

ELECTION SYSTEM OF THE VIRGIN ISLANDS

Rules and Regulations for Administration of the Disclosure on the Campaign Contributions booklet



**ACT NO. 5579
BILL NO. 18-0080
CAMPAIGN DISCLOSURE LAW
(PART ONE)**

AND

**AMENDED
RULES & REGULATIONS
FOR THE ADMINISTRATION OF THE DISCLOSURE ON CAMPAIGN
CONTRIBUTIONS
TITLE 18 SECTION 909 (b) (6) VIC
(PART TWO)**

OFFICE OF THE SUPERVISOR OF ELECTIONS

ACT NO. 5579

BILL NO. 18-0080

CAMPAIGN DISCLOSURE LAW

DISCLOSURE AND LIMITATION ON CAMPAIGN CONTRIBUTION

*Added to this booklet, is clarification by the Elections System. Most local campaign committee and many candidates are new to the election process and are sometimes unable to figure out precisely what the legislation requires. The dense language of the law can lead and has led to unintentional and innocent violations, some of which have resulted in fines. The Elections System seeks to clarify and simplify the important portions of the law by including examples of the plain language version of the Campaign Disclosure Act.

Section 1.

Title 18, Virgin Islands Code, is amended by adding a new Chapter 29 to read as follows:

Chapter 29 Disclosure and Limitations on Campaign Contributions

§ 901. Purpose

(a) The Legislature declares that it is the purpose of this chapter to:

1. require the timely disclosure of contributions to candidates and committees supporting or opposing candidates campaigning for public office;
2. require the timely disclosure of expenditures by candidates and committees supporting or opposing candidates campaigning for public office; and
3. limit the amounts which may be contributed to such candidates and committees by individuals, corporations, labor organizations and other committees.

(b) This chapter shall be broadly construed to accomplish the purposes enumerated in this section.

§ 902. Definitions

(1) “**Candidate**” means an individual who seeks nomination for election, or election, to any elective office of this Territory, whether or not such individual is elected and whether or not such individual has formally or publicly announced his candidacy.

However, in order to be a “**candidate**” a person must have:

1. filed for an elective office with the Elections System of the Virgin Islands;
2. received contributions;
3. made expenditures; or

4. authorized another to receive contributions on his behalf or make expenditures in support of his candidacy whether or not a specific office has been named for which the person is running. *(If any of these four is done you will be considered a candidate.)*

(2) “Committee” or “political committee” means any committee, club, association, or other group of persons which receives contributions or makes expenditures during any calendar year in an aggregate amount exceeding \$1,000. *(Example, this defines any group (“committee”) as an entity that receives or spends more than a \$ 1,000 per calendar year to advance or oppose the cause of any candidate. Note the word aggregate” Modifying “amount”. A Group that took in \$501 and spent \$500 in any given year (to support or oppose any candidate would qualify as a “committee.”)*

(3) “Contribution” means:

- A. a gift, subscription, loan, advance, or deposit of money or anything of value made for the purpose of influencing the nomination for election, or election, of any person to elective office in this Territory; *(Example, anything “of value,” including a loan, that is proffered to influence the election or nomination of anyone to elective office. (Note: “Value” is defined by the Elections System as “Fair market value.” If a candidate gets, says the use of office space, vehicles, equipment or virtually anything that would otherwise cost money, the fair market value of those things is what determines if the limitations are being adhered to. To avoid problems, it would be prudent to support these non-monetary contributions with invoices, leases or other legally admissible documents.)*
- B. a written contract, promise, or agreement, whether or not legally enforceable, to make a contribution as defined in paragraph (3)(A) of this section; *(Example, even a “promise” is considered a contribution, enforceable or not);*
- C. funds received by a political committee which are transferred to such committee from another political committee or other source; or
- D. the payment, by a person other than a candidate or a political committee, of compensation for the personal services of another person which are rendered to such candidate or political committee without charge for the purpose of influencing the nomination for election, or election, of such candidate or for the purpose of assisting such political committee in the purpose for which it was organized. *(Example, if somebody other than the candidate pays for the service of another person engaged in campaigning for the candidate, that payment must be construed as a contribution, For example, if a person working for a candidate’s committee or any other entity seeking to have that candidate elected gets pay by any non-candidate for any service, that payment is contribution subject to law. But if a person is paid by the candidate himself (or his committee), that is not a contribution but it is an expenditure.)*

The term “**contribution**” does not mean:

- A. the value of services provided without compensation by individuals who volunteer time on behalf of a candidate or political committee; *(Example, the value of free (volunteer work on behalf of a candidate is not counted as a contribution, nor is any money laid out for food and drink or the use of anyone's private residence where such is served).*
- B. the use of real or personal property and the cost of invitations, foods, and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual's residential premises for political activities; *(Example, if any person wants to host a rally or meeting on behalf of the candidate he may spend whatever he chooses on arranging and hosting that event without it being considered a contributions.)*
- C. the sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if such charge for use in a candidate's campaign is at least equal to the cost of such food or beverage to the vendor; *(Example, if a vendor wants to sell food or drink for use in any campaign below the going retail prices and the special prices are not considered contributions. But, those prices must not fall below the actual wholesale costs paid by the vendor for that food or drink. In theory at least, if a vendor pays 50 cents for a Coke and sells it to the candidate or his committee for 25 cents, the vendor has contributed 25 cents to the candidate and that amount is considered a contribution.)*
- D. any unreimbursed payment for travel expenses made by an individual who on his own behalf volunteers his personal services to a candidate; or *(Example, travel expenses incurred in support of the candidate by a volunteer are not contributions under the law. If the committee reimburses those expenses, they are expenditures; if a third party reimburses them, they become contributions.)*
- E. the costs of any get-out-the-vote campaign, or reproduction and distribution of sample ballots. *(Example, any get out the vote campaign costs including printing and distribution of sample ballots) are not contributions. Note: This is gray area, since if any get out the vote campaign stresses the candidacy of one hopeful over an other, the costs could be construed to be solely in support of the candidate and would not be exempt. Questions should be addressed to the Elections System for clarification.)*

(4) "Election" means any primary, special, run-off, or general election or any territorial committee meeting, caucus, or convention with the authority to nominate or appoint a person to an elective office. *(Example, the amount that can be contributed by an individuals and groups to a candidate or his committee are restricted to each election. An election is defined as any "primary, special, runoff or general election," and also includes political party meetings or caucuses held to nominate any candidate in lieu of primary election-presumably. The wording technically permits any meetings or caucus or conventions "with the authority to nominate or appoint a person to elective office" to be deemed on "election.)"*

(5) “**Elective office**” means every public office in the Territory to which a person can be elected by a vote of the electors under the laws of the United States Virgin Islands. *(Example, this is self-explanatory)*

(6) “**Expenditure**” means:

- A. a purchase, payment, distribution, loan advance, deposit, or gift of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to elective office in this Territory; *(Example, essentially, an “expenditure” is any expenditure, loan, repayments, advances, transfers and even your promise to pay for something are all included.)*
- B. a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure as defined by paragraph (6)(A) of this section;
- C. the transfer of funds by a political committee to another political committee; or
- D. any repayment made to any bank or other lending institution from which monies were borrowed to finance any aspect of a political campaign.

The term “**expenditure**” does not mean:

- A. any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by a political party, political committee, or candidate; *(Example, obviously, new stories and editorial broadcasts or printed by any independent media outlet are not considered received-value expenditures, since they are not sold or paid for. But if the media is directly controlled by a political party or a candidate or his committee, the cost of publication or broadcast is considered to be expenditure.)*
- B. any regular monthly, biweekly, weekly or more frequent broadcast by a political party, political committee or candidate which are conducted on a continuous year-round basis for public information purposes and not solely for election campaigning. *(Example, if any political party or candidate produces a regular radio or TV program on a permanent, year-round basis, the cost of producing those broadcasts-even during the election season-is not counted as an expenditure. In other words, if the broadcasts are for “public information” purposes and “not solely for election campaigning, “the costs are exempt.)*
- C. nonpartisan activity designed to encourage individuals to vote or to register to vote; *(Example, money spent on get-out-the-vote efforts is not considered an expenditure as long as it “nonpartisan.” The Legislature probably inserted this to allow such activities by nonprofits, political action committees and organizations like the League of Women Voters to be exempt in their campaigns to increase voting turnout.)*
- D. the use of real or personal property and the cost of invitations, food, and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal

services on the individual's residential premises for political activities if the cumulative value of such activities by such individual on behalf of any candidate does not exceed \$250 with respect to any election; *(Example, while the definitions of what constitutes a contribution exempts the use of personal residential property, etc., the definitions of what constitutes an expenditure places a limit of \$250.00 (cumulative value) of what can go unreported under those activities. If a supporter throws a party for a candidate, the supporter can spend whatever he wants on food, drink and use of a private residence, but any amount he lays out that exceeds \$250.00 must be reported as an expenditure by the candidate. Thus the reported aggregate expenditures could include amounts the candidate or his committee never spent.)*

- E. any unreimbursed payment for travel expenses made by an individual who volunteers his personal services to a candidate if the cumulative amount for such individual incurred with respect to such candidate does not exceed \$250 with respect to any election. *(Ditto for travel expenses.)*

(7) **“Identification”** means the full name and address of any person.

(8) **“Independent expenditure”** means an expenditure by a person expressly advocating the election or defeat of a candidate which is made without cooperation or consultation with such candidate or any other candidate or any authorized committee or agent of any candidate.

(9) **“Multicandidate committee”** means a political committee which seeks to influence the nomination for election, or election, of more than one candidate.

(10) **“Person”** means an individual, partnership, committee, association, corporation, labor organization, or any other organization or group of persons.

(11) **“Principal campaign committee”** means that political committee designated by a candidate pursuant to section 903(a) of this chapter.

(12) **“Recording period”** means the term for which information must be filed with the Supervisor as required by this chapter.

(13) **“Supervisor”** means the Supervisor of Elections as provided by Title 18, section 4, Virgin Islands Code.

§ 903. Political committees; organization; recordkeeping

(a) Each individual who is a candidate for public elected office in the United States Virgin Islands may designate a committee as his principal campaign committee; provided, however, that Territorywide candidates may have a principal campaign committee on each island. No committee shall serve as the principal campaign committee of more than one candidate. No principal campaign committee shall support more than one candidate, except that candidates for Governor and Lieutenant Governor may designate their party's Territorial Committee as their principal committee, which committee may also support all other candidates of that party, or a designated

committee may support a candidate for Governor and his running mate for Lieutenant Governor only. Occasional, isolated, or incidental support of a candidate who is not the principal candidate of a designated campaign committee is not prohibited by this chapter. *(Example, a candidate can name a single committee as his principle campaign committee (normally called "Committee to Elect So-and So") unless the candidate is running for territory wide office, like Governor, Delegate to Congress and At-Large Senator, in which case he can have a committee "on each island." Presumably, this means St. Croix, St. Thomas, and St. John can use its party's territorial committee and that group is allowed to support other candidates of the ticket's party.)*

(b) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in either office. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman, or its treasurer, or their designated agents. *(Example, every committee has to name a chairman and treasurer. No money can be spent or received when either post is vacant, the chairman and treasurer are the only ones who can have any money spent.)*

(c) Every person who receives a contribution of over \$100 on behalf of a political committee shall, on demand of the treasurer, but not later than five days after the receipt thereof, render to the treasurer a statement including the amount of the contribution, the identification of the person making such contribution, and the date on which it was received. All funds of a political committee shall be segregated from, and may not be commingled with, any personal funds of officers, members, or associates of such committee, or the personal funds of the candidate. No candidate shall receive contributions or make expenditures not subject to the recordkeeping of the committee. *(Example, "Every person" apparently means anyone who is working on behalf of the candidate, but maybe not. Essentially, the first sentence can safely be translated to mean if anybody gives the "person" more than \$100.00 in support of any candidate, that money has to be returned over to the treasurer of the committee, as of course, must all contributions of any amount; the difference is if the gift exceeds \$100, the treasurer has to keep a record of the amount of the gift, the contributor's "identification" (i.e., name and address) and the date the contribution came in (Note: Committees should photocopy both sides of any checks received after they are endorsed and before they are deposited as supporting evidence.) Money given to the candidate for his election has to be kept completely separate from all funds of any nature. Finally, the candidate can't take contribution without reporting them to his committee.)*

(d) The treasurer of each political committee shall keep a detailed and exact account of:

- (1)** all contributions made to or for such committee; *(Example, he has to keep a record of all contributions, of any amount from any source. Checks and cash contributions amounting to less than \$101 do not fall under the requirement in (c) above, but they still have to be accounted for. Sometimes money is raised by bake sales, fish fries, and so on and since the customers are anonymous, all the treasurer has to do is record where the money came from in general. "Joe's party March 15" will suffice for legal purposes.)*
- (2)** the identification of every person making a contribution, or aggregate contributions of over \$100; *(Discussed above)*

(3) all expenditures made by or on behalf of such committee; and *(The treasurer again has to account for every dime that comes in and goes out.)*

(4) the identification of every person to whom any expenditure is made, the date and amount thereof, and the name and address of and office sought by each candidate on whose behalf such expenditure was made. *(The treasurer has to keep proper books)*

(e) The treasurer of each political committee shall obtain and preserve, for such period of time as is determined necessary by the Supervisor, receipts for expenditures made by or on behalf of the political committee over \$100, and for any such expenditure in a lesser amount if the aggregate amount of such expenditures to the same person during a calendar year exceeds \$100. *(The treasurer has to keep proper books. Even though this paragraph seems to indicate that only records for expenditures exceeding \$100 are required to be maintained and preserved, or if the amount given to the same person over the calendar year adds up to more than \$100, no good accounting system is going to make this distinction. All money, in and out in any amount, must be accounted for as matter of prudent bookkeeping.)*

§ 904. Political committees; registration

(a) Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding \$500 shall file with the Supervisor a statement of organization within ten days after its organization or, if later, within ten days after receipt of information causing the committee to anticipate it will receive contributions or make expenditures in excess of \$500. Political committees subject to this section which exist on the date of enactment of this chapter shall file a statement of organization with the Supervisor at a time prescribed by the Supervisor, but not later than 60 days after the date of enactment of this chapter. *(Example, a political committee has to file a Statement of Organization with the Elections System within 10 days after its officially organized. Note the language that describes a committee that has to file as one that “anticipates” getting and/or spending the “aggregate” amount of more than \$500. If the committee does not “anticipate” getting and spending a total of more than \$500, then later discovers that circumstances indicate it will exceed this amount (total taken and spent of more than \$500) it has to file with the Elections System. It is not clear that committees are capable of “anticipating” or how one might prove such anticipation in court of law. The prudent move would be to register the committee regardless of any anticipations; \$500 isn’t a lot of money. (Any organization that takes in and spends money is subject to the Internal Revenue Laws, and any principals of that organization can be held personally liable for income taxes on money received.)*

(b) The statement of organization required by subsection (a) of this section shall contain:

- (1) the name and address of the committee;
- (2) the names and addresses of affiliated or connected organizations;
- (3) the purpose of the committee;
- (4) the names and addresses of principal officers of the committee and the custodian of books and accounts;
- (5) the name, address, office sought, and party affiliation, if any, of each candidate the committee is supporting or opposing, if the purpose of the committee is to oppose a candidate;

- (6) a statement as to whether the committee is a continuing one;
- (7) the disposition of residual funds which will be made in the event of dissolution;
- (8) a list of all banks, safety deposit boxes, or other repositories used by the committee; and
- (9) such other information which may be required by the Supervisor.

(c) Any change in information previously submitted in a statement of organization shall be reported to the Supervisor not later than thirty days after the change occurs.

(d) Any political committee which has filed a statement of organization and disbands shall notify the Supervisor of such fact. *(Example, when the committee disbands, which all you do is submit a letter to the Supervisor and so state.)*

§ 905. Political committees; reports; filing

(a) The treasurer of each political committee required to file a statement of organization pursuant to section 904 shall file reports with the Supervisor disclosing the following information: *(Example, The committee treasurer is required to file several reports detailing contributions and expenditures. While the Elections System supplies templates for reports on paper and on diskette (and maybe by email.)*

1. the amount of cash on hand at the beginning of the reporting period; *(Example, The amount of money you had at the beginning of the reporting period, which is your check book balance on that day.)*
2. the identification of each person who, during the reporting period, contributed over \$100 value to the committee, or whose aggregate contributions totaled over \$100 value, including purchase of tickets for dinners, luncheons, rallies, or similar fund-raising events, and the value amount contributed and the date of the contribution; *(Example, the identification (name and address) of everybody who gave the campaign more than \$100 in money or value received (in total, even though it have been via a number of checks) during the reporting period. This also applies if any one person bought more than \$100 worth of tickets to events like rallies and fries and food dales. You have to report the total amount received from each person.)*
3. the total sum of contributions made during the reporting period not required to be reported under paragraph (2) of this subsection; *(Example, this is sum of funds taken in from contributing from people in amount under \$101, which do not have to be reported under Paragraph 2.)*
4. the amount and terms of each loan of over \$100 made to the committee and/or candidate during the reporting period and identification of any lender, endorser, and guarantor thereof; *(Example, if anyone lent to the campaign funds, you have to report he terms and amount of the loan(s), and you have to identify the source and any co-signers.)*
5. the total amount of proceeds collected during the reporting period from ticket sales, mass collections made at rallies, dinners, or similar fund-raising events, and sales of campaign

items such as pins, flags, buttons, badges, hats, banners, and bumper stickers; *(Example, all the money the committee took in other than from individual contributions. This would include sales of tee-shirts and buttons, profits from food sales, ticket sales to the general public and so on.)*

6. the amount received in cash or check of over \$100, as well as non-monetary items valued at over \$100, not otherwise reported under paragraphs (2) through (5) of this subsection; *(Example, this is a catchall funds received that escape the provision of (2) and (5). In essence, you have to report every penny received.)*
7. the total sum of all receipts by or for such committee during the reporting period, less transfers between political committees which provide exclusive support to the same candidate as the reporting committee; provided, however, that all transfers to a committee not required to file reports pursuant to this section shall be deemed an expenditure and shall be reported accordingly;
8. the identification of each person to whom expenditures of over \$100 have been made during the reporting period, as well as the purpose of each expenditure, the amount, the date made, and the name, address, and office sought of each candidate on whose behalf the expenditure was made; *(Example, you must identify anyone who was paid more than \$100 during the period and what was being paid for. You have to include the amount paid and the date it was disbursed. If it went to another candidate, you have to list his or her name and address and the office sought.)*
9. the total of all expenditures made during the reporting period not required to be reported under paragraph (8) of this subsection; (self-explanatory)
10. the amount and nature of debts and obligations owed by the committee, and the circumstances and conditions under which such debts and obligations are extinguished and the consideration therefore; *(Example, if your committee owes any money or other thing of value to anyone, you have to describe what the debt is, how it was incurred and how you mean to pay it off or are paying it off.)*
11. the accumulated total of receipts and expenditures in all reporting periods for or against a candidate in the upcoming election; and *(Example, Add it all up)*
12. such other information as may be required by the Supervisor. *(Example, you might have to give the Supervisor other information that he or she may legally demand.)*

(b) The treasurer of each political committee required to file reports pursuant to subsection (a) of this section shall file a report with the Supervisor: *(Note: Either Hand-deliver report or send them by USPS certified mail with a return receipt requested. You might need this evidence of compliance at a later date, if a dispute arises.)*

- 1) not later than ten days after each six-month period in which contributions were received or expenditures made in amounts greater than \$500; provided that amounts received or

expended in the six-month period, not sufficient to be reported in the period, shall be cumulative and reported in the next regular reporting period in which the receipts or expenditures, including the cumulative receipts and expenditures, are \$500 or more; and *(Example, with 10 days of the end of each semi-annual period. You must have received and/or spent \$500 (total) during the six month period, and if you did not, you have to report whatever you did receive and expend in that semi-annual period. For example, if your committee received \$300 and spent \$150 in a given six month period, you don't have to make a report. But when the total of receipts and expenditures exceeds \$500, the act kicks in, and you have to include those unreported amounts (\$300 and \$150 or \$450 in the next report.)*

- 2) not later than the tenth day before the date of an election in which a candidate supported or opposed by the Committee is running. Such report shall be for a reporting period commencing the day after the close of the preceding reporting period and shall close on the thirtieth day preceding the election; and *(Example, not later than 10 days before Election Day of the election in which the candidate is running, regardless of it's a primary, special, general or runoff election. "No later than the tenth day before" means no later than 10 days before. The second sentence means that the period must end on a date falling 30 days before Election Day. Thus when the Pre-Election reporting periods ends, it will be announced by the Supervisor of Elections.*
- 3) not later than thirty days after the date of an election in which a candidate supported or opposed by the Committee is running. Such report shall be for a reporting period commencing the day after the close of the preceding reporting period and shall close on the twentieth day after the day of the election. The Supervisor may waive the requirement of paragraph (1) of this subsection for the filing of a quarterly report if a report is required to be filed in that quarter pursuant to paragraphs (2) or (3) of this subsection; provided, however, that if a quarterly report is waived, any period of time in that quarter not included in a report filed pursuant to paragraphs (2) or (3) shall be included in the reporting period of the next regular quarterly filing. *(Example, another report is due within 30 days after Election Day (again, say November 5) since the last report closed on June 30, this reporting period will commence on July 1st and end 20 days after Election Day. You have 10 days left to compile and submit this report. The Supervisor can "waive" the requirement in semi annual reports.*

(c) Notwithstanding the provisions of subsection (b) of this section, any candidate or political committee, or any person authorized to receive contributions on behalf of a candidate or political committee, which receives a contribution of \$500 or more after the thirtieth day preceding an election and before the election, shall report such contribution to the Supervisor within 48 hours after its receipt. *(Example, read narrowly, this means that any committee or person who receives any single contribution of \$500 or more within 30 days of the election must report that contribution to the Supervisor of Elections within 48 hours after it is received. How that notification is to be made and in what format is not revealed. An email with confirmation of receipt might work, since the Elections System would not receive a document mailed on Friday until at least Monday. Should the problem arise, consult the Elections System Office.)*

(d) Whenever a run-off election is required, the Supervisor may adjust the dates of the reporting period and filing deadlines for reports required by paragraphs (2) and (3) of subsection (b) of this section as may be necessary to insure timely receipt of information. *(Example, in case there's a runoff election, the filing rules may be changed by the Supervisor.)*

§ 906. Reports by individuals; filing

(a) Every person, independent of an organized committee, who makes or receives contributions or makes expenditures in an aggregate amount of over \$500 during a calendar year, which contributions and expenditures are for the express purpose of advocating the election or defeat of a candidate, shall file reports with the Supervisor during the reporting periods as required of political committees. Such reports shall contain information as required of political committees by section 905 of this chapter, and a statement, under penalty of perjury, as to whether the person's dependent expenditure is made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate with, or any authorized agent or committee of such candidate. *(Example, anyone who spends or donates money or value in clear support of any candidate exceeding \$500.00 in any calendar year, and which money does not go through the committee in the normal way, has to report to the Supervisor in the same manner the committee must (under Section 905). That person must execute an affidavit stating whether the expenditure or contributions was made in cahoots with the candidate or his representatives. (For example, a person who hires a sky writer airplane that spells out "Vote for Jones" and spends more than \$500 for the effort falls under this rule.)*

(b) Any independent expenditure by any person not a political committee or candidate of over \$500 or more made after the thirtieth day preceding an election and before the election shall be reported to the Supervisor within 48 hours of the date of the expenditure. *(Example, if the elections is scheduled within 30 days of the time the expenditure or contributions was made, the individual must report to the Supervisor within 48 hours.)*

§ 907. Limitations on contributions

(a) No person shall make contributions:

1. to any candidate or his authorized political committee with respect to any election which, in the aggregate, exceed \$1,000 per election; or *(Example, no one may give a candidate or his committee any more than \$1,000 per election, and may not give any "multicandidate" campaign (Governor and Lt. Governor) committee any more than \$2,000 or \$1,000 (per election)*
2. to any multicandidate political committee, for any election, which exceeds an amount equal to the number of candidates supported by such committee when multiplied by \$1,000. *(Example, no one may give a candidate for his committee any more than \$1,000 per election, and may not give any "multicandidate" campaign (Governor and Lt. Governor) committee any more than \$2,000 or \$1,000 per candidate (per election).*

(b) No multicandidate political committee shall make contributions to any candidate or his authorized political committee which, in the aggregate, exceed \$1,000 per election. *A*

multicandidate committee can't give any more than \$1,000 to any other committee or candidate. In other words, committees are limited by the same amounts individuals are.)

(c) All contributions shall be deemed contributions for the immediate next election for the purpose of determining the limitations of this section; however surplus funds carried over by a candidate or political committee from one election to the next shall not be held to be a limitation on the contributions which may be made for such election. *(Example, money given to a committee or candidate is presumed to be for the campaign for the next scheduled election, be it primary, general, special. If there's any money left over after the election, it does not have to be counted in figuring donation limits. For example, any particular person or organization can give only up to \$1,000 per election regardless of whether the committee spends the money on any given election. What is not said is that the second or third or fourth contribution (of \$1,000.00) can be made only after each election for which the person has already contributed up to \$1,000. If a person gives a candidate \$1,000 for the primary, he must wait until that election is over before the slate is clean. (The rationale for this provision is probably to prevent people from exceeding the limits in anticipation of another election on the defense that a contribution of, say \$2,000 was intended for the Primary and the General.)*

(d) The limitations on contributions contained in this section do not apply to transfers between and among authorized political committees of the same candidate, or to transfers from a candidate to his authorized political committee, or to contributions by a candidate of his personal funds to his own campaign. *(Example, funds moving between committees that are working for the same candidate are not limited. If a candidate for Governor has a Committee to Elect on St. Thomas and another on St. Croix, he can transfer funds between the two limits.*

(e) For the purpose of the limitations provided by this section, all contributions made by political committees established, financed, maintained, or controlled by any corporation, labor organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit of such corporation, labor organization, or other person, or by any group of such persons, shall be considered to have been made by a single political committee. In any case in which a corporation and any of its subsidiaries, branches, divisions, departments, or local units, or a labor organization and any of its subsidiaries, branches, divisions, departments, or local units establish, finance, maintain, or control more than one separate segregated fund, all such separate segregated funds shall be treated as a single fund for the purposes of the limitations on contributions provided by this section. *(Example, any group-labor union, corporation and so on that has established or helped establish and maintain a political committee or committee or "separate segregated funds" cannot escape the limits by donating money from its various committees and funds. Any donations from any of the controlled committees or funds will be considered contributions by single committee. In other words, if Company X has five political-action committees spread about its various departments and other division, any contributions made by any one committee or all of they are construed as having come from single committee and are thus constrained by the limits.)*

(f) Nothing in this section shall be interpreted to prohibit or limit the transfer of funds from one political committee to another when such transfer represents the proportional share of funds due the receiving committee from a joint fund-raising effort in which such committee participated.

(Example, there are no limits on the amount that can be transferred to any political committee from any other committee if the money represents the prorated amount due the receiving committee from any joint fund-raising activities it was involved in. For example, if three Democratic candidates' committees held money-raising event like a concert, there is not a limit on the amount each of the committees gets.)

(g) For the purposes of this section:

1. contributions to a candidate made to any political committee authorized by such candidate to accept contributions on his behalf shall be considered to be contributions made to such candidate; *(Example, any money given to a candidate's committee is construed as money given to the candidate.)*
2. expenditures made by any person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or his authorized political committees or agents, shall be considered to be a contribution to such candidate; *(Example, expenditures made by anyone at the suggestion or behest of a candidate or his committee shall count as a contribution to the candidate.)*
3. the financing by any person of the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign materials prepared by the candidate, or his authorized political committees or agents, shall be considered to be a contribution to such candidate for the purposes of this section; *(Example, if anyone pays for advertising and promotion of a candidate, the expense shall be treated as a contribution to the candidate.)*
4. contributions made to or for the benefit of any candidate for Lieutenant Governor shall be considered a contribution to the candidate for Governor with whom the candidate for Lieutenant Governor is running; provided, however, that in any primary election, contributions to a candidate for Lieutenant Governor who has not yet aligned with a candidate for Governor shall be deemed contributions solely to the candidate for Lieutenant Governor; *(Example, money contributed to a Lt. Governor candidate who is already on the ticket with the candidate for Governor is considered a contribution to the gubernatorial candidate. But if the contribution to a Lt. Governor candidate is made before he or she aligned on the ticket (for a primary election, for example) with any candidate for Governor, it does not count as contribution to any one else.)*
5. contributions made by a person, either directly or indirectly, on behalf of a particular candidate, including contributions which are in any way earmarked or otherwise directed through an intermediary or conduit to such candidate, shall be treated as contributions from such person to such candidate. The intermediary or conduit shall report the original source and the intended recipient of such contributions to the Supervisor and to the intended recipient. *(Example, if any one gives money to a candidate via third party with instructions to transfer that money to the candidate, the contribution is deemed to have come from the original source, not the intermediary. And the "conduit" is bound by law to tell the Supervisor about it.)*

§ 908. Campaign depositories, petty cash

(a) Each candidate shall designate one or more banks as his campaign depositories. The principal campaign committee of the candidate, and any other political committee authorized by the candidate to receive contributions or to make expenditures on his behalf, shall maintain a single checking account, and such other accounts as the committee determines, at a depository designated by the candidate and shall deposit all contributions received by the committee into the account. No expenditure, other than petty cash expenditures as provided in subsection (c) of this section, may be made by any committee on behalf of a candidate except by check drawn on such account. *(Example, the committee has to open at least one bank account through which all money flows with the exception of petty-cash disbursements. The candidate is to decide which bank the committee uses. The committee can open other accounts but only one can be used to spend money and take contributions.)*

(b) The treasurer of each political committee, which is not a political committee authorized by a candidate to receive contributions or to make expenditures on his behalf, shall designate one or more banks as campaign depositories of the committee and shall maintain a single checking account at one such depository. All contributions received by the committee shall be deposited in the account. No expenditure may be made by the committee except by check drawn on the account, other than petty cash expenditures as provided in subsection (c) of this section. *(Example, same goes for any political committee other than the candidate's official campaign committee.)*

(c) A political committee may maintain a petty cash fund out of which it may make expenditures not in excess of \$100 to any person in connection with a single purchase or transaction. A record of petty cash disbursements shall be kept in accordance with requirements established by the Supervisor, and the statements and reports thereof shall be furnished to the Supervisor as he may require. *(Example, petty-cash expenditures shall not exceed \$100 each. A record of these payouts shall be kept and reported if applicable.)*

§ 909. Administration of chapter

(a) The Supervisor of Elections shall administer the provisions of this chapter. In so doing, the Supervisor shall be answerable to or subject to the will or control of the Board of Elections.

(b) In administering the provisions of this chapter, the Supervisor shall have the following powers:

1. to require, by special or general orders any person to submit in writing such reports and answers to questions as the Supervisor may prescribe; and the submissions shall be made within a reasonable period of time and under oath or otherwise as the Supervisor may determine. However, for the purposes of this paragraph "report" does not include an audit or audit performed by a certified public accountant.
2. to administer oaths or affirmations;

3. to require by subpoena, signed by the Supervisor, the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of his duties;
4. to pay witnesses the same fees and transportation costs as are paid in like circumstances in the Superior Court.
5. to initiate, defend, or appeal any civil action for the purpose of enforcing the provisions of this chapter;
6. to render advisory opinions and promulgate rules and regulations to carry out the provisions of this chapter;
7. to develop and prescribe forms for statements and reports required to be filed pursuant to this chapter;
8. to formulate general policy with respect to administering this chapter;
9. to conduct investigations and hearings expeditiously, to encourage voluntary compliance with this chapter, and to report apparent violations to the Attorney General of the United States Virgin Islands;
10. to require the reporting of contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures;
11. to hire personnel necessary to execute the provisions of this chapter; and
12. to take such steps as may be necessary to implement this chapter.

(c) In administering this chapter, it shall be the duty of the Supervisor to:

- 1) develop and furnish forms to persons required by this chapter to file reports or statements;
- 2) maintain in each island district a conspicuous place for the filing of reports and statements by candidates and committees and persons required to file reports and statements from that district, and to require that candidates for territorial-wide public offices, as well as committees supporting or opposing such candidates, file copies of their reports and statements in each island district;
- 3) develop and maintain a filing, coding, and cross-indexing system, prepare indices which set forth, on a candidate-by-candidate basis, all expenditures and contributions for each candidate as reported, and periodically issue such indices on a timely pre-election basis;
- 4) make reports and statements filed pursuant to this chapter available for public inspection, commencing as soon as practicable but not later than the end of the second day following the day during which a report or statement was received, and permit the copying of any

such report or statement by hand or by duplicating machine for a fee as established by the Supervisor, provided that any information so obtained shall not be utilized for the purpose of soliciting contributions or for any commercial purpose;

- 5) preserve reports and statements filed pursuant to this chapter for not less than six years from the date of receipt;
- 6) prepare and publish from time to time in the newspapers of general circulation in the United States Virgin Islands the names of candidates not in compliance with this chapter;
- 7) make audits and field investigations and conduct hearings to determine compliance with this chapter and the accuracy of reports and statements that are submitted, pursuant to a complaint filed with the Supervisor alleging misrepresentation or falsification of reports or information contained in reports.
- 8) report apparent violations of law to the Attorney General of the United States Virgin Islands; and
- 9) take such steps as may be necessary to implement the provisions of this chapter.

§ 910. Enforcement

(a) Any person who believes a violation of this chapter has occurred may file a complaint with the Supervisor. The complaint shall be in writing, shall be signed and sworn to by the person filing the complaint, and shall be notarized. The Supervisor shall not conduct any investigation solely on the basis of a complaint of a person whose identity is not disclosed to the Supervisor.

(b) Upon receipt of a complaint filed pursuant to subsection (a) of this section, or whenever the Supervisor has reason to believe a violation of this chapter has occurred or is about to occur, the Supervisor shall conduct an investigation. The investigation shall be conducted expeditiously with prompt notice to any person who is the subject of a complaint. The Supervisor shall afford any person who is the subject of a complaint a reasonable opportunity to demonstrate that no action should be taken against such person by the Supervisor.

(c) If the Supervisor determines that there is reasonable cause to believe that a person has committed or is about to commit a violation of this chapter, the Supervisor may endeavor to bring about voluntary compliance by informal methods of conference, conciliation, and persuasion. If the Supervisor is unable to correct or prevent any such violation by informal methods, the Supervisor may institute a civil action for relief, including a permanent or temporary injunction, restraining order, or other appropriate order, including a civil penalty which does not exceed the greater of \$5,000 or an amount equal to twice the amount of any contributions or expenditures involved in such violation, in a court of competent jurisdiction.

(d) Nothing in this section shall be construed to prevent any person aggrieved by another's violation of this chapter from instituting civil proceedings in any court of competent jurisdiction.

(e) The showing that any alleged violation of this chapter is in compliance with any advisory opinion rendered by the Supervisor is a complete defense against an action alleging such violation.

(f) Nothing in this section shall be construed to preclude a civil action for libel or slander by a candidate against any person who files an unsubstantiated or frivolous complaint solely for the purpose of embarrassing the candidate or adversely affecting his campaign.

(g) The Attorney General of the United States Virgin Islands shall assist the Supervisor in enforcing the provisions of this chapter.

§ 911. Penalties

Notwithstanding any other penalty limits of this chapter, any person who knowingly and willfully violates any of the provisions of this chapter shall be fined an amount not more than \$5,000 or three times the amount of any contribution or expenditure involved in such violation, whichever is greater, or imprisoned for not more than one year, or both.

(Section 2) The Supervisor of Elections shall upon enactment of this Act review the provisions herein and shall report to the Governor and Legislature not more than 90 days thereafter with request for an appropriation to carry out the provisions of this Act.

(Section 3) The provision of this Act shall become effective upon enactment of this Act.

Thus passed by the Legislature of the Virgin Islands in May 24, 1990.

Witness our hands and Seal of the Legislature of the Virgin Islands this 24th Day of May, A.D., 1990.

AMENDED

RULES & REGULATIONS

For the administration of the

**DISCLOSURE AND LIMITATIONS
ON CAMPAIGN CONTRIBUTIONS**

TITLE 18 SECTION 909 (b) (6) Virgin Islands Code

**CAROLINE F. FAWKES
SUPERVISOR OF ELECTIONS**

Rules and Regulations
For the administration of Disclosure
And Limitations on Campaign
Contributions

909-1 Title

These Rules and Regulations shall be known as the Rules and Regulations for the administration of the Campaign Disclosure Law.

909-2 Authority

These Rules and Regulations are promulgated in accordance with the provision of the Virgin Islands Code, Title 18 and Chapter 29 Section 909(b) (6).

909-3 Purpose

- A. Require the timely disclosure of contributions to candidates and committees supporting or opposing candidates campaign for public office.
- B. Require the timely disclosure of expenditures by candidates and committees supporting or opposing candidates campaigning for public office.
- C. Limit the amount, which may be contributed to such candidates and committees by individuals, corporations, labor organizations and other committees.

909-4 Definitions

- A. “Candidate” means an individual who seeks nomination for election, or is elected, to any elective office of this Territory, whether or not such individual has formally or publicly announced his candidacy.

However, in order to be a “candidate” a person must have:

- 1. filed for an elective office with the Elections System;
- 2. received contributions;
- 3. made expenditures; or
- 4. authorized another to received contributions on his or her behalf or make expenditures in support of his or her candidacy whether or not a specific office has been named for which the person is running.

- B. "Committee" or "Political Committee means any committee, club, association, or other groups of persons who receive contributions or make expenditures during any calendar year in an aggregate amount exceeding \$1,000.00.
- C. "Contributions" means:
1. a gift, subscription, loan, advance, or deposit of money or anything of value made for the purpose of influencing the nomination for election, or election, of any person to elective in this territory;
 2. receipt of a gift, subscription, loan, advance or deposit of money or anything of value shall be a contribution as defined in paragraph (1);
 3. funds received by a political committee which are transferred to such committee from another political committee or other source; or
 4. the payment by a person other than a candidate or a political committee, of compensation for the personal services of another services of another person which are rendered to such candidates or political committee without charge for the purpose of influencing the nomination for election, or election, of such candidates or the purpose for which it was organized.
- D. "Election" means: any primary, special, runoff, or general election or any territorial committee meeting, caucus, or convention with the authority to nominate or appoint a person to an elective office.
- E. "Elective Office" means every public office in the Territory to which a person can be elected by a vote of the electors under the laws of the United States Virgin Islands.
- F. "Expenditure" means:
1. a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value made for the purpose of influencing the nomination for election, or election of any person to elective office in this Territory;
 2. Disbursement of a gift, subscription, loan, advance, or deposit of money or anything of value shall be expenditure as defined in paragraph (1).
 3. the transfer of funds by a political committee to another political committee; or
 4. any repayment made to any bank or other lending institution from which monies were borrowed to finance any aspect of a political campaign.
- G. "Identification" means the full name and address of any person.

- H. "Independent Expenditure" means expenditure by a person expressly advocating the election or defeat of a candidate, which is made without cooperation or consultation with such candidates or any other candidate or authorized committee or agent of any candidate.
- I. "Multi candidate Committee" means a political committee which seeks to influence the nominations for election, or election, of more than one candidate.
- J. "Person" means an individual, partnership, committee, association, corporation, labor organization, or any other organization or group of persons.
- K. "Principal Campaign Committee" means that political committee designated by a candidate pursuant to Section 903(a) of this Chapter.
- L. "Recording Period" means the term for which information must be filed with the Supervisor as required by this Chapter.
- M. "Supervisor" means the Supervisor of Elections as provided by Title 18 Section, and Chapter 4 Virgin Islands Code.

909-5 Political Committees: organization, recordkeeping

- A. Every political committee or partisan organization as defined in this article, shall appoint and constantly maintain a chairman and treasurer, whose names and residence addresses, together with the names and residence addresses of its principal officers, shall be filed where campaign fund reports are required to be filed. Principal officers are: chairman, vice chairman, treasurer, vice treasurer and secretary. Every treasurer so appointed shall accept the appointment, in writing, prior to the filing of his/her name as treasurer. The chairman, treasurer, and other principal officers shall be registered voters in the Territory of the Virgin Islands. The treasurer shall receive, keep and disburse all sums of money, or other valuable things, which may be collected, received, or disbursed by the committee or organization or by any its members for any purpose for which the committee or organization exists or acts. Unless the treasurer, is appointed and filed as required in this subsection, it is unlawful and violation of this article for the political committee, partisan organization, or any of its members, to collect, or receive, or disburse money, or other valuable things for such purposes. A chairman or treasurer of a committee or organization who resigns or otherwise ceases to be chairman or treasurer, as the case may be, shall notify the Office of the Supervisor of Elections where the original appointment was filed in the forms prescribed by the Supervisor of Elections. A new appointment must be made and filed immediately in accordance with this section.

If any committee, expends one hundred dollars (\$100.00) or more to aid or oppose the nomination or election of any candidate, regardless of the purpose for which the committee is formed, the treasurer of the committee, or in the case of a political organization an officer thereof, shall report, on the prescribed forms. In addition to a statement of the contributions and expenditures the treasurer shall submit copies of associated receipts, canceled checks or other proof of receipt. The provisions of this subsection shall apply

- B. To any committee located outside the Territory of the Virgin Islands with respect to any expenditure of funds within the Territory of the Virgin Islands.
- C. A member of the Elections System of the Virgin Islands, or a member of any district board of election, or any permanent, part-time, or a temporary employee of either may not be a campaign manager or treasurer or sub treasurer of any candidate, combination of candidates, or political committees during any part of his or her tenure in office or employment.
- D. The forms for the appointment of a treasurer and the acceptance of such appointment by the treasurer shall be on a form prescribed by the Supervisor of Elections.
- E. The treasurer of a political committee or for a candidate may appoint a separate sub treasurer. It is the responsibility of the treasurer to notify the Supervisor of Elections, in writing if a sub treasurer is so appointed.

909-6 Political Committee; Registration

- A. Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding \$500.00 shall file with the Supervisor of Elections a statement of organization within ten (10) days after its organization or if later, within ten (10) days after receipt of information causing the committee to anticipate it will receive contributions or make expenditures in excess of \$500.00.
- B. Any change in information previously submitted in a statement of organization shall be reported to the Supervisor not later than thirty (30) days after the change occurs.
- C. Any political committee, which as filed a statement of organization and disbands shall notify the Supervisor of such fact.

909-7 Political Committee, Reports; Filing

A candidate for nomination or election to public office, including write-in candidates, shall file the report or statement of contributions and expenditures as prescribed in accordance with Title 18 Section 905(b) Virgin Islands Code with the Supervisor of Elections. Write-in candidates shall be held to the same filing standard as declared candidates. All reports or statement of contributions and expenditures shall be filed in duplicate. Each report filed shall contain all contributions received and expenditure made in furtherance of the candidate's nomination or election. Candidates are required to notify the

- A. Supervisor of Elections, through official correspondence that no contribution or expenditures were made in a given quarter.
- B. It is the responsibility of the candidate and treasurer, jointly and severally, to file all reports or statements in full accurate detail.

- C. For the purpose of this subsection, the failure to provide all information required by the forms prescribed in Section 905 to the extent applicable is failure to file.
- D. Any report shall be considered timely if it is mailed on or before the filing deadline, regardless of when it is actually received, if the United States Postal Service has provided verification of the fact by affixing a mark so indicating on either the envelope or any receipt therefore. Unless a report is mailed, the Supervisor of Elections shall provide a receipt of each report received. No campaign contributions or expenditures shall be accepted or distributed if a campaign disclosure is outstanding for the recording period.
- E. There are penalties and a late fee for each report or statement of expenditures and contributions, which is not filed within the time prescribed. The fee is ten dollars (\$10.00) for each day or part of a day excluding Saturdays, Sundays and Holidays, that a report is overdue. The maximum fee payable with respect to any single report is five hundred dollars (\$500.00). The Supervisor of Elections or Deputy Supervisor of Elections shall not receive an overdue report or statement if any late filing fee has not been paid. Upon receipt of an overdue report or statement and fees, no further late filing fee shall be incurred. The late filing fee is the joint and several personal liability of the candidate and treasurer. A late filing fee may not be paid, directly or indirectly, from any contributions to the candidate or committee, and when paid, may not be treated as contribution or expenditure for the purpose of this subsection.
- F. The failure to provide all information called for on the forms pursuant to Title 18 Section 909(7), to extent applicable, is failure to file if the Office of the Supervisor has notified the candidate, chairman, or treasurer in writing, of the particular deficiencies and a properly corrected report has not been filed within 14 days of service of such notice. After the 14th, and in the absence of a filed corrected report, daily late filing fees are thereafter payable, and all sanctions provided for herein and Title 18 Section 909 shall be fully applicable without the necessity of further notice to the candidate, chairman, or treasurer.
- G. Each candidate for public office and elected officials shall file with the Office of the Supervisor of Elections a statement identical to the statement required by Title 3 Section 1105(a) and (e).
- H. Reports may be filed electronically, if so capable.

909-8 Limitation on Contributions

- A. Contributions and expenditures to pass through the treasurer-All contributions, money or other valuable things collected, received or disbursed by any candidate or committee for any purpose, shall be paid over to and make to pass through the hands of the treasurer for approved and disbursed by him. It is unlawful for any candidate or any member or members of a committee, or for any member or members of a political committee, to make any expenditure, to disburse or expend money or any other valuable things, for any purpose

until the money or other valuable things so disbursed or expended shall have passed through the hands of the treasurer.

1. The contributions of a candidate or his or her spouse to the candidate's own campaign are not subject to the limitations of Section 907, but must pass through the hands of the candidate's treasurer and be reported as required in the other provisions of these rules and regulations. Personal expenses of the candidate for fees, telegrams, telephoning, travel; and board shall not be considered contributions if paid by the candidate or his or her spouse.
 2. No loan may be made to the campaign of a candidate, or accepted on behalf of the campaign, without the expressed written consent of the candidate. Written consent constitutes the personal guarantee of the candidate for repayment of the loan only if it expressly so provides. A copy of the consent shall be furnished to the lender at the time of the loan and attached to the appropriate campaign fund report.
 3. No person other than a candidate shall, to aid or promote the success or defeat of any political party or principle submitted to vote at any public election, or of any candidate for nomination for, or election to public-to-public office, make a payment or contribution of money or property or incur any liability or promise any valuable thing to any person other than to the treasurer of a political committee in their official capacity. A contribution may be made directly to a candidate provided such candidates shall thereupon report such contributions to his or her treasurer. Nothing contained in this subtitle shall limit or affect the right of any person to volunteer his or her time or personal vehicle for transportation incident to any election or to expend money for proper legal expense in maintaining or contesting the result of any such elections. However, nothing in the subsection shall preclude any person from expressing his or her own personal views on any subject, hiring halls, holding receptions, buying newspaper space and radio or television time provided that the views so expressed are his or her own, and that the statement so made is a "paid political advertisement."
- B. Presentation of a statement of moneys due, any statement of moneys owing by a Candidate shall be presented for a payment to the treasurer within 30 days after the election in connection with which the liability was incurred.
- C. Account books-Every treasurer shall keep detailed, full and accurate accounts in a proper book or books or through electronic medium, to be called "account books, to be provided and preserved by him or her of all contributions, money, or valuable things received by or promised to, and all expenditures, disbursements and promise of payment or disbursement of money or valuable things made by any committee, or any of its officers or members, or by any person acting under its authority, or on its behalf or by the treasurer and setting forth in such statement and accounts the sums or promised, or to whom it paid or promised as the case may be, and the object and purposes for which the sum, or other valuable thing, were received, or disbursed, or promised, as the case may be. Books and records may be

destroyed or discarded at any time after four hours from the date of filing the final report required by Section 905.

D. Campaign contribution receipts:

Upon receipt and before depositing a contribution receipt and before depositing a contribution, including the proceeds of tickets sales, a "campaign contribution receipt," shall be issued and delivered either by mail or in person by the treasurer (I) to each person or treasurer of a committee, group or organization in whose name a contribution or contributions, other than the purchase of tickets, are made in the individual or cumulative

1. Amount of \$100.00 or more; (ii) to each person or treasurer of a committee, group, or organization in whose name a ticket or tickets are purchases for any dinner, testimonial, cocktail party, fish fry, barbecue feast or other campaign-related function in the individual amount of \$100.00 or more in the cumulative amount of \$500.00 more. Upon receipt, a receipt must be given for any lesser amount.
2. The treasurer shall retain all campaign contributions receipts with his books and records as required in subsection (C) of this article and report the information therein in the statement of contribution and expenditures as required by Section 905.
3. The campaign contribution shall serve as evidence of a contribution by such contributor.

E. Anonymous contributions-Any money or other things of value received from any unknown person or source by any treasurer or other persons or committee authorized to incur obligations or to pay or defray obligations or expenses under the provisions of this article, shall not be used for any political purpose whatsoever, but shall be paid by the treasurer or other person or committee so receiving the same, to the Government of the Virgin Islands, through the Office of the Supervisor of Elections.

F. Disposition of surplus funds-Prior to the time of filing the final report required in Section 905, any surplus funds remaining after payment of all campaign expenditures shall be:

1. Retain the funds in an account for a period not to exceed two (2) years for use in the next political campaign. ***NOTE: This option can occur only once.
2. returned, prorated, to the contributors by the treasurer, or
3. paid to the political party of which the candidate is Member; or
4. paid to the Board of Education or to a recognized nonprofit organization providing services or funds for the benefit of pupils or teachers; or

5. to a charitable organization according to Section 501(C) of Internal Review Service.

909-9 Campaign Depositories; Petty Cash

- A. Each candidate, political committee or organization shall designate a campaign depository or depositories and all funds and contributions in furtherance of a candidacy, political committee or organization shall, after receipt, be deposited by candidate, or campaign treasurer may not pay any expenses on behalf of a candidate, directly or indirectly, and a political committee or organization, may not pay expense of such entities except by check from the designated depository.
- B. A separate book or ledger shall be maintained for any petty cash expenditures. Expenditures from the petty cash fund shall be supported by vouchers or receipts retained by the treasurer and reported by category on the appropriate campaign fund report. The petty cash fund may not exceed \$300.00 at any given time and the fund may be replenished only by check as provided in subsection (b) of this document. No more than \$75.00 in the aggregate may be disbursed from the petty cash fund to any single recipient in any primary or general election.

909-10 Candidates for Federal Office

All candidates for Federal office shall comply with the provisions as outlined in the Federal Election Campaign Act (Title 2 United States Code Section 431-455).

Caroline F. Fawkes

Caroline F. Fawkes
Supervisor of Elections