



The Center for Governmental Studies
Making Democracy Work

**Electronic Filing And Disclosure
2001 Survey Results**

**Sixty-one Responses from:
50 states, 4 Canadian provinces, 6 cities and the
Federal Election Commission**

The Center for Governmental Studies conducts an annual survey of federal, state, local and Canadian provincial electronic filing and disclosure laws. The following summarizes the Center's 2001 survey results.

1. Has your jurisdiction developed an electronic filing system for campaign finance, lobbyist, or personal financial disclosure statements?

- | | |
|---------|---|
| (a) Yes | 49 jurisdictions |
| (b) No | 12 jurisdictions: <u>Alabama</u> ,
<u>Alberta</u> , <u>Idaho</u> , <u>Kansas</u> ,
<u>Manitoba</u> , <u>Mississippi</u> ,
<u>Montana</u> , <u>North Dakota</u> ,
<u>South Carolina</u> , <u>South
Dakota</u> , <u>Tennessee</u> , and
<u>Wyoming</u> |

Internet users can access data from Alabama, Idaho, Mississippi, and South Dakota, which scan campaign finance data, and from Kansas and North Dakota, which manually enter campaign finance data.

Thus, the only jurisdictions surveyed that do not use computers at all for campaign statements are Alberta, Manitoba, Montana, South Carolina, Tennessee and Wyoming.

2. If yes, is the system voluntary for filers or is it mandatory?

- | | | |
|-----|-----------|------------------|
| (a) | Voluntary | 23 jurisdictions |
| (b) | Mandatory | 26 jurisdictions |

3. If mandatory, please provide the thresholds for mandatory filing and the year they go (went) into effect?

\$500 or more (1 jurisdiction)

Arizona

More than \$1,000 (1 jurisdiction)

New York State

\$5,000 or more (5 jurisdictions)

Hawaii, for statewide, mayor, and council races

Maryland

Missouri, for statewide candidates

North Carolina

San Francisco

Seattle for PACs

\$10,000 or more (3 jurisdictions currently)

Illinois, starting in 2003, \$25,000 until then

Massachusetts, for PACs and parties, \$25,000 for ballot measure committees, 10% of the spending limits for candidates, as of 2002

Missouri, over \$5,000 for candidates, over \$15,000 for PACs

Ohio, currently for statewide; 2002 for PACs, parties, and caucuses; and 2003 for legislative

Washington, in 2004, \$25,000 until then

\$20,000 or more (3 jurisdictions)

Georgia

Texas (unless entity files affidavit stating it does not use a computer to compile campaign data)

Michigan, in 2004

Wisconsin

\$25,000 or more (5 jurisdictions)

Austin, \$30,000 or if candidates accepts matching funds

Illinois until 2003, then \$10,000

Los Angeles

Seattle for candidates

Washington, until 2004 when it becomes \$10,000

\$50,000 or more (4 jurisdictions)

California

Connecticut, \$250,000 for statewide candidates

Federal House races

Louisiana statewide races

Oregon, but waived until 2004

Median is \$20,000

4. Please circle which persons file financial statements electronically with your agency. (Circle more than one, if appropriate.)
- | | | |
|-----|---------------------------------|--|
| (a) | Candidates | 47 jurisdictions |
| (b) | Political committees | 42 jurisdictions |
| (c) | Lobbyists | 9 jurisdictions: <u>Arkansas</u> ,
<u>California</u> , <u>Colorado</u> , <u>Delaware</u> ,
<u>Iowa</u> , <u>Louisiana</u> , <u>Maine</u> , <u>Missouri</u> ,
and <u>San Francisco</u> in 2002 |
| (d) | Political consultants | <u>San Francisco</u> in 2002 |
| (e) | Statements of economic interest | <u>Louisiana</u> |
| (f) | Vendors | <u>Rhode Island</u> |
5. Do your filers need particular software that they must use, or can they use any software package that is compatible?
- | | | |
|-----|---|------------------|
| (a) | Must use particular software package | 10 jurisdictions |
| (b) | May use any software package that is compatible | 30 jurisdictions |
| (c) | Web based | 5 jurisdictions |
6. Have you developed a software package that candidates and committees may use?
- | | | |
|-----|-----------|------------------|
| (a) | Yes | 29 jurisdictions |
| (b) | No | 15 jurisdictions |
| (c) | Web based | 5 jurisdictions |
7. If so, how much does it cost the candidates and committees?

All software packages developed by the agencies were offered free of charge, except that Virginia charges \$35 for its software. California filers must use software developed by private vendors.

8. Does the software include campaign management features beyond those necessary to comply with electronic filing requirement? What are they?

- | | | |
|-----|-----|------------------|
| (a) | Yes | 13 jurisdictions |
| (b) | No | 21 jurisdictions |

Alaska provides address lists so that a user can generate labels. Also warnings and audit of bank balance.

Delaware: checks and balances that indicate if contribution limits have been exceeded.

Hawaii warns of contribution limits and allows exportability of data.

Illinois provides ability to export/import names and addresses, ability to print names and addresses on mailing labels, ability to print receipts and expenditures by amounts, range of dates and check numbers, and enters the check number on a receipt or when making an expenditure for internal verification.

Kentucky provides bank account features, labels, form letters, and import export features.

Massachusetts: Access based

Michigan: features include flagging potential errors, excess contributions, corporate contributions, missing data, etc.

Minnesota provides letter writing, and import of registration lists.

New York City: additional reports with ability to create dbf files, a petty cash ledger, and an advance record keeping ledger, and additional fields for candidate only related information. The system also contains features to assist campaigns with compliance with the law and the rules by using edit checks and warning messages.

Oklahoma: accounting, double entry.

Texas has import/export features for names and addresses.

Washington has a recordkeeping and reporting software program. Allows user to export to Excel, run diagnostics on the data, print a contributor list, run a trial balance and balance sheet, track aggregate totals for each contributor and track receipts and expenditures by account.

Wisconsin: program will generate labels and thank you letters.

9. How do filers send you the information? (Circle all that is appropriate.)

- | | | |
|-----|------------------------|------------------|
| (a) | Mail in disks | 24 jurisdictions |
| (b) | File over the Internet | 41 jurisdictions |
| (c) | Provide paper copies | 35 jurisdictions |

10. Do filers have to provide street addresses when filing electronically?

- | | | |
|-----|--|------------------|
| (a) | Yes | 35 jurisdictions |
| (b) | No, but have to provide them on paper copies | 7 jurisdictions |
| (c) | Don't provide them on paper copies | 2 jurisdictions |

British Columbia and
Quebec

Eight of the jurisdictions require street addresses on paper copies, but do not post them on the Internet: California, Hawaii, Los Angeles, New Hampshire, Maryland, San Francisco, Seattle, and Washington

11. After a candidate or committee files a statement, is it posted on line?
- | | | |
|-----|--|------------------|
| (a) | Yes, in its entirety by scanning | 22 jurisdictions |
| (b) | Yes, but not all the information is posted | 9 jurisdictions |
| (c) | Entered into a database for downloading | 36 jurisdictions |
| (d) | Not at all | 6 jurisdictions |
12. Does your agency compile any data from these statements and post them on-line before the election?
- | | | |
|-----|-----|------------------|
| (a) | Yes | 36 jurisdictions |
| (b) | No | 17 jurisdictions |

If so, what kind of information or describe the information: ?

- | | | |
|-----|--|------------------|
| (a) | The big picture, totaling money raised and spent | 24 jurisdictions |
| (b) | Data is searchable by contributor | 27 jurisdictions |
| (c) | Data is searchable by candidate or committee | 30 jurisdictions |
| (d) | Data is downloadable | 27 jurisdictions |
- All of the above: California, Colorado, Delaware, FEC, Florida, Idaho, Indiana, Los Angeles (d under development), Maine (2002), New Jersey, New York City, New York State, Seattle and Washington.

13. Do you compile information after the election and post this on the website?
- | | | |
|-----|-----|------------------|
| (a) | Yes | 35 jurisdictions |
| (b) | No | 17 jurisdictions |

If so, what kind of information or describe the information:

- | | | |
|-----|--|------------------|
| (a) | The big picture, totaling money raised and spent | 25 jurisdictions |
| (b) | Data is searchable by contributor | 28 jurisdictions |
| (c) | Data is searchable by candidate or committee | 29 jurisdictions |
| (d) | Data is downloadable | 25 jurisdictions |

All of the above: California, Colorado, FEC, Florida, Idaho, Indiana, Los Angeles, Maine (2002), Massachusetts, New Jersey, New York City, New York State, Seattle, and Washington.

14. Do you require separate reports for independent expenditures or late independent expenditures?

- | | | |
|-----|-----|------------------|
| (a) | Yes | 34 jurisdictions |
| (b) | No | 18 jurisdictions |

15. If yes, do you compile information regarding independent expenditures and put it on the website (circle all that applies)

- | | | |
|-----|------------------------------------|------------------|
| (a) | Yes | 14 jurisdictions |
| (b) | It is on searchable database | 8 jurisdictions |
| (c) | Summarize it in a separate section | 5 jurisdictions |

16. How many filings do you receive?

- (a) Number 29
- | | |
|------------|-----------------|
| 10 or less | 3 jurisdictions |
| 11-50 | 4 jurisdictions |
| 51-100 | 3 jurisdictions |
| 101-300 | 6 jurisdictions |
| 301-500 | 2 jurisdictions |
| 501-1000 | 5 jurisdictions |
| 1001-5000 | 4 jurisdictions |
| over 5,000 | 2 jurisdictions |

Median was 300 filings.

(b) Percentage of eligible filings_____

- | | |
|----------|-----------------|
| 0-10 % | 7 jurisdictions |
| 11-20 % | 4 jurisdictions |
| 21-30 % | 1 jurisdiction |
| 31-40 % | 5 jurisdictions |
| 41-50 % | 3 jurisdictions |
| 51-60% | |
| 61-70% | 1 jurisdiction |
| 71-80% | |
| 81-90 % | 2 jurisdiction |
| 91-100 % | 3 jurisdictions |

Median was 35%

(c) How many were received in your last:

- a. Election year 20

under 10	
11-50	2 jurisdictions
51-100	3 jurisdictions
101-300	4 jurisdictions
301-500	3 jurisdictions
501-1000	
over 1,000	6 jurisdictions
over 5,000	2 jurisdictions

Median was 480 filings

b. Non-election year 15

under 10	1 jurisdiction
11-50	2 jurisdictions
51-100	4 jurisdictions
101-300	2 jurisdictions
301-500	
501-1000	5 jurisdictions
over 1,000	2 jurisdictions

Median was 382 filings

17. What is your annual budget for electronic filing information?

Under \$1,000	1 jurisdiction
\$1,001-10,000	2 jurisdictions
\$10,001-25,000	3 jurisdictions
\$25,001-50,000	2 jurisdictions
\$50,001-75,000	3 jurisdictions
\$75,001-100,000	1 jurisdiction
\$100,001-250,000	4 jurisdictions
\$250,001-500,000	3 jurisdictions
over \$500,000	

Median was \$85,000

18. How much did it cost you to develop your electronic filing program?

\$25,000 or under	2 jurisdictions
\$25,001-50,000	
\$50,001-75,000	2 jurisdictions
\$75,001-100,000	4 jurisdictions
\$100,001-250,000	8 jurisdictions
\$250,001-350,000	8 jurisdictions

\$350,001-500,000
 \$500,000-1,000,000 3 jurisdictions
 Over \$1 million 2 jurisdictions

Median was \$211,500

19. What has been the response to your program from candidates, committees, press and the general public? Include whether you think the data is being used to the extent you hoped.

Alaska: very positive. The public is using data on a regular basis. The public would like to see a searchable database.

Arizona: no real qualitative analysis.

Arkansas: so far it is only available to PACs and lobbyists. Problems have plagued the software, making it unusable for some filers. We have been very displeased with our vendor and disappointed in the project.

Austin: The diskettes that are filed are not used very much, except occasionally by reporters.

California: The site is extremely complex. At first the public had difficulty negotiating the site, but we are now redesigning our navigation to aid the public.

Colorado: Increasing use.

Connecticut: We have not had the user response we anticipated. We are currently recoding the system to correct deficiencies and errors. Treasurers like the format but the public information section is cumbersome and is being rewritten.

Delaware: The press and general public are looking forward to having this information available on-line.

Federal Election Commission: generally positive. Difficult to gauge the extent of use, but data often appears in the news the next morning after it is received.

Florida: The general public loves the information at their fingertips. A greater response from candidates and committees would be realized if the filings were mandatory.

Georgia: response has been good from the majority of eligible candidates and PACs. A viewable format for the electronically filed data was just recently posted to our website, but the initial response has been very positive so far.

Hawaii: very positive by the public, press and generally favorable by the candidates.

Illinois: very positive response. The electronic data is being used to a greater extent than anticipated. Walk-ins and other requests for reports have become infrequent.

Iowa: very positive, but it is too early to predict whether the data is being used as much as desired.

Los Angeles: we have received a lot of positive feedback from the public and the users. The data is being used to the extent we hoped.

Louisiana: The press and general public have been excited about electronic access. Unfortunately, the number of electronic filers has not been growing.

Madison: good feedback; saves people from having to come into the office for information.

Maine: People are anxious for the program to start. I hope they still will be positive after the program is implemented.

Maryland: mostly favorable. The press like the on line information, but some candidates do not like our software.

Massachusetts: people are enthused about the plan.

Michigan: The response has been very favorable. It is heavily used and we think the use will continue to grow.

Minnesota: we are developing additional interactive web site tools that will hopefully bring in additional users. So far, the media is only interested in big picture numbers.

Missouri: Lobbying system, but not campaign finance system, is on line. Response has been excellent. We are steadily seeing an increasing number of hits, but not many people are aware we have it on line. This fall if the numbers keep increasing, we will add more functionality for viewers.

Nebraska: Now that we post campaign finance information on the web site, we don't see reporters in the office on filing day, although they still call us.

Nevada: It has been a pilot program, which has not been utilized.

New Jersey: The response from users has been extremely positive. The fact that we have not had requests for contributor lists of gubernatorial candidates this year indicates that the press and others are using the information from our website.

New Mexico: Those who use it like it. Because the use of the software is optional, participation has been disappointing.

New York City: The overall response to the software has been positive with most people finding it easy to use, helpful, and a significant aid in compliance with the rules and the law.

North Carolina: mixed feedback. Some find it great while others don't find it adequate to see what is occurring in their account on a day-to-day basis.

Ohio: I think our approach has been well received.

Oklahoma: They want more information and more user-friendly software.

Oregon: too complicated for most filers who have requested and received waivers. No measurable positive response to minimal, non-searchable information posted on the web.

Pennsylvania: The response has been generally positive. Although filers were initially slow to convert to electronic filing by mailing diskettes, usage has been increasing over time. Access to the Department's website has been very successful. We adopted a phase-in, step-by-step approach, which will conclude with a voluntary on-line electronic filing program over the Internet for this fiscal year.

San Francisco: highly favorable. Good press coverage of data.

Seattle: response has been generally positive. Data has been used to the extent we hoped. Media coverage of candidates' finances has greatly improved. Insiders, watchdogs and activists love the info and the timeliness.

Texas: mixed response from candidates, favorable response from press.

Utah: The response from the candidates was better than we expected. I think they were more enthusiastic to find their opponents on-line. The press and the public thought that the system was great, but it took a bit of explaining and training to get them used to it. They still wanted to see paper copies.

Vermont: Our (imaging) system seems to work very well for a small rural state, especially after we improved the quality of the images for the last filing deadline. We have a very few out of state "watchdog" type organizations that wish we provided a complete downloadable database, but most of our citizens understand

the cost constraint. Also, keep in mind that except for statewide offices and a few state senatorial races, most of our candidates spend less than \$5,000.

Virginia: positive response overall. I think the data is being used to its fullest extent.

Washington: The media and public support our efforts. Early critics have been turned into satisfied customers because we had a combination of electronic filing, next-day access to images of reports and prompt data entry of paper reports. We had 217,000 hits during FY '01. Candidates and committees who are familiar with the disclosure law and computers are very pleased with the program. Those not familiar are finding that candidate-training workshops are necessary to understand the reporting process. Electronically filed data and images of those filings are available to the public immediately.

20. If you were doing your program over again, what would you do differently?

Alaska: would not have been written in FoxPro.

Arizona: satisfactorily composed within statutory parameters.

Arkansas: either build the entire program in-house or hire an independent testing company to handle acceptance testing.

British Columbia: have a dedicated IT person on the project full-time. Should have developed first a system for the five main filers, rather than all 14 filers.

California: The legislation did not allow us to develop a free on-line system. Currently filers must pay approved vendors to do their filings, or develop an in-house system themselves.

Colorado: We will be implementing a new electronic filing system that is more user friendly.

Connecticut: We are taking advantage of advances in technology that have become available. The new developer is working closely with us to incorporate our theories on how the system should function with the latest technologies.

Federal Election Commission: electronic signatures instead of passwords. Revisit amendment process.

Florida: make the laws require electronic filing before we provided information on-line.

Georgia: I feel as though we learned a lot from the paths of states that pioneered electronic filing. Our first round of filing went very smoothly. Given the

resources available and time allotted, I cannot think of anything that I would have done differently.

Hawaii: development of software is very time consuming. More time is needed for testing before use.

Iowa: bypass software and go directly to web program. Allow as much planning as possible.

Los Angeles: There should have been a better relationship between the state agencies and local agencies to better gather systems design requirements.

Louisiana: Make it easier to have existing data bases transferred to electronic filing programs. Make reports more automated. For example, current system requires special reports of late transactions to be prepared independently.

Maine: Vendor is in Indiana. We should have spent more time with the vendor so that the vendor understood our system. Candidates have indicated that they want more from the system than just entering data, for example, more ability to communicate with their contributors.

Michigan: We have excellent software. But we would

- a. improve reporting options for PACs with payroll deduction.
- b. enhance both importing and exporting functions.

Minnesota: consider web based.

New Jersey: We will change the submission date from Monday to later in the week. Staff had to make themselves available over the weekend to answer the calls. Also add a blank table with several fields that can be programmed into a campaign management tool.

New Mexico: make it mandatory.

New York City: We would have tried to take more time to test it, possibly allowing a small election for beta testing. We also would have tried to control the generation of amendment.

North Carolina: start with a different vendor. Have a different design and layout.

Oklahoma: We are in the process of writing plans and specs for a new program. More detailed road maps for info and refinement of reporting rules.

Oregon: start web based filing. Ensure entire project is funded from the beginning.

Pennsylvania: We believe that a phased in approach has worked very well. We made sure each phase was working properly before moving on to the next phase.

San Francisco: add on management tools and database search controls.

Seattle: develop our own software and not rely on the state and their vendor.

Texas: not include MAC computers; have more time for development.

Utah: I would do more advertising to the press and the public. We concentrated our efforts on candidates and didn't spend much time with those who would be looking at it from the public perspective.

Vermont: I think our compromise of searchable text and images was a good one for a small rural state. When the costs associated with developing a full electronic filing system are reduced by new technologies, we will reconsider our need for it.

Virginia: make e-filing mandatory for everyone who spends over \$5,000.

Washington: develop the program in-house so that the staff that are maintaining and updating the software are familiar with all aspects of it. Our experience with IT vendors has not been positive.

Wisconsin: bring in an outside project manager if your agency cannot dedicate the staff to do so or staff does not have the expertise. Do not trust the vendors to manage themselves. Begin by extensively documenting your business requirements. Develop milestones with specific deliverables in advance of starting the project. Negotiate a fixed bid. Avoid time and materials as much as possible.

Wyoming: We are looking at developing electronic filing, but are in the first stages.

21. Any additional comments, suggestions or questions you would like other agencies to discuss?

British Columbia: What works and does not work on training people to use the software? How do you market the system when it is voluntary?

California: Digital signatures, verification process in a paperless system.

Federal Election Commission: documentation of filing, event logging, failed filings as it relates to the levying of late or non-filer fines.

Georgia: I think the development of a state software package versus the use of certified vendors is still a source of debate. Comments from both sides are welcome.

Hawaii: what are the negatives in mandating electronic filing?

Iowa: continue interactions among the states.

Kentucky: expenses, vendors, on-line entry and release date (immediate v. delayed.)

Los Angeles:

Is there still a movement to develop “software packages” v. developing server-side Internet applications? If so, why?

Is anyone considering online multimedia training?

Is ongoing maintenance of electronic filing application (software or server-side solution) handled internally, outsourced or not being seriously considered?

Have you taken into account the requirements of the press when developing your system?

What changes in campaign finance laws or information technology laws could severely impact our electronic filing system?

This survey should be electronic.

Louisiana: cost effective annual maintenance.

Madison: All campaign finance reports are either filed electronically or scanned into a file which is posted on the clerk’s web page.

Mississippi: Our agency has a pilot program for electronic filing and digital signatures.

New Mexico: takes a lot of time to administer.

Ohio: Our legislature originally wanted filings by diskette. Ultimately, the legislature gave the Secretary of State wide latitude to design our own system.

Oklahoma: request a substantial budget for reworking, updating and maintaining software.

San Francisco: interface of local and state jurisdictions.

Seattle: whatever you do, do it in-house! Hire a CTO first, and then decide what to do.

Wisconsin: questions to ask: How much agency staff resources were dedicated to the development process? Did you bring in outside assistance? How big is your agency? Once electronic filing happens, how much staff time is needed to maintain system, answer user questions (help line) etc.? Do you need additional staff?

11.9.01