00424022 0042022 0042022 004022 00505022 01150202 01150202 | Enter Non-Candidate Loc Enter Loan Payments Enter Evnandihurae and I Amendment Filed Date 04272023 11/15/2022 | Outstanding |
| Hype Hing Information Election Cycle 2023-2026 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 | Erling Period Name 2002 Annual 2002 Annual 2002 Consult 2002 Consult Pre-Control Period 2002 Consultational Pre-Control Period 2002 Consultation Pre-Permany 2002 Consultation Pre-Permany 2002 Consultation Pre-Permany 2002 Annual | Filing Method Ameroid Campaign Statement Ameroid Campaign Statement Original Campaign Statement | Report Due Date 01182023 10220022 00300022 07080022 07080022 07080022 06140002 01202020 01202020 012020201 11270200 | Original Filed Date 01/05/02/3 11/02/4/02/2 07/04/02/2 07/04/02/2 06/05/02/2 01/15/02/2 01/15/02/2 01/15/02/2 | Enter Non-Candidate Lo Enter Loan Payments Enter Evnanvitrurae and i Amendment Filed Date 0427/2023 1115/2022 | Outstanding |
| hype Iling Information Election Cycle 2023-3026 2019-022 2019-02 2019-02 2019-02 2019-02 | Pling Pariod Name Pling Pariod Name Pling Pari | Fling Method Arrendod Campaign Statement Arrendod Campaign Statement Original Campaign Statement | Report Due Date 01180203 111220020 00380202 00300202 00300202 00140202 01190202 01190202 01190202 01190202 01190202 01190202 01190202 01190202 01190202 012032001 102332000 | Original Filed Date 010502023 111:50109 10440022 00440022 00440022 00400202 01:50202 01:50202 01:50201 111:50200 1023:0200 | Enter Non-Candidate Loc Enter Loan Payments Enter Evnandihurae and I Amendment Filed Date 04272023 11/15/2022 | Outstanding |
| hype iling Information Election Cycle 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 2019-2022 | Erling Period Name 2002 Annual 2002 Annual 2002 Annual 2002 Annual 2002 Annual 2002 Annual 2002 Adventional The Advention 2002 Adventional The Advention 2002 Adventional The Advention 2002 Adventional The Advention 2002 Adventional 2002 Adventi | Filing Method Amerided Campaign Statement Amerided Campaign Statement Original Campaign Statement | Report Due Date 01182023 10292022 0800022 07060022 07060022 07060022 06140022 07020201 111772020 10232000 | Original Filed Date 01050203 1115/0027 01024/0022 07104/0022 06050202 01150202 01150202 01150202 11156200 10033200 06824200 | Enter Non-Candidate Lo Enter Loan Payments Enter Evnanviiturae and i Amendment Filed Date 0427/2023 11/15/2022 | Outstanding |
| thype: Electon Cycle 2023-3026 2019-3022 | Pling Pariod Name Pling Pariod | Fling Method Arrended Carroging Statement Arrended Carroging Statement Original Carroging Statement | Report Due Date 01180203 11122002 00180202 00300202 00300202 00300202 0149002 0149002 0149002 0149002 0149002 | Original Filed Date 010502023 111:50109 10442022 064042022 064042022 064062022 011532022 011532022 011532022 011532020 06442020 064242020 065222020 | Enter Non-Candidate Loc Enter Loan Payments Enter Evnandihurae and I Amendment Filed Date 04277023 11/15/2022 | Outstanding |
| hyp: ling Information Election Cycle 2015-0222 2015-022 20 | Pring Period Name 2002 Annual 2002 Periodmath Period 2002 Periodmath 2004 Periodmath 2 | Filing Method Ameridad Campaign Statement Ameridad Campaign Statement Original Campaign Statement | Report Due Date 01183003 10290007 10280002 0000002 0000002 00140002 00140002 0120002 0120002 0140002 0130002 0140002 0140002 0150002 0120002 0120000 0022000 0022000 0222000 0222000 | Original Filed Date 010590203 111502020 010242022 066042022 060604202 01150202 01150202 01150202 01150202 0150202 005222020 06222020 06222020 04270200 | Enter Non-Candidate Lo Enter Loan Payments Enter Evnanvliturae and i Amendment Filed Date 0427/2023 11/15/2023 | Outstanding |
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To work through the remaining items, it is often necessary for the committee to have the most recent campaign finance report(s) available – either as an electronic PDF or printed. As a best practice, the committee should avoid using an old copy and/or a preliminary report since it might not reflect all activity if there were subsequent changes/amendments.

To pull the most recent reports, navigate to the committee's registration page by selecting "View/Edit Registration" from the left side menu. Scroll about halfway down the page to filing information. Filing information comes just after the "documents/correspondence" section.

Once at the "filing information" section, select the blue hyperlink for each report to download and/or print.

| Part 5 | | | | | | | | | | |
|--|------------|-----------------------------|---|--|---|----------------------------|-----------------------------------|----------------------------------|--------------------|--------------------------|
| alue of In-Kind Contributions – Schd 1B, Col J | \$0.00 | SCHEDULE - 3 | | O 8 ans 6 | utstandin Innaid Bi | g Oblig | ations | ane | | |
| alue of In-Kind Expenditures – Schd 2, Col AA | \$0.00 | | | (see sche | dules 1A and 1. | B for other t | (pes of Income) | 4110 | | |
| Part 6 | | Name and Addres Creditor | s of Date Loan Accepted or obligation | *Written Consent Previously Filed | Written Consent filed berewith | Interest Rate Charge | % of Prime Rate Day Loan is | Original Loan / Obligation | Special Account | Balance / Balance Due |
| Dutstanding Loan Balance – Schd 3, Col L | \$1,592.00 | Printing and Cam | paign Materials | | | | | | | |
| Dutstanding Bills Due – Schd 3, Col M | \$0.00 | | 04/01/2022 | | | | | \$249.10 | 1 | \$249.10 |
| otal Outstanding Obligations | \$1,592.00 | | Remarks: | I | | | | | | |
| | | | | | | | | | Total | \$249.10 |

Total outstanding loans and obligations must be paid or forgiven. If the loan and/or bill is forgiven or has been paid, the responsible officer must log in to the MDCRIS record the entry.

A committee can determine if all loans & obligations have been addressed by reviewing page #2, section 6 of their most recent campaign finance report. This section will show the remaining outstanding loan balance(s). If this section shows \$0, no further action is required assuming that the previous transactions related to the loan(s) were recorded accurately. For committees who filed ALCE's, this section is not applicable.

A more detailed breakdown of the outstanding loans & bills can be found on the last page of the most recent campaign finance report under "Schedule 3: Outstanding Obligations, Loans, & Unpaid Bills".

The political committee must make every effort to repay the debt. However, if the political committee, due to extenuating circumstances, is unable to pay the debt, the political committee may close only after producing documentation satisfactory to the State Board of the political committee's inability to pay. The State Board's action to

close a political committee does not limit the right of a creditor to bring an action against the responsible officers or candidate of the political committee. Additionally, failure to pay may be considered an in-kind contribution subject to the contribution limits. The failure to pay the bill may result in an over-contribution and possible enforcement actions.

| C | Dutstanding L | oans & Obligat | t ions (continued) |
|-----------|--|---|--|
| | Current Reporting Period | Previou | s Reporting Period |
| | Maryland Campaign Re | Maryland Campaign F | Re |
| | View / Edit Registration Information | View / Edit Registration Information | |
| | Enter Contributions/Transfers/In-kind Contributions | Enter Contributions/Transfers/In-kind Contributions | Search Cancel Clear |
| N | Enter Non-Candidate Loans | Enter Non-Candidate Loans | |
| | Enter Loan Payments | Enter Loan Payments | g Obligations New Outstanding Obligation Paid New Loan Payments |
| | Enter Expenditures and Outstanding Obligations | Enter Expenditures and Outstanding Obligations | ns Generate Loan Conserver Generate Receipt Generate Ving Labels |
| | Enter Return Contributions | Enter Return Contributions | |
| \square | Enter Outstanding Obligations Paid | Enter Outstanding Obligations Paid | |
| | | Contributor/Payee | |
| | | File Affidavit (ALCE) | |
| | | Edit / File Pending Transactions | |
| | | Amend Transactions | |
| | | | _ |
| | | | |
| | | | 12 |
| Minute 41 | 1:34 | | |

To record a payment or forgiveness in the current reporting period, the committee will expand the left side menu and select "Enter Loan Payments" or "Enter Outstanding Obligation as Paid" module.

To record a payment or forgiveness in a prior reporting period, the committee will expand the left side menu and select "Amend Transactions." On the next screen, select "New Outstanding Obligation Paid" or "New Loan Payments" buttons.

You can review the "Entering Loan Payments" chapter of the MDCRIS video, which begins at minute # 41:34.

| SCHEDULE | - 2 | x | Expenditures | ient | | | | | | |
|-------------|-------------------|--|--|--|--------------------|---------------------|--------|------------|---|---|
| | | (see schedu | les 1A and 1B for other t | vpes of Income) | | | | | | |
| Date | Payment Method | Name and Address (The payee is the p who is the ultimate of campaion funds) | of Payee erson recipient Reimbu contribu expend | rse or In-Kind ution recipient of the iture made | Special Account | Amount | | | | |
| 08/30/20 | 22 Check | | | | | \$1,000.00 | | | | |
| Expenditure | Purpose: | | | | 1 | | | | | |
| | Remarks: | | | | Tota | \$1,000,00 | | | | |
| | | | | | | \$1,000.00 | | | | |
| Fu | nd Type P | ayment Method | | Payment Date | Paym | ent to Principal | Inte | erest Paid | I | 1 |
| | - | -Select Payment Type | 7 | Ŷ | | | | | | |
| Pa | yment Method | Payment Date | Payment To Princ | ipal Interest p | aid Payn | ient Type | Edit | Delete | | |
| 30000 | eck | 01/10/2017 | | \$2,000.00 | \$0.00 | Candidate Loan Payr | ment 😡 | T <u></u> | | |

If the candidate, or other party, made a loan and it has been repaid, the loan will be converted to an expenditure.

Please note that committees can do partial repayments and partial forgiveness. In these situations, the committee should enter all repayments first and complete the steps to forgive any remaining balance once the appropriate letters have been secured.

You can review the "Entering Loan Payments" and "Repaying Candidate Loans" chapter of the MDCRIS video, which begins at minute # 42:38.

| Forgiving Loa | ns | | | |
|---|--|--|---|---|
| Forgiven loans will be converted to In-Kind contributions | Ing Proof [01102017 Jensel Ing Proof [01102017 Jensel Anders Hame: Excitosa Partici? Constant Adders Law J. Jan Const. Co. Cep Lantes C? Cep Lantes C? - Select Payment Type • • | Treacture Consider Treacture Preprint Date Page- | In Type" (Candidat Law Payment Cannol Ca Address Law Bar Payment to Principal State Ca | BelessLaw" (B1070017 - Candisan'Esc.27 Candisan'Esc.20 Candisan'Esc.27 - 50000 80 • 1 accu BelessLaw" (B1070017 - Candisan'Esc.27 Candisan'Esc.20 Candisan'Esc.27 - 50000 80 • 1 Candisan'Esc.20 Candisan'Esc.27 - 5000 80 • 1 Candisan'Esc.20 Candisan'Esc.27 - 5000 80 • 1 Candisan'Esc.20 Candisan'Esc.27 - 5000 80 • 1 Candisan'Esc.20 Candisan'Esc.27 - 5000 80 • 1 Candisan'Esc.20 Candisan'Esc.27 - 5000 80 • 1 Candisan'Esc.20 Candisan'Esc.27 - 5000 80 • 1 Candisan'Esc.20 Candisan' |
| SCHEDULE - 1B Other Receipts and In J - In-Kind Contribution - Fair Market V (Describe in (see schedules 1A and 1B | n-Kind Contributio alue of In-Kind Co n Remarks) for other types of Income) | ons ontribution Recei | ived. | Forgiveness letter to be sent |
| Date Complete Name and Address of Payer Received | Special Account | Aggregate to Date | Amount | |
| Employer | Occupation | 1 | | |
| 08/27/2022 | | \$3,208.00 | \$808.00 | |
| Remarks: | | Tota | I \$808.00 | Minute 43:34 |

In the case of an outstanding loan to the campaign, the lender has the option of forgiving the loan. Forgiven loans must reflect the conversion to an in-kind contribution. Loans made by the Candidate or other party to the committee require a loan forgiveness letter to be provided to the State Board of Elections indicating the exact dollar amount of the loan that has been forgiven.

Please note outstanding loans from persons other than the candidate may be forgiven only up to the contribution limit. If the converted loan plus other contributions from the same individual/entity exceeds the \$6,000 contribution limit, a violation may have occurred.

The committee can send a copy of the loan forgiveness letter by email to audit.sbe@maryland.gov, or mail to the following address:

Maryland State Board of Election 151 West Street, Suite 200 Annapolis, MD 21401-0486

Review the "Forgiving a Candidate Loan" chapter of the MDCRIS video, which begins

at minute # 43:34.

| Disp | osal c | of As | sets | | | | | | | |
|---|---|--|--|---|--|---|--|--|--|--|
| When a p furniture, other surp purchasec | olitical com must be so lus funds. Th | mittee clo Id, and th nese items | oses, items purchas e money from the sale s cannot be retained b | ed by the committe e must be disposed o by the candidate or a | e, such of in the committ | as equipmen same manner see officer unle | | | | |
| | SCHEDULE - 2 | SCHEDULE - 2 Expenditures U - Purchase of Equipment (see schedules 1A and 1B for other types of Income) | | | | | | | | |
| | Date | Payment Method | Name and Address of Payee (The payee is the person who is the ultimate recipient of campaign funds) | Reimburse or In-kind contribution recipient of the expenditure made | Special Account | Amount | | | | |
| | 06/08/2021 | Debit Card | BJS Wholesale Club 55 Music Fair Rd, Owings Mills, Maryland 21117 | | | \$821.47 | | | | |
| | Expenditure P | urpose: | Data Conversion | • | | | | | | |
| | | Remarks: PC Lap Top for Campaign | | | | | | | | |
| | | | | | | | | | | |

Pursuant to § 13-311 of the Election Law Article, a political committee must have disposed of all property or assets of the committee.

When a political committee closes, items purchased by the committee, such as equipment and furniture, must be sold, and the money from the sale must be disposed of in the same manner as other surplus funds. These items cannot be retained by the candidate or a committee officer unless purchased. Please see slide #X for disposal of surplus funds.

The best way for a campaign to verify all equipment/furniture has been disposed of is to review the campaign finance reports to ensure all items recorded in "Schedule 2: Purchase of Equipment" has been properly disposed of." Alternatively, the committee can pull an Excel version of all campaign expenditures and place a filter on the Expense Purpose column to identify transactions in which equipment was purchased.



To capture all expenditures reported by the committee, log out of MDCRIS and select "Disclosures" from the left side of the screen. Then select "View Expenditures/Outstanding Obligations" button.

If a committee wants to pull a contribution report, select "View Contributions/Loans" button.

| How to Pull I | Expenditu | r e Reports (contin | ued) |
|--|---|---|------|
| | • | • 、 | , |
| 3. Enter Committee | Name starting w | rith the last name. | |
| (Ex. Smith, John Friel | nds of) | | |
| | | | |
| _ | View Expenditures / Outstandin | g Obligations Information | |
| Payee Name (konvestance / Convertien Name) Name | Location [Street] City | Report Details -See: Express Category- -See: Express Category- v | |
| Control System - Control System - Control System - Control System - Control System | 20 Cade | | |
| 4. | | | |
| Drag a contract of drop it here to group by that column Expenditure T Paves Name T Address T Paves Ture | T Amount T Committee Name T Excesse Cateroov T Free | tes Purces T Ecores Toward T | |
| | | | |

Next, enter the committee name (starting with the last name) in the orange box and select "search". When the data populates, select the Excel icon. This report will allow the committee to sort/filter for information by reporting period, dollar amount, expenditure type, expenditure purpose, etc.



A non-compliance violation will show up in MDCRIS as a "red compliance flag". There are many reasons a non-compliance flag can be triggered including:

- Missing employer name
- Incomplete contributor name
- Incomplete address



To identify potential non-compliance issues, select "Amend Transactions" from the left side menu. Then select the report name and select the box "non-compliant" transactions.

| | | | | | - - - - | I |
|---|---|--|--|------------------|----------------|----------|
| ne scree | n will aisp | play a | ll non-compliant transact | ions. Selec | ετ τ | he |
| e "Edit" | button ne | ext to | each record for more info | ormation c | n t | he |
| | | | | | | |
| ciency. | | | | | | |
| - | | | | | | |
| Transaction Type | Transaction Category | Amount | Address | Compliance | Edit | Select |
| Contribution | Credit Card | \$1,000.00 | | * | | 0 |
| | | | | | | |
| Expenditure | Other Expenses | \$120.00 | | * | | |
| Expenditure | Other Expenses Credit Card | \$120.00 \$5,000.00 | | • • | 10 | 0 |
| Expenditure Contribution Contribution | Other Expenses Credit Card Credit Card | \$120.00 \$5,000.00 \$500.00 | | * | 8 | |
| Expenditure Contribution Contribution Contribution | Other Expenses Credit Card Credit Card In-Kind | \$120.00 \$5,000.00 \$500.00 \$1,750.00 | | र र र र | 9 | |
| Expenditure Contribution Contribution Contribution | Other Expenses Credit Card Credit Card In-Kind | \$120.00 \$5,000.00 \$500.00 \$1,750.00 | | रू रू रू | 9 9 9 | |
| Expenditure Contribution Contribution Contribution | Other Expenses Credit Card Credit Card In-Kind | \$120.00 \$5,000.00 \$500.00 \$1,750.00 En | ter Contributions/Transfers/In-Kind Contributions | रू रू रू | 9 | |
| Expenditure Contribution Contribution Contribution | Other Expenses Credit Card Credit Card In-Kind | \$120.00 \$5,000.00 \$1,750.00 En | ter Contributions/Transfers/In-Kind Contributions | * * * | | |
| Expenditure Contribution Contribution Contribution | Other Expenses Credit Card Credit Card In-Kind | \$120.00 \$5,000.00 \$500.00 \$1,750.00 | Iter Contributions/Transfers/In-Kind Contributions | 4 4 7 7 | 8 | |

Once search has been executed, a list of any non-compliance flags will appear. The committee can click on the edit icon to see more information as to what is missing to bring the record into compliance. Once the edit has been made, save the record and proceed to the next non-compliant flag.

Repeat the steps above until all reports are reviewed and corrected. Many times, these errors will not affect the cash balance. However, the committee should check before submitting the amendment that they are still in balance before proceeding.

If no results are found, proceed to the next report.

| Review | Bank & Ca | sh Balance | | |
|---|---------------------|-----------------------|--------------------|---|
| Verify Bank E | Balance (Page #1 | , Part II) of campa | ign finance re | eport, |
| matches Cas | h Balance (Page | #2, Part IV). | Part 4 | |
| art 2 Electoral | | 15 Cart | Prior Balance | \$0.00 Report calculated cash balance from Part 4 of you prior report. |
| Bank Account Name | Bank Account Number | Bank Account Balance* | Total Receipts | \$0.00 Total of Part 3 Receipts |
| Bank As of the report transaction ending d otal | ato. | \$0.00 | Total Expenditures | - \$0.00 Total of Part 3 Expenditures |
| 1. Surplus Fu | ınds | | Cash Balance | - \$0.00 This is your report calculated cash balance. Carry forward this balance to your next report. |
| 2. Negative (| Cash Balance | | | |
| 3. Bank vs. C | ash Balance Dis | crepancy | | |
| | | | | _ |

In order to close the committee, the bank and cash balance must both be zero. The bank balance is on Page #1, Part II and needs to be compared to the cash balance on Page #2, Part IV of the most recent campaign finance report. If both figures are \$0, no further action is required by the committee for the step of the closure review process.

If these two figures are not \$0, there are one of 3 scenarios committees should be aware of when reviewing bank & cash balances:

- 1. Both bank and cash balances match and are a positive number >\$0. This is known as "Surplus Funds"
- 2. Both bank and cash balances match and are a negative number <\$0. This is known as "Negative Cash Balance"
- 3. The Bank and Cash Balances do not match. This is known as Bank vs. Cash Balance Discrepancy

| Surplus F | unds | | | | |
|---|---------------------|-----------------------|--------------------|--------------|--|
| Surplus Funds: | Bank Balance a | nd Cash Balance r | natch an | d are a | 1 |
| positive numbe | r | | Part 4 | | |
| Electoral | | <u> </u> | Prior Balance | (\$2,551.78) | Report calculated cash balance from Part 4 of your |
| Bank Account Name | Bank Account Number | Bank Account Balance* | | + | prior report. |
| | | \$288.10 | Total Receipts | \$2,839,88 | Total of Part 3 Receipts |
| *As of the report transaction ending da | te. | \$288.10 | | - | |
| Total | | | Total Expenditures | \$0.00 | Total of Part 3 |
| | | | | = | Expenditures |
| | | | Cash Balance | \$288.10 | This is your report |
| | | | | | Carry forward this balance to your next report. |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

If the bank balance and cash balance match – and is a positive figure – this means the campaign has surplus funds. Surplus funds can not be paid to a candidate or a committee, instead they need to be disposed of in one of the following ways:

- (1) Returned pro rata to the contributors; or
- (2) Paid to the State central committee of the political party of which the candidate is a member; or
- (3) Paid to the local central committee of the political party of which the candidate is a member in a county in which the candidate resides or which the candidate seeks to represent; or
- (4) Paid to the board of education of a county in which the candidate resides or which the candidate seeks to represent;
- (5) Paid to a nonprofit organization that provides services or funds for the benefit of pupils or teachers;
- (6) Paid to a charitable organization registered or exempt from registration under the Maryland Charitable Solicitations Act; or Paid to a public or private institution of higher education in the State if that institution possesses a certificate of approval from the Maryland Higher Education Commission and the payment is designated for use by the institution

solely to award scholarships, grants, or loans to students attending the institution

Once the committee decides how they want to dispose of the surplus funds, they need record the transaction in MDCRIS. If the transaction took place in the current reporting period, the committee will selecting "Enter New Expenditure" from the left side menu. If the transaction took place in a previous reporting period, the committee will select "Amend Transactions" from the left side menu then select "Enter New Expenditure" button.

| Negativ | ve Cash Balanc | e | |
|--|--|---|--|
| A negative including m and deposi reports sho | balance usually results nonies from the candid ts compared to the rec puld assist you in findin | from a failure to report all income ate. A careful review of your checks eipts and disbursements on your g the error. | |
| · | Part 4 | Part 5 | |
| | Prior Balance (\$1,487.78) Report calculated cash balance from Part 4 of yo prior report. + Total Receipts \$0.00 Total of Part 3 Receipts - Total Expenditures \$45.55 Total of Part 3 = | Value of In-Kind Contributions – Schd 1B, Col J \$0.00 Value of In-Kind Expenditures – Schd 2, Col AA \$0.00 Part 6 Outstanding Loan Balance – Schd 3, Col L \$0.00 Outstanding Bills Due – Schd 3, Col M \$0.00 Total Outstanding Obligations \$0.00 | |
| | Cash Balance (\$1,533,33) Cash Balance cash balance calculated cash balance to your next report. | | |

A negative balance usually results from a failure to report all income, contributions, and/or loans. Alternatively, the error could result from expenditures being overstated, duplicated, or the committee over drafting their campaign finance bank account.

Another common error is that committees often record in-kind contributions as expenditures. For example, if a candidate purchases \$20 of pizza as a thank you to campaign workers and pays for the pizza out of his/her own pocket without asking the campaign to reimburse him/her, this should be recorded as an in-kind contribution. Conversely, if a candidate paid for pizza out of his/her own pocket and was subsequently reimbursed, this transaction would be recorded as an expenditure. If a transaction should have been recorded as an in-kind contribution, but was recorded as an expenditure in error, the committee needs to amend the campaign finance report(s) to delete the expenditures and enter new in-kind contributions.

A careful review of your contributions and expenditures compared to the receipts and disbursements on your reports should assist you in finding the error. If your report reflected a negative balance, please file an amended report

resolving the negative balance.



If the bank balance and cash balance do not match, this is known as a Bank vs. Cash Balance Discrepancy.

If the committee recorded all transactions accurately, the cash balance and bank balance should match exactly. If they do not, the committee will have to carefully review all transactions to ensure all activity has been recorded. As a best practice, the committees should review the ending cash balance from a previous report to ensure it copied over to "Prior Balance" field correctly. If a campaign notices a discrepancy with the "prior balance" section of the report, please contact SBE for assistance.

Please watch Audit Deficiency Video for more details including best practices on how to locate and correct cash vs. bank balance discrepancies.



During your review, if you notice a transaction is missing, you can add it by selecting "Amend Transactions" from the left side menu. Select the filing period and select search to launch additional buttons. Select the appropriate buttons to add the missing transaction. If you have multiple transactions that are missing, repeat these steps until all missing transactions are accounted for.

Use the "Preview" Campaign Statement button to check your work.



During your review, if you notice a transaction was recorded in error, you can delete it by selecting "Amend Transactions" from the left side menu. Search for the transaction by selecting the filing period. You can use the other fields to narrow your search including transaction type, transaction category, amount range, etc. Once the transaction is located, select the check box to the far right of the screen for each transaction. Once each transaction is selected, click on the "Delete Selected Records" button at the bottom of the screen.

Use the "Preview" Campaign Statement button to check your work.



As a best practice, committees are encouraged to preview their campaign finance reports prior to filing their final closure request by selecting "Preview File". To access file preview, expand the left side menu and select either "View/Edit Pending Transactions" module for new reports, or select "Amend Transactions" for previously filed reports. This will allow the committee to "check their work" before filing to catch any remaining errors. Please note that preview campaign statement is optional. If everything is in balance/accurate, the committee will still need to select "File Amendment to State" button for the changes to go through.



IMPORTANT:

When a committee files an original report, MDCRIS will ask for the bank ending balance and will give fields for "deposits in transit" and "uncleared checks" for the committee to record. However, when a committee files an amendment, these fields are not available. Although they are not available, the committee still needs to take the figures for deposits in transit and uncleared checks into account.

When filing an amendment, the committee will need to take the bank ending balance as of the transaction ending date plus deposits in transit and minus uncleared checks. The total (or net) figure will be added in the field for the ending balance.

When filing an amendment, the software will ask for the ending balance for all subsequent reports from the current report being amended through the most recent filing. The same process of netting together the bank ending balance plus deposits in transit and less uncleared checks will need to be made and recorded for each reporting period as shown on the filing screen.

It is important for committees to note that this step is ONLY for amendment filings

and should not be used when filing an original report.



Once all transactions are recorded/deleted, you will file the amendment by selecting "Amend Transactions" from the left side menu. Then select the filing period and select search to launch additional buttons. If the committee is ready to close, select "File Closeout Report" button. Otherwise, select "File Amendment to State".

| Eiling an A | Amondr | nor | t (co | ntinu | مط) | | | |
|--|-------------------------------|-------------|--|--------------------|-------------------------|----------------|----------------------|-------------|
| rining all <i>i</i> | Amenui | ilei | | IIIII | eu) | | | |
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| | | | | | | | | |
| | | | | | | | | |
| Filing Period Name | Original Beginning Cash Balar | nce on Hand | Amended Beginning Ca | sh Balance on Hand | Old Ending Cash Balance | e on Hand | vew Ending Cash Ba | slance on F |
| 01/15/2020 Annual | | \$9,543.02 | | \$9543.02 | | \$16,817.02 | | \$160 |
| * | Bank Account Name | Bank / | Account Number | Old Ending | Bank Balance * | Ne | w Ending Bank Bala | ince* |
| | Bank of America | 6 | 1020824420 | | \$16,817.02 | | •[| |
| | | | | | Nev | v Total Ending | Bank Balance | |
| 01/20/2021 Annual | | \$16,817.02 | | \$16817.02 | | \$23,310.72 | | \$233 |
| | Bank Account Name | Bank / | Account Number | Old Ending | Bank Balance * | Ne | w Ending Bank Bala | ince * |
| | Bank of America | | 3929624426 | \$23,310.72 | | | - | |
| | | | | | Nev | v Total Ending | Bank Balance | |
| 01/19/2022 Annual | | \$23,310.72 | | \$23310.72 | | \$36,618.80 | | \$366 |
| | Bank Account Name | Bank | Account Number | Old Ending | Bank Balance * | Ne | w Ending Bank Bala | ince* |
| | Bank of America | | 9929624425 | - | \$33,208.00 | | 1 | |
| NEF | | | | ARI | New | v Total Ending | Bank Balance | |
| OSIS 420020 Dee Delever of Othermotecial | 1 | | | Person and | | e 24 949 94 | | |
| our resource Pre-Primary i Gubernatorial | Bank Account Name | \$36,618.80 | | Old Ending | Rank Balance * | | w Ending Bank Bala | 9.000 |
| | Bank of America | Darik | 10000000000000000000000000000000000000 | Old Enality | \$36,868,80 | Ne | · Linning Dalik Dala | |
| | Service of Particular | | | | | r Total Ending | Bank Balance | |
| | | | - | | Net | e nous chung | park parance | |
| | | | | | | | | |

After selecting "File Amendment to State", the following screen will appear. The committee needs to record the bank ending balance for each report. In the screenshot shown here, see fields highlighted in yellow. This needs to be done for all amendments even if there wasn't a financial change such as a missing employer.

| Filing a | n Amend | lme | nt (co | ntinu | ed) | | |
|---------------------|-------------------------------|-------------|----------------------|---------------------------|-------------------------|-----------------------------|-----------------|
| Filing Period Name | Original Beginning Cash Balar | nce on Hand | Amended Beginning Ca | sh Balance on Hand | Old Ending Cash Balance | e on Hand New Ending Cash | Balance on Hand |
| 01/15/2020 Annual | \$9,543.02 | | | \$9543.02 | | \$16,817.02 | \$16817.02 |
| × - | Bank Account Name Bank | | Account Number | Old Ending Bank Balance * | | New Ending Bank B | alance * |
| | Bank of America | 6 | 03929624425 | | \$16,817.02 | * | \$16,817.02 |
| | | | | | Nev | v Total Ending Bank Balance | \$16,817.02 |
| 01/20/2021 Appual | | \$16,817,02 | | \$16817.02 | | \$23 310 72 | \$23310.72 |
| o nzorzoz i Panidai | Bank Account Name | Rank | Account Number | Old Ending | Pank Palance * | New Ending Pank R | alance * |
| | Pank of America | Darin | 01020824428 | | \$23 340 72 | * | \$23 310 72 |
| | Balik of America | | 00023024420 | | \$25,510.72 | Total Fadina Dank Dalance | \$23,310.72 |
| | | | | | Nev | V lotal Ending Bank Balance | \$23,310.72 |
| 01/19/2022 Annual | | \$23,310.72 | | \$23310.72 | | \$36,618.80 | \$36618.80 |
| | Bank Account Name | Bank | Account Number | Old Ending | Bank Balance * | New Ending Bank B | alance * |
| | Bank of America | | 03929624425 | -1 | \$33,208.00 | * | \$36,618.80 |
| (H) | | | | THA | Nev | v Total Ending Bank Balance | \$36.618.80 |
| NIL | | | | VAIR | | | |
| | | | | | | | and a |

As a reminder, the goal is for the committee to capture all transactions so that the bank ending balance and the cash balance match. If you get to this screen and you notice your cash balance (shown in Pink) is different than what you entered for the bank ending balance (shown in black font), the committee still has a remaining discrepancy(s) to locate.



For questions or additional information, please contact the Audit & Enforcement Unit or Division of Candidacy & Campaign Finance.