

NOTICE OF INDEPENDENT EXPENDITURE
(one or more expenditures totaling in excess of \$250)

Instructions: This report is shall be filed with the city clerk on the first day of the month following the expenditure; or if within sixty days of an election, on the sixtieth day, thirtieth day, twenty-first day, fourteenth day or on the Wednesday before or 30 days after the election in election years, or on May 1 or November 1 in off-election years. Each independent expenditure or electioneering communication that reaches the \$250 threshold shall require the delivery of a new notice per Longmont Municipal Code §2.04.206.



PLEASE PRINT

Full Name of Person or Committee Responsible for the Independent Expenditure or Electioneering Communication

Address (number, street name, city, state and zip code)

Contact Information: (phone number and e-mail address)

Print the name of the candidate the independent expenditure or electioneering communication is intended to support or oppose:

Was independent expenditure or electioneering communication used to:

☐ Support

☐ Oppose

Detailed Description of the Electioneering Communication: *(a copy may be attached to this form)*

Name and Address of Vendor/Person Receiving Payment:

Date the Electioneering Communication was distributed:

Amount of Expenditure:

I, _____, certify that I have examined this Notice of Independent Expenditure or Electioneering Communication and to the best of my knowledge and belief it is true, correct and complete.

Printed Name of Individual Disclosing Expenditure/Signature of Individual

Date

INDEPENDENT EXPENDITURES AND ELECTIONEERING COMMUNICATIONS

Longmont Municipal Code

Section 2.04.203—Definitions

"Independent expenditure" means any expenditure made for the purpose of expressly advocating the election or defeat of a candidate that is not made with the cooperation or with the prior consent of, or in consultation with, or in coordination with, or at the request or suggestion of, a candidate, candidate's agent or candidate's committee.

1. Expenditures that are controlled by or coordinated with a candidate's agent are deemed to be both contributions by the maker of the expenditures and expenditures by the candidate committee.

"Electioneering communication" means any communication which is distributed that:

1. Refers to a clearly identified candidate. The candidate is considered to be "clearly identified" if the candidate's picture appears or the candidate's identity is apparent by clear reference; and
2. Is distributed within 90 days before a city election or special election; and
3. Is distributed to an audience that includes members of the electorate for such public office.

The following shall not be considered an "electioneering communication":

1. Any news articles, editorial endorsements, opinion or commentary writings, including all electronic communication, or letters to the editor printed in a newspaper, magazine or other periodical not owned or controlled by a candidate, or agent of a candidate committee or political committee;
2. Any endorsements or opinions aired by any broadcast facility, including cable or satellite not owned or controlled by a candidate or agent of a candidate committee or political committee; or
3. Any communication by persons made in the regular course and scope of their business or any communication made by a membership organization solely to members of such organization and their families;
4. A communication which constitutes an independent expenditure.

2.04.206. - Independent expenditure disclosure.

A. Any person making one or more independent expenditures totaling in excess of \$250.00 shall be required to file a report of such expenditure(s). Such reports shall be filed with the city clerk on the first day of the month following the expenditure; or if within sixty days of an election, on the sixtieth day, thirtieth day, twenty-first day, fourteenth day or on the Wednesday before or 30 days after the election in election years, or on May 1 or November 1 in off-election years. Independent expenditure reports shall include the amount of such expenditure, a detailed description of the use of such independent expenditure, shall specifically state the name of the candidate whom the independent expenditure is intended to support or oppose, and shall be delivered to the city clerk. (*Ord. No. O-2019-28, §4*)

B. Any person making an independent expenditure in excess of \$250.00 shall disclose in the communication produced by the expenditure, the full name of the person making the independent expenditure and the specific statement that the advertisement or material is not authorized by any candidate. Such disclosure shall be prominently featured in the communication.

(*Code 1993, § 2.04.206 ; Ord. No. O-2000-36, § 1; Ord. No. O-2009-12, § 3; Ord. No. O-2010-03, § 1, 1-26-2010; Ord. No. O-2010-49, § 6, 10-26-2010*)

2.04.206.5. - Electioneering communication disclosure.

A. Electioneering communications shall clearly state the full name of the person making the expenditure. Such disclosure shall be prominently featured in the electioneering communication. (*Ord. No. O-2019-28, §, 5, 04-23-2019*)

B. Electioneering communications shall clearly state whether the communication has been authorized by a candidate, candidate committee or agent, or made in cooperation with or with the prior consent of, or in consultation or coordination with, or at the request or suggestion of, a candidate or candidate's committee, or its agents. Such disclosure shall be prominently featured in the electioneering communication.

(*Ord. No. O-2010-49, § 7, 10-26-2010; Ord. No. O-2019-28, §5, 04-23-2019*)