



CANDIDATES AND CAMPAIGN FINANCE FAQS



1. What kind of documents are required when setting up a campaign bank account?

Delaware Code is silent regarding campaign bank accounts for committees. The only “Duties of a candidate” are detailed in Title 15, Section 8003, and concern establishing a committee, naming a treasurer (which can be the candidate, of course), reporting contributions and expenditures, filing required reports, (and filing required financial disclosure reports [with the State Public Integrity Commission]).

Delaware Code also does not include requirements for campaign committees to obtain federal Taxpayer ID Numbers (TINs) or Employer Identification Numbers (EINs) from the Internal Revenue Service.

PLEASE NOTE: Candidates for the U.S. House of Representatives and U.S. Senate are regulated by the Federal Elections Commission, not the Delaware Department of Elections.

2. What's new for School Board Candidates?

- School Board terms are now 4 years, not 5 years in length.
- A criminal background check and Child Protection Registry Check are required.
- Filing a candidate committee and campaign finance reports are required if you collect or expend more than \$5,000 in a School Board campaign.
- Detailed information is available in the school board filing packet: [school_board_filing_packet.pdf](#) ([delaware.gov](#))

3. I am filing to run as a School Board Candidate. What campaign finance form(s) do I need to complete?

- You must either complete a **Certification of Intention** or a **Statement of Organization for Candidate Committee**, depending on compensation (how much you will be paid for serving in the elected office) and campaign fundraising and expenditures.
- Please review detailed information in the next few slides.

3. I am filing to run as a School Board Candidate. What campaign finance form(s) do I need to complete? (CONTINUED)

- You must complete a **Certification of Intention** if one of the following applies to you:
 - Compensation for school board member is less than \$1,000 annually and the candidate **does not** intend to spend or receive more than \$5,000 in campaign funds from the date of the first contribution or expenditure through the end of the calendar year of his/her election, OR
 - Compensation for school board member is more than \$1,000 annually and the candidate **does not** intend to receive more than \$5,000 for campaign expenses or expend more than \$5,000 on campaign expenses during the campaign

3. I am filing to run as a School Board Candidate. What campaign finance form(s) do I need to complete? (CONTINUED)

- You must complete a **Statement of Organization for Candidate Committee** if one of the following applies to you:
 - Compensation for school board member is less than \$1,000 annually and the candidate **does** intend receive more than \$5,000 for campaign expenses or expend more than \$5,000 on campaign expenses during the campaign, OR
 - Compensation for school board member is more than \$1,000 annually and the candidate **does** intend to receive more than \$5,000 for campaign expenses or expend more than \$5,000 on campaign expenses during the campaign

4. I am a Municipal Candidate. What campaign finance form(s) do I need to complete?

- You must complete a **Certification of Intention** if one of the following applies to you:
 - Compensation for municipal office is less than \$1,000, OR
 - Regardless of compensation for municipal office, municipal office candidate ***does not*** intend to receive more than \$5,000 or expend more than \$5,000 on campaign expenses during the campaign

4. I am a Municipal Candidate. What campaign finance form(s) do I need to complete? (CONTINUED)

- You must complete a **Statement of Organization** if:
 - Compensation for municipal office is greater than \$1,000 AND municipal candidate intends to receive more than \$5,000 for campaign expenses or expend more than \$5,000 on campaign expenses during the campaign

5. How do I file a Certification of Intention?

- File online at <https://cfrs.elections.delaware.gov>
 1. Select *Certification of Intention*
 2. Complete the application
 3. Print, sign and mail, or hand-deliver the completed Certification of Intention to:
 - Delaware Department of Elections
 - Office of the State Election Commissioner
 - ATTN: Campaign Finance
 - 905 S. Governors Avenue, Suite 170
 - Dover, DE 19904

6. How do I file a Statement of Organization?

- File online at <https://cfrs.elections.delaware.gov>
 1. Select *Register a Candidate Committee*
 2. Complete the registration
 3. Print the completed *Statement of Organization*, sign and have notarized, and mail or hand-deliver to:
 - Delaware Department of Elections
 - Office of the State Election Commissioner
 - ATTN: Campaign Finance
 - 905 S. Governors Avenue, Suite 170
 - Dover, DE 19904

7. How do I find out about how to get on the ballot as a candidate?

- Elections provides information on our website at https://elections.delaware.gov/candidate/get_on_ballot. You may also email, call, or visit an Elections Office.

8. If I want to run as a candidate of one of the major political parties in the next election, how soon can I file for office?

- You may file for office as soon as the parties set their filing fees. The deadline for parties to submit their filing fees to the State Election Commissioner and County Offices is July 1 of the election year.

9. I want to get on the ballot as a candidate. At which Elections Office do I file?

- For Statewide Offices, you must file at the Office of the State Election Commissioner in Dover.
- For all other offices on the ballot, candidates must file at the Department of Elections Office in the county in which the candidate lives.

10. May I hand deliver/submit my Campaign Finance forms to my County Elections Office?

- No. All campaign finance matters and materials are the responsibility of the State Election Commissioner Office's Campaign Finance team. Check <https://elections.delaware.gov> for more information. Please contact the CF team at 302-739-4277 or by emailing COE_CampaignFinance@delaware.gov.

11. Our campaign committee wants to hold a raffle to raise money. Can we do that?

- No. The Delaware Gaming Control Board has determined as a matter of law (Article 11, 17A and 17B of the Delaware State Constitution) no candidate committee, political action committee, political committee or political party may conduct any type of gaming activity (e.g. bingo, casino night, raffle, lottery, etc.).

12. Do we have to put the words, “Paid for by the Committee or Person’s Name” on our campaign signs or radio ads?

- I am going to refer you to the Delaware Code, Chapter 80 Subchapter 3, entitled “Expenditures” for the details.

13. Are campaign funds subject to income taxes?

- Section 527 of the Internal Revenue Code states that political organizations are exempt from federal income taxes. In some cases, committees become subject to taxation under the ordinary course of business or trade, for example, earned income derived from campaign funds. Contact the IRS office nearest you for more information including determining the correct form and the March filing deadline. You may read more about it online at the [Office of Law Revision Counsel](#).

14. I am a lobbyist; do I file with the State Election Commissioner?

- No, you must file and report with the Public Integrity Commission.

15. I am a candidate for a Federal office. Do I file reports with the State of Delaware Office of the State Election Commissioner?

- No, you must establish and file reports with the Federal Election Commission (FEC).

16. What are the rules about signs?

- Let me refer you to the Campaign Signage handout or our website <https://elections.delaware.gov>.

17. I haven't had any transactions on my campaign finance account, or I've ended my campaign, or I don't intend to run for office again. Do I still need to file campaign finance reports?

- Yes, as long as the committee remains open all campaign finance reports must be filed.

18. I have closed my campaign bank account. Does this mean that the campaign finance account is closed, too?

- No. Closing your bank account does not impact your campaign finance account. You must take action to close your campaign finance account. Before closing the CF account, you must file all required reports. Please contact the Commissioner's Office for help and information.