

Limited Public Financing Program



PRESENTED BY
PUBLIC ETHICS COMMISSION



Public Ethics Commission

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PEC History

Founded in 1996 with the goal of ensuring “fairness, openness, honesty and integrity” in city government.

PEC Jurisdiction

- Government Ethics Act (GEA)
- Oakland's Campaign Reform Act (OCRA)
- Sunshine Ordinance
- Limited Public Financing Act 2024 (LPFA)
- Oakland Fair Elections Act
- Lobbyist Registration Act
- Oakland's False Endorsement in Campaign Literature Act



Limited Public Financing Program

Provides a limited amount of funding by way of reimbursements to a District City Council candidate's campaign for certain campaign expenditures.

LPF Act was created in 1999 to:

- a. Ensure individuals have a fair and equal opportunity to participate in the elective and governmental process
- b. Reduce the influence of large contributors
- c. Ease the pressure on candidates to raise large amounts of money
- d. Encourage competition for elective office
- e. Allow candidates to spend less time fundraising and more time dealing with important constituent and community issues



Funds Available

- Total amount available in the Limited Public Financing Account = \$155,000
- Phase I = Total funds will be divided evenly among all candidates who opt into the program and meet LPF Form 1 deadline
 - D3 and D5 Candidates – August 23
 - D1 and D7 Candidates – August 28
- Phase II = Redistribution of untouched Phase I funds after the initial Form 3 deadline (Sept. 20th) to only those who submitted at least one Form 3 packet
- 16 candidates were certified by the City Clerk (for District City Councilmember Districts 1, 3, 5, 7)

Phase I

District Number	Certified Candidates
1	3
3	6
5	3
7	4

Total amount of funds available to each candidate for Phase I is at least \$9,687 (Amount depends on how many candidates opt-in by LPF Form 1 deadline)

Phase II

- Any candidate who submits an initial Form 3 reimbursement packet (for a reimbursement of at least \$1,000) by September 20 will be eligible to receive a second amount available for reimbursement.
- Any candidate who does not submit an initial Form 3 packet will no longer be eligible for any LPF funds.
- Candidates who do not meet the Sept 20 deadline will lose their initial apportionment, and those funds will be redistributed to the other candidates who completed a Form 3 packet.
- The PEC will calculate Phase II funds by October 1 and will notify participating candidates of the new amount available.
- Goal = to maximize the use of LPF money available

How to Accept LPF Program Participation (Opting-in)

- File LPF Form 1 by the applicable deadline, accepting participation in the LPF program and accepting the expenditure limits.
 - Must be filed with the Public Ethics Commission, not the City Clerk
 - Failure to file the acceptance by deadline will constitute a rejection of public financing for the November 2024 election.

Application Requirements

1. File LPF Form 2 – Application for Public Financing
2. Must acquire an Employer ID Number from IRS
3. Must meet the requirements specified in the form:
 - a. Filed Form 1 by the applicable deadline
 - b. Certified to appear on the ballot for the 2024 election
 - c. Received campaign contributions totaling at least \$7,500 (copies of front and back of checks)
 - d. Made campaign expenditures of at least \$7,500
 - e. Cannot contribute own money of more than \$19,000
 - f. Candidate/campaign treasurer/designee must attend a PEC training
 - g. Must be opposed by a candidate for the same office
 - h. Must file all pre-election and post election campaign statements
 - i. Must agree to participate in at least one qualifying debate/forum

How to Receive Reimbursements

- File LPF Form 3 – Reimbursement Claim Form
 - a. Initial Form 3 submission must be filed with PEC by the September 20, 2024, deadline (5:00 p.m.).
 - b. Additional Form 3 Reimbursement Requests may be filed on a rolling basis after the first submission on Sept 20.
 - c. Must be filed in increments of at least \$1000 (or \$500 in the last 10 days before the election)
 - d. Should itemize payments (use PEC Form 3 Cover sheet)
 - e. Only certain types of expenditures are eligible for reimbursement
 - f. Must include copies of the following:
 - Billing invoices
 - Checks used to pay the invoices (copies of front and back of check)
 - Applicable campaign material (the “thing” purchased), where applicable

Receiving Reimbursements Continued...

1. Submit LPF Form 3 and attachments to the Public Ethics Commission.
2. Checks will take approximately 10 days to process and will be mailed to the campaign address provided on vendor application form.
3. Reimbursement checks must be deposited into the campaign account within 30 days of receipt.
4. Deadline for submitting reimbursement claims is 5:00 p.m. November 4, 2024, the day before the election.

Debate Requirement

Candidates receiving public financing must agree to participate in at least one public debate or forum that meets the PEC's debate guidelines.

- An eligible public debate or forum can be an online or in-person live event where a participating candidate gives a live speech, participates in a panel discussion, or responds to questions. See the PEC's full LPF/Democracy Dollars Debate Guidelines.
- Candidates must submit [LPF Form 5](#) notifying the PEC within five days of attending a qualifying debate.
- Candidates failing to meet the debate requirement may face enforcement actions and may have to reimburse all or some of the public funds received.

Post-Election Procedures

1. By January 31, 2025, candidates must return a certain portion of surplus funds left in the campaign account as of December 31, 2024.
2. Amount of funds to be returned must be the percentage of total contributions received that the LPF funds constituted.
 - Example: If you raised \$50,000 during your campaign, and received \$10,000 in LPF funds (20%), and you have \$12,000 left on December 31, you must return \$2,400 (your remaining funds less any outstanding debts multiplied by 20%) to the City.
3. LPF Form 4 provides a formula for your calculation.

Note: PEC staff can help you calculate your surplus funds amount to be returned.

Review and Enforcement

All campaigns receiving LPF funds may be audited for compliance with the law by the City Auditor.

Public Ethics Commission may impose fines, penalties, and require the return of LPF funds for a violation of the LPF Act.

We Want Your Feedback

How did the program benefit your campaign? What can be done to improve the program?

Additional Information

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