



CANDIDATE INFORMATION

III. Candidate Information

City Council Composition, Selection and Term

The Council is composed of ten (10) members and the Mayor. All are elected to a four-year term. Candidates must be registered to vote in Prince George's County, Maryland. Candidates for the Office of Council Member must reside in the Ward for which they are running. Valid identification is required.

Filing for Candidacy

Any qualified resident of the City who desires to be a candidate for the Office Council Member must file an application **on or before 5:00 p.m., Friday, August 7, 2015**, in the Office of the City Clerk, 4310 Gallatin Street (third floor), Monday through Friday between the hours of 8:30 a.m. and 5:00 p.m., or by appointment. To schedule an appointment, please call City Clerk, Laura Reams at 301-985-5009 or contact the Board of Supervisors of Elections at electionboard@hyattsville.org. The application must include the Candidate Registration Form, the Certificate of Candidate Qualifications and the Financial Disclosure Statement. The Financial Disclosure Statement must be notarized.

Voter Registration Lists

Voter lists and labels can be obtained from the Board of Elections, Prince George's County, phone number (301) 341-7300. County staff strongly urges that you do this in person. Their required form entitled *Application for Electronically Reproduced List of Registered Voters* is included in the *Candidate Packet*, and is also available in the City Clerk's Office or on the Prince George's County's website: <http://www.princegeorgescountymd.gov/sites/elections/Pages/default.aspx> under Services. There is a \$30.00 fee. The cost is set by the County and checks are made payable to Prince George's County, Maryland.

Campaign Signs

Campaign signs may be placed on private property with the permission of the owner. Candidates are personally responsible for all campaign signs that include reference to their campaign. Campaign signs in the public right-of-way may not be put in place until August 7, 2015, and must be removed 10 days after the election on or before September 22, 2015.

Campaign signs are subject to the following restrictions:

- ***Signs must be freestanding***
- ***Signs placed in the public right of way must be placed at least 10 feet behind the curb line and at least 50 feet from the nearest corner of any intersection***
- ***Signs may not be placed on any property owned by a governmental entity, including parks with the exception of on election day. Any signs remaining on government property after the close of polls must be promptly removed***
- ***Signs may not be taller than 4 feet from the ground***
- ***Signs may not obstruct the view of those in the public right-of-way or otherwise present a threat to public safety***

- *Signs may not be placed in the median of any street, road or alley*
- *Signs may not be affixed to trees, rocks, fences or to any utility poles or City or County sign posts in the right-of-way*
- *Banners, pennants, pinwheels, balloons or any other carnival type signs are strictly prohibited*

Campaign Material

Please read this section carefully.

Campaign material means any communication or publication to potential voters or to the public that:

1. Contains text, graphics, or other images,
2. Relates to a candidate, a prospective candidate, or the approval or rejection of a question, and
3. Is published or distributed to anyone by, at the request of, or under the authority of, a candidate.

Authority Line Requirement on Campaign Material

Each item of Campaign Material shall contain, set apart from any other message, an authority line that states the name and address of the person, treasurer, or campaign manager responsible for the publication or distribution of the material.

The authority line need state only the **Name** and **Title** of the responsible person if:

1. The name and address of the responsible person has been filed with the City Clerk, or
2. The campaign material item is too small to include all the information specified above in a legible form.
3. Any material that is published or distributed in support of or in opposition to a candidate without being directly or indirectly authorized by the candidate as provided above may and ordinarily should include the following statement:

“This Message has been authorized and paid for by (name of payer or any organization affiliated with the payer)” or “This Message has not been authorized or approved by any candidate”.

4. It shall be unlawful for any person to **knowingly** publish or distribute for the purpose of influencing votes any materials with a false or incorrect authority line. Any person who violates this section shall be guilty of a misdemeanor and subject to penalties including a five hundred dollar (\$500) fine and/or imprisonment for 30 days.

Financial Reports and Finance Requirements

Please read this section carefully.

Campaign Financial Reports Required

- A. Each candidate for the Office of City Council must file a **Financial Disclosure Statement** with their application for candidacy in order to be a certified candidate for election. The Board of Elections will certify each applicant's candidacy after the close of the registration deadline. Applicants will receive a letter from the Board of Supervisors of Elections stating if the application for candidacy was accepted. The City's Ethics Commission will review the Financial Disclosure Statement and contact the candidate with any questions.
- B. Each candidate for the elected office and their candidate's designated campaign treasurer shall file with the City Clerk **Campaign Finance Reports** as specified below which shall list individually each contribution and expenditure of more than one hundred dollars (\$100) in furtherance of the candidate's nomination and election. The report shall also include a total amount of all contributions and expenditures including those of one hundred dollars (\$100) or less.
- C. Unless otherwise provided, any campaign finance report as described above shall include contributions received or expenditures made by the candidate or made by any other person with the knowledge of the candidate or the candidate's treasurer.
- Reportable contributions and expenditures shall include; cash, campaign signs, brochures, postage, advertisements, professional services (i.e. the entity or person is or has been compensated for similar services regularly on a full or part-time basis outside the campaign) and any other material used for the campaign.
 - Each expenditure shall be accompanied by a listing of the reason for the expense. Cash withdrawals from campaign funds are forbidden, except for petty cash one time a week, not to exceed \$20.00.

Receipts must accompany all expenditures in excess of \$20.00.

- D. All Financial Disclosure Statements and all Campaign Finance Reports filed shall be available for examination by any member of the public during normal office hours of the City Clerk (8:30 a.m. to 5:00 p.m. – Monday through Friday, except for holidays). Campaign Finance Reports (Contributions and Expenditures) will also be posted on the City's website.

Deadline for Filing Reports

- A. Financial Disclosure Statement – Due at the time of filing for candidacy or no later than **Friday, August 7, 2015 at 5:00 p.m.**
- B. Campaign Finance Reports:
- Initial Report** - An initial report shall be filed on the 10th day preceding the first election day (**Wednesday, September 2, 2015 at 5:00 p.m.**) including all reportable contributions and expenditures made since the previous preceding election, if any.
- Final Report** - A final report shall be filed on the 7th day following the election (**Saturday, September 19, 2015, at 5:00 p.m.**) and shall include all such contributions and expenditures made during the election process.

Further Reports - If a final report reflects a cash balance, unpaid bills or a deficit greater than five hundred dollars (\$500), an annual report shall be filed each year on or before December 31, until the cash balance, unpaid bill(s) or deficit is eliminated and a report reflecting such is filed with the City Clerk's Office. Each report filed shall include all contributions and expenditures made or received since the previous report.

Reports must be filed by **5:00 p.m.** of the day they are due.

C. Campaign Finance Forms and Affirmation of Report

All reports shall be made on forms or in a format provided by the City Clerk and approved by the City Attorney. The reports shall be subscribed and sworn to (or affirmed) by the candidate and by the candidate's treasurer.

Special Reporting Requirements

- A. **Family Contributions** - A report need not identify separately the campaign contributions made by the candidate or the candidate's spouse or domestic partner but may aggregate such under one line or total.
- B. In a case where the total contributions for the campaign (excluding contributions by the candidate or the candidate's spouse/domestic partner) are less than fifteen hundred dollars (\$1,500) for a councilmember candidate or five thousand dollars (\$5,000) for Mayoral candidate, the candidate may file an abbreviated report that attests under oath that the contribution limits outlined herein were not exceeded and states the total contributions, the contributions outlined above, and the contributions outlined under the section titled "Campaign Finance Reports Required."

Appointment of Campaign Treasurer

- A. Each candidate shall appoint one campaign treasurer and shall file the name, address and contact information of the campaign treasurer, together with the treasurer's acceptance of the appointment in writing, on a form provided by and returned to the City Clerk, no less than thirty (30) days prior to the election (August 13, 2015). In the event a Treasurer should resign, the candidate must appoint a new Treasurer and inform the City Clerk of the required information on the new Treasurer within three calendar days of the resignation of the former Treasurer.
- B. A candidate may serve as the treasurer for his/her own campaign so long as the candidate has not received and does not intend to receive a total of reportable contributions of more than fifteen hundred dollars (\$1,500), excluding contributions by the candidate or the candidate's spouse/domestic partner.
- C. In the event the contributions exceed the amount in subsection (B) immediately above, the candidate must report such to the City Clerk and, appoint a treasurer and file the appropriate form within two (2) days.

Failure to Appoint a Treasurer or File Reports

- A. The Board of Supervisors of Elections or the City Clerk shall promptly send a written notice to any

candidate who fails to appoint a treasurer or to file timely campaign finance reports. Such notice shall be posted on the City's website and in the lobby of the City Municipal Building. A candidate must report the resignation of the Treasurer to the Clerk within twenty-four hours of the resignation, or the candidate shall be subject to the notice and posting requirements noted in this subsection A.

- B. The Board of Supervisors of Elections is responsible for ensuring that all forms and campaign finance reports are in substantial compliance with this chapter. If the Board identifies a reporting inaccuracy or deficiency, they shall notify the candidate and candidate's treasurer in writing. A corrected report shall be filed within seven (7) days of such notice, unless the Board waives such inaccuracy or deficiency for good cause, with or without a hearing.
- C. Failure to file a corrected report within seven (7) days after a notice from the Board or the Clerk is sent shall render the report overdue.

Penalties

- A. The City Ethics Commission shall have non-exclusive jurisdiction to investigate and decide any violations of Hyattsville Code Chapter 8 Elections – Article II Campaign Finance.
- B. The penalties recited in this section are cumulative so that the imposition of one or more of the penalties does not preclude the imposition of any other penalty outlined in this section.
- C. A candidate shall not be seated and sworn as an elected official and shall not receive a salary until all reports required by this chapter are filed in compliance with the requirements of this chapter.
- D. In addition to other penalties or sanctions, the City Council may, after notice and/or hearing, impose such censure or penalty on the person elected who has violated this article that the Council deems reasonable and appropriate, including a refusal to seat the individual, removal from office, and a declaration that the seat is vacant.
- E. It shall be a misdemeanor for any person, including a treasurer or candidate for public office, to willfully violate or cause or allow a violation of Hyattsville Code Chapter 8 Elections – Article II Campaign Finance. Upon conviction, a fine of up to one thousand dollars (\$1,000) may be imposed by the Court.
- F. The Board may impose a fine of two hundred dollars (\$200) on any unsuccessful candidate and the candidate's treasurer if the final report as described above is more than seven (7) days late. The Board may impose a fine of up to one hundred dollars (\$100.00) on the candidate and or the Treasurer if any report or information required herein is not provided timely and correctly. The Board shall have the power to waive or reduce the penalty for good cause with or without a hearing.