



2023 Elections:

What You Need to Know about PUBLIC FUNDS PAYMENTS

Congratulations—you’ve joined the matching funds program! The Program empowers more candidates to run for office by matching contributions from city residents with public funds. Learn more about how the Program works and how it benefits candidates and the public [here](#).

This guidance document is an overview of the requirements and deadlines to be eligible for public funds, the timing of payments, public funds payment withholdings, and compliance issues that could make you ineligible to receive public funds for the 2023 elections.

Receiving public funds is an enormous responsibility. You must account for how you spend every public dollar your campaign receives. Public funds may only be spent on “qualified expenditures”—expenditures that further your election to office **and** that are timely and correctly reported and documented. Be diligent in your reporting and recordkeeping: document your expenditures at the time each transaction occurs with detailed invoices, receipts, lease agreements, contracts, and time sheets, enter them in C-SMART, and report them in the applicable disclosure period. Public funds can equal up to 89% of your spending limit, so make sure you only spend campaign funds on qualified expenditures and that these expenditures are thoroughly documented. **You will have a public funds repayment obligation if you do not report and document qualified expenditures equal to the amount of public funds your campaign received.** Learn more about receiving and spending public funds by reading the [Campaign Finance Handbook](#). Also see the [Campaign Finance Act](#) and [Campaign Finance Board \(CFB\) Rules](#).

Note: The 2023 election cycle is for candidates running for City Council **only**. A guidance document for the 2025 citywide election cycle will be published in January 2024.

REQUIREMENTS

To receive public funds, candidates must join the matching funds program, comply with the Campaign Finance Act and Board Rules, have at least one opponent, certify their intention to meet all the requirements to appear on the ballot, and complete all the following requirements by the deadlines specified for each payment date (pp. 3–5):

- When you register as a candidate via the [CFB Portal](#), **indicate that you wish to join the matching funds program.** (If you’ve already registered, you can amend your registration to join at any time up to the deadline of May 1, 2023.) Both the candidate and treasurer must log in, review, and submit the registration.
- Meet the two-part financial threshold** by raising matchable contributions from NYC residents.
- Submit all disclosure statements** by the [applicable deadlines](#).
- Complete both Compliance and C-SMART trainings.**
- Submit personal financial disclosure filing(s)** with the [Conflicts of Interest Board \(COIB\)](#).
- You may need to submit a [Statement of Need](#) to certify that your opponent meets one of several criteria. Read the [Guide to Certified Statements of Need](#) to learn when a statement is required and detailed instructions for its submission.

- If you ran in a previous election, you must satisfy penalties or public funds repayment obligations to the CFB, if any.
- If you lose a primary election but are running in the general election on another line, you must submit a [Statement of Active Candidacy](#) with the appropriate documentation to be eligible for general election public funds.

The deadline to complete each of these requirements varies depending on the public funds payment date. Earlier deadlines apply when you are seeking a pre-ballot payment. The deadlines associated with each payment date can be found in the tables under Timing & Types of Public Funds Payments.

TIMING & TYPES OF PUBLIC FUNDS PAYMENTS

There are **13** payment dates scheduled for the 2023 election cycle. All participating candidates have the opportunity to qualify for public funds on the **five pre-ballot payment dates**. For the remaining **eight payments**, you must be on the primary and/or general election ballot to be eligible. To qualify for any public funds, you must meet a two-part financial threshold:

Office	Minimum Funds Raised	Minimum Number of Contributors
City Council	\$5,000	75*

* A minimum of 75 matchable contributions of at least \$10 each must be raised from district residents.

The matching rate, the maximum dollar amount eligible for match per contributor, and maximum public funds per contributor are as follows:

Office	Matching Rate	Amount Eligible for Match Per Contributor	Maximum Public Funds Per Contributor
City Council	\$8-to-\$1	\$175	\$1,400

The maximum amount of public funds you can receive as a City Council candidate is outlined below—if you are on the ballot in both the primary and general election, you can qualify for the maximum for each election.


Office	Maximum Primary Election Public Fund Payment	Maximum General Election Public Fund Payment
City Council	\$184,000	\$184,000

Note: Any pre-ballot public funds you receive count toward the maximum you can receive for the primary election (or general election if you don't have a primary).

PRE-BALLOT PAYMENTS

There are **five pre-ballot payment dates**. Candidates must complete **all** of the requirements listed by the deadlines shown below to be eligible for a scheduled public funds payment.

The dates shown below reflect the deadlines to receive your first public funds payment on that date. You do not have to complete these requirements again for each subsequent payment, but you must continue to fundraise and disclose additional valid matching claims in your disclosure statements and/or fix invalid claims to qualify for additional payments, up to the maximum public funds payment. Remember, there are 13 total payment opportunities for the 2023 election cycle!

REQUIREMENTS	To receive your first payment on				
	Dec. 15, 2022	Jan. 17, 2023	Feb. 15, 2023	Mar. 15, 2023	Apr. 17, 2023
<input type="checkbox"/> Meet the two-part financial threshold	DS #1 (due 7/15/22)		DS #2 (due 1/17/23)		DS #3 (due 3/15/23)
<input type="checkbox"/> Submit partial year COIB financial disclosure	11/1/22		N/A		
<input type="checkbox"/> Join the Program <input type="checkbox"/> Complete training requirements <input type="checkbox"/> Submit Statement of Need (if required) <input type="checkbox"/> Submit Statement Review Response early (optional)*	11/23/22	12/22/22	1/25/23	2/22/23	3/27/23
<input type="checkbox"/> Submit full year COIB financial disclosure	1/30/23 [†]		1/23/23 [‡]	2/21/23	3/21/23
 To receive pre-ballot public funds payments, candidates must be opposed by at least one other candidate registered with the CFB for the same office sought					

* You may be able to demonstrate you met threshold or increase the amount of your public funds payment by submitting a statement review response prior to the deadline given on the statement review (at least 15 business days prior to the payment date) and clearing up any invalid matching claims (IMCs); see Chapter 5 of the [Handbook](#).

† Candidates who submit the partial year COIB financial disclosure and receive public funds in December 2022 and/or January 2023 will be required to repay those public funds unless they also file the full-year COIB disclosure by this date.

‡ Candidates seeking the February 15th payment must submit the full-year COIB disclosure by this date, regardless whether they submitted the partial year filing.

BUDGETING: If you receive public funds early on—especially if you qualify for the maximum—those funds must be carefully budgeted to ensure you have sufficient funds to campaign up to election day without exceeding the [spending limit](#).

BALLOT STATUS: Although these pre-ballot payments will be made before any ballot is set, you must appear on the ballot for at least one election or you will have a substantial repayment obligation. **If you do not actively campaign, including gathering and submitting petition signatures to the NYC Board of Elections (BOE), you will be required to repay all public funds received.** Candidates who petition but fail to attain the ballot must stop spending public funds immediately and may face a substantial repayment obligation.


POST-BALLOT PAYMENTS

PRIMARY ELECTION

Only candidates who are on the ballot and opposed in the primary election and who complete the requirements by the deadlines shown below are eligible for primary public funds. If you already completed these requirements and qualified for a pre-ballot payment, you do not have to complete them again to receive additional payments (except a new [Statement of Need](#) may be required to receive the full amount of funds for which you qualified);

just continue fundraising and submitting additional matching claims in your disclosure statements. **Remember:** Any pre-ballot payments you received count toward the total maximum public funds you can receive for the primary election.


There are **three scheduled payment dates** for the 2023 primary election.

REQUIREMENTS	To receive your first payment on		
	May 15, 2023	June 2, 2023	June 23, 2023
<input type="checkbox"/> Meet the two-part financial threshold	DS #3 (due 3/15/23)	DS #4 (due 5/26/23)	DS #5 (due 6/16/23)
<input type="checkbox"/> Submit Statement of Need (if required)	3/15/23	5/26/23	
<input type="checkbox"/> Complete training requirements	4/24/23	5/11/23	5/22/23
<input type="checkbox"/> Join the Program <input type="checkbox"/> Submit full year COIB financial disclosure	5/1/23		
 To receive public funds payments after the ballot is set, candidates must be opposed by another candidate on the ballot. Public funds are capped at 25% of the maximum for primary payments unless you or an opponent submits a Statement of Need (not required for open seats).			

GENERAL ELECTION

Only candidates who are on the ballot for the general election and have completed all the requirements by the deadlines given below are eligible to receive general election public funds. The ballot is typically set a few weeks after the BOE certifies the primary election results. (Learn more about the process and timing for setting the general election ballot on the [BOE's website](#).) You are “on the general election ballot” on a particular line if (a) you ran in the primary and won based on the certified election results (or had no opposition for your district and party line, so no primary was held), or (b) you successfully submitted independent nominating petitions for the general election. **Note:** If you ran in the primary election and lost, but are running in the general election on another party line, you must submit a [Statement of Active Candidacy](#) and document that you are still campaigning in order to be eligible for general election public funds payments.

There are **five scheduled payment dates** for the 2023 general election, and the eligibility deadlines are in the table below. **Note:** If you already completed these requirements to qualify for a pre-ballot or primary payment, you do not have to complete them again to receive additional payments in the general election; just submit additional matching claims in each subsequent disclosure period. However, all candidates can only receive 25% of the maximum public funds for the general election unless they submit a [Statement of Need](#), or an opponent has already received public funds for the general election.

	To receive your first payment on				
REQUIREMENTS	Jul. 17, 2023	Aug. 9, 2023	Aug. 31, 2023	Oct. 13, 2023	Nov. 2, 2023
<input type="checkbox"/> Meet the two-part financial threshold	DS #5 (due 6/16/23)	DS #6 (due 7/17/23)	DS #7 (due 8/25/23)	DS #8 (due 10/6/23)	DS #9 (due 10/27/23)
<input type="checkbox"/> Join the Program	5/1/23				
<input type="checkbox"/> Complete training requirements	5/22/23				
<input type="checkbox"/> Submit Statement of Need (if required)	6/16/23	7/17/23	8/25/23	10/6/23	10/6/23
<input type="checkbox"/> Submit full year COIB financial disclosure	6/26/23				
<input type="checkbox"/> Submit Statement of Active Candidacy (if required)	N/A	7/19/23	8/10/23	10/6/23	10/6/23
 To receive public funds payments after the ballot is set, candidates must be opposed by another candidate on the ballot. Public funds are capped at 25% of the maximum for general election payments unless you or an opponent submits a Statement of Need . Eligibility for the July 17 th payment may be impacted by the timing of official primary results.					

PUBLIC FUNDS WITHHOLDING AND DEDUCTIONS

The CFB withholds 5% of every public funds payment until the last payment date before the election. **Beginning with the 2023 election cycle, in accordance with [Local Law 048/2022](#), candidates who are on the ballot but fail to participate in a video statement for the CFB’s Voter Guide will forfeit this 5% withholding.** Be sure to look out for announcements from your Candidate Services Liaison on submitting a script and taping of your video voter guide statement in early 2023.

The CFB also withholds public funds for certain contributions that may be in violation of the Act and Rules. In addition, certain types of expenditures can result in deductions from your public funds payment (see Chapter 6 of the [Handbook](#) for more information). A payment letter specifying any withholdings and deductions from your public funds payment will be sent to your campaign on the date of a scheduled payment, and your statement review for that disclosure statement will provide detailed information.

Once you address compliance issues that affected your payment (such as correcting invalid matching claims or documenting the campaign refunded over-the-limit/prohibited contributions) and disclose this to the CFB, you may qualify to receive additional or withheld public funds in a future payment. Learn more about pre-election auditing and statement reviews in Chapter 5 of the [Handbook](#).

INELIGIBILITY FOR PUBLIC FUNDS

In addition to not meeting the baseline requirements in the Qualifying for Public Funds section on pgs. 1-2 of this document, your campaign may be ineligible to receive public funds if any of the following are true:

1. There is a difference between the financial activity disclosed by the campaign and the financial activity documented in the campaign’s bank records (a “**reporting variance**”) of 10% or more for

receipts or 40% or more for disbursements. This means that if the amounts deposited into and spent from your campaign's bank account are significantly different from the disclosed contributions and/or expenditures, you may be ineligible to receive public funds.

2. The campaign fails to report **employment information** for 25% or more of its contributions greater than \$99.
3. The campaign fails to provide complete and accurate **backup documentation** for 20% or more of the number of matching claims submitted.

There are several other factors that may lead to a determination of ineligibility, such as failing to provide documents requested by the CFB or exceeding the expenditure limit; see [Board Rule](#) 3-01(d) for more information.

If you have any questions, please contact your Candidate Services Liaison directly or at CandidateServices@nyccfb.info.

9/28/2002