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# Campaign Finance

## *Political Action Committee Guide*

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1700 W. Washington St., 7<sup>th</sup> Fl., Phoenix, AZ 85007



1-877-THE-VOTE (843-8683)



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### **CONTACT US**

Mailing address for all correspondence or filings:

Office of the Secretary of State  
Attention: Election Services Division  
1700 W. Washington St., FL 7  
Phoenix, AZ 85007-2808

Telephone: (602) 542-8683

Fax: (602) 542-6172

[www.azsos.gov/elections](http://www.azsos.gov/elections)

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## 1 ESTABLISHING A POLITICAL ACTION COMMITTEE

### 1.1 WHEN TO FORM A POLITICAL ACTION COMMITTEE

An entity is required to be registered as a political action committee (PAC) if:

- ✓ The entity is organized for the primary purpose of influencing the result of an election; and
- ✓ The entity knowingly receives contributions or makes expenditures (in any combination) in excess of the current threshold financial level.

See [A.R.S. § 16-901\(22\)](#). Pursuant to [A.R.S. § 16-901\(43\)](#), an entity is **not** organized for the primary purpose of influencing an election if it has tax exempt status under section 501(a) of the [Internal Revenue Code](#), has properly filed a [form 1023](#) or [form 1024](#) with the [Internal Revenue Service \(“IRS”\)](#), the entity’s tax exempt status has not been denied or revoked by the IRS and the entity has properly filed a [form 990](#) with the IRS in compliance with the most recent filing deadline.

Financial Threshold for Registration	
2025-26 Election Cycle	2027-28 Election Cycle
\$1,500	\$1,600

If the entity has met the “primary purpose” requirement and its contributions and expenditures (in any combination) exceed the financial threshold for the applicable election cycle, the entity is required to register as a PAC within 10 days. See [A.R.S. § 16-905\(C\)](#); [A.R.S. § 16-906\(A\)](#).

If a corporation, LLC, union or partnership establishes a separate segregated fund for the purpose of influencing the result of an election, the entity must register that fund as a PAC. See [A.R.S. § 16-901\(45\)](#); [A.R.S. § 16-905\(F\)](#).

### 1.2 WHERE TO REGISTER A PAC

A PAC is formed by filing a statement of organization with the appropriate filing officer within 10 days of qualifying as a committee. The table, on the next page, demonstrates the filing office for each PAC.

Election Sought to be Influenced	Filing Office	Contact Information
Statewide & Legislative Candidates; Statewide Ballot Measures & Legislative Referrals	Arizona Secretary of State	<a href="https://azsos.gov/elections">https://azsos.gov/elections</a> <a href="mailto:CampaignFinance@azsos.gov">CampaignFinance@azsos.gov</a> (602) 542-8683
		<a href="#">Beacon</a> Statewide and legislative candidates file a statement of organization via the online campaign finance system.
County & Special Taxing Districts	County Recorder's Office or Elections Department within that county.	Contact your <a href="#">county filing officer</a> .
School Board	County Recorder's Office or Elections Department within that county.	Contact your <a href="#">county filing officer</a> .
City or Town	City or Town Clerk	Contact your <a href="#">city/town clerk</a> .

### 1.3 FILING A STATEMENT OF ORGANIZATION

#### 1.3.1 Getting Started-Information for Statement of Organization

Each PAC must designate different individuals to serve as chairperson and treasurer. See [A.R.S. § 16-906\(B\)\(3\)](#).

A chairperson may be assigned as many or as few duties as the PAC sees fit. However, the treasurer is responsible for keeping the PAC's books and records, must sign off on financial transactions, and remains legally and personally responsible for filing complete and accurate campaign finance reports. See [A.R.S. § 16-907\(A\)](#); [A.R.S. § 16-926\(B\)\(5\)](#); [A.R.S. § 16-934\(B\)](#). Since many campaign finance violations stem from poor recordkeeping or inattention to legal requirements, picking the right treasurer is important.

In addition to identifying information for each of its officers, the PAC will also need basic contact

#### What do you need to get started?

- ✓ Committee Chairperson
- ✓ Committee Treasurer
- ✓ Designate Physical, Mailing & Email Address that ***will be checked often***
- ✓ Determine Banking Institution

information for the PAC, such as physical and mailing addresses and an email address.

Finally, a PAC must establish a bank account and be prepared to disclose the name of its bank or other financial institution (*never provide bank account numbers in a statement of organization*). [A.R.S. § 16-906\(B\)\(5\)](#). The PAC must open its own account and may not commingle other monies in the account. See [A.R.S. § 16-906](#) and [A.R.S. § 16-907](#).

Sometimes a PAC may have to forecast in its statement of organization the bank where it ***intends*** to open an account. This is because some banks might require a PAC to have certain formalities already established prior to opening an account, such as filing a statement of organization, incorporating with the Arizona Corporation Commission, and/or obtaining a taxpayer identification number from the IRS. In that case, it is permissible to list the PAC's future financial institution on a statement of organization if the PAC ultimately opens that account. The committee should wait no longer than 30 days after opening the committee with the filing officer and creating the Statement of Organization, to open the account to avoid a campaign finance violation. See [A.R.S. § 16-906\(B\)\(5\)](#). **PACs are solely responsible for adhering to banking policies, and filing officers are unable to assist in establishing a bank account. The committee must open its own account and may not commingle other monies in the account.** [A.R.S. § 16-907\(B\)](#).

### **1.3.2 PAC Information**

The following information must be provided in a PAC's statement of organization:

- ✓ **PAC name**
  - If a PAC is sponsored, the PAC's name must include the sponsor's name or commonly known nickname.
- ✓ **PAC mailing address**
  - If the PAC has its own mailing address separate from the chairperson's or treasurer's address, this mailing address should be listed.
  - A post office box may serve as a mailing address.
- ✓ **PAC email address**
  - If the PAC has its own email address separate from the chairperson's or treasurer's email address, the PAC's email address should be listed.
- ✓ **PAC website (if the PAC has a PAC website).**
- ✓ **PAC telephone number**

- If the PAC has its own telephone number separate from the chairperson's or treasurer's phone number, that number should be listed.
- If the PAC does not have its own telephone number, the PAC should list the telephone number for the chairperson, treasurer, PAC's political consultant, or other designated spokesperson for the PAC.
- ✓ Name of any banks or other financial institutions used by the PAC. *Bank account numbers should not be listed.*

See [A.R.S. § 16-906](#).

### **1.3.3 PAC Sponsorship**

A corporation, limited liability company, or labor organization may “sponsor” a separate segregated fund, which must register as a PAC.

See [A.R.S. § 16-916\(C\)](#); [A.R.S. § 16-905\(F\)](#) and [A.R.S. §16-901\(45\)](#). If a PAC is sponsored, the sponsor's name (or commonly known nickname) must be included in the PAC's name. The sponsor's name, mailing address, email address, website (if any) and telephone number must also be included in the statement of organization. See [A.R.S. § 16-906\(B\)\(2\)](#).

### **1.3.4 Chairperson and Treasurer Information**

The following information must be provided about the PAC's chairperson and treasurer.

- ✓ **Chairperson and Treasurer names**
  - A PAC must appoint separate individuals to serve as chairperson and treasurer.
- ✓ **Physical location or street address**
  - The chairperson and treasurer must provide a physical or street address. A P.O. Box is not permitted. See [A.R.S. § 16-906\(B\)\(3\)](#).
- ✓ **Email addresses for Chairperson and Treasurer**
  - The chairperson and treasurer should provide separate email addresses.
- ✓ **Telephone number**
  - The chairperson and treasurer should provide separate telephone numbers.
- ✓ **Occupation**



- The occupation should be sufficiently specific to identify the chairperson's and treasurer's line of work.
- "Attorney," "accountant," "doctor," and the like are sufficiently descriptive. A "consultant" should be more specifically identified, such as "political consultant" or "management consultant."
- "Retired," "homemaker," "unemployed," "student," and the like are sufficient occupational descriptions, if applicable.
- If the chairperson or treasurer have multiple occupations, list each officer's primary or principal occupation.

✓ **Employer**

- If the chairperson or treasurer have multiple employers, list each officer's primary or principal employer.
- If the chairperson or treasurer is self-employed, list the name, company, or title through which each officer does business.
- "Retired," "homemaker," "unemployed," "student," and the like are sufficient employment descriptions, if applicable.

See [A.R.S. § 16-906](#).

### **1.3.5 Finalizing a Statement of Organization**

After providing the required information outlined above, the chairperson and treasurer must swear under penalty of perjury that they **(1)** have read this Guide, **(2)** agree to comply with Arizona campaign finance law, and **(3) agree to accept all notifications, statements, service of process, or other important documents via the PAC's email address.** See [A.R.S. § 16-906\(B\)\(6\)](#).

***\*Please note, because official notifications are exclusively sent via email, the PAC officers should list email addresses that will be routinely monitored. If email addresses change, the committee must update that information in Beacon.*** In the event a campaign finance complaint is filed against the PAC, for example, the filing officer cannot accept failure to monitor the email account(s) as a legitimate defense for failing to respond to the complaint or failure to file required campaign finance reports.

Original signatures are not required because a filing officer must provide an electronic filing option for all candidates. [A.R.S. § 16-928\(C\)](#).

Once registration is complete, the filing officer will issue an identification number for the PAC. [A.R.S. § 16-906\(D\)](#). This identification number will be used to identify the PAC in future correspondence.

#### **1.4 DECIDING TO ESTABLISH A STANDING PAC**

A PAC at any time may request standing PAC status if the PAC intends to conduct PAC activity in more than one Arizona jurisdiction. See [A.R.S. § 16-901\(48\)](#) and [A.R.S. § 16-928\(B\)](#). A standing PAC:

- ✓ Files a statement of organization with the Secretary of State's Office;
- ✓ Must be issued a committee ID number by the Secretary of State;
- ✓ Must provide a copy of the filed/approved statement of organization (that reflects standing PAC status) to each local jurisdiction before conducting political activity in that jurisdiction;
- ✓ Only files campaign finance reports with the Secretary of State's Office;
- ✓ Files pre-election and post-election campaign finance reports during each calendar quarter; and
- ✓ Is subject to campaign finance enforcement only by the Secretary of State, not local filing officers.

A standing PAC may cease participation in one local jurisdiction, and remain active in other jurisdictions, by filing a statement of intent with the filing officer in each applicable jurisdiction. See [A.R.S. § 16-934\(E\)](#).

#### **1.5 DECIDING TO REQUEST MEGA-PAC STATUS**

A PAC may apply to the Secretary of State's Office for mega-PAC status. This status is official recognition that a PAC has received contributions from 500 or more individuals in amounts of \$10 or more in the four-year period immediately before application to the Secretary of State's Office. A mega-PAC may contribute twice the contribution limit to candidate committees per election cycle if the PAC provides the recipient candidate committee with a copy of the certification of its mega-PAC status. See [A.R.S. § 16-908](#); [A.R.S. § 16-901\(37\)](#); [A.R.S. § 16-914\(B\)](#).

A written application for mega-PAC status may be submitted by one or both PAC officers and must include documentation of the following:

- ✓ Dates and amounts of contributions from contributors;
- ✓ Contributor's first and last name;

- ✓ Contributor's Residential Address (Street/City/State/Zip Code);
- ✓ Contributor's Occupation; and
- ✓ Name of contributor's primary employer.

If the applicant PAC demonstrates that it has met the requirements, the Secretary of State's Office will provide written certification of mega-PAC status, which is valid for four years. See [A.R.S. § 16-908\(C\)](#).

## **1.6 CHANGES IN PAC INFORMATION**

If there is a change in any PAC information provided in the statement of organization, a PAC must file an amended statement of organization within ten days of the change. See [A.R.S. § 16-906\(C\)](#).

# **2 RECORDKEEPING AND FINANCIAL MANAGEMENT**

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A PAC is required to maintain accurate financial records. The legal responsibility for compliance falls on the ***PAC treasurer***. See [A.R.S. § 16-907\(A\)](#).

## **2.1 COLLECTING CONTRIBUTOR INFORMATION**

When a PAC receives contributions, the PAC must conduct its due diligence to properly document these contributions. Different rules apply depending on the source and the amount of the contribution.

### **2.1.1 Information Required by Contributor Type**

#### **2.1.1.1 In-State Individual Contributions of \$100 or Less**

If an in-state individual contributor gave \$100 or less to a PAC during the election cycle, the PAC need ***not*** report the contributor's name, address, occupation and employer. [A.R.S. § 16-926\(B\)\(2\)\(a\)\(i\)](#). But the PAC *must* keep records of this information. [A.R.S. § 16-907\(D\)\(1\)](#).

For example, if an in-state individual contributor eventually exceeds the \$100 threshold during the election cycle, the contributor's identifying information will be required to be reported going forward. If the PAC does not track a person's small-dollar contributions from the beginning, it will be difficult to know when a contributor's \$100 aggregate threshold has been reached.

Generally, a PAC should err on the side of caution by collecting contributor information in the event a small dollar contributor ultimately exceeds \$100 in contributions during the election cycle.

A PAC should always use its best judgement as to when to collect identifying information from small-dollar individual contributors. Keep in mind that even if identifying information is not required from small-dollar individual contributors, the candidate PAC must report the **aggregate amount** of contributions from all in-state individuals whose contributions do not exceed \$100 for the election cycle. [A.R.S. § 16-926\(B\)\(2\)\(b\)](#).

#### **2.1.1.2 In-State Individual Contributions That Exceed \$100**

For contributions from in-state individuals who contribute more than \$100 during the election cycle, a PAC is required to record and report each contributor's name, address, occupation, and employer. A PAC must fully "identify" any individual who contributes more than \$100 during the election cycle. [A.R.S. § 16-901\(29\)](#); [A.R.S. § 16-907\(C\)](#); [A.R.S. § 16-926\(B\)\(2\)\(a\)\(i\)](#). The following standards apply:

✓ **Contributor's name**

- The contributor must provide a first and last name.
- If a joint contribution is made by a married couple, each spouse's first and last name must be provided to the PAC.

✓ **Contributor's residential location or street address**

- Only a residential address or location may be provided. A work address or P.O. Box is not permitted (unless a protected voter; See [A.R.S. § 16-907\(C\)](#); [A.R.S. § 16-926\(B\)\(2\)\(a\)\(i\)](#)).

✓ **Contributor's occupation**

- The occupation should be sufficiently specific to identify the contributor's line of work.
- "Attorney," "accountant," "doctor," and the like are sufficiently descriptive. A "consultant" should be more specifically identified, such as "political consultant" or "management consultant."
- "Retired," "homemaker," "unemployed," "student," and the like are sufficient occupational descriptions, if applicable.
- If the contributor has multiple occupations, the contributor's primary or principal occupation should be provided.

✓ **Contributor's employer**

- If the contributor has multiple employers, the contributor's primary or principal employer should be provided.
- If the contributor is self-employed, the contributor should list the name, company, or title

through which he or she does business.

- “Retired,” “homemaker,” “unemployed,” “student,” and the like are sufficient employment descriptions, if applicable.

### **2.1.1.3 Out-of-State Individual Contributions**

For all contributions from out-of-state individuals, regardless of amount, a PAC is required to record and report each contributor’s name, address, occupation, and employer. All out-of-state individual contributors must be identified, as there is no \$100 reporting threshold similar to what exists in the in-state individual context. See [A.R.S. § 16-901\(29\)](#); [A.R.S. § 16-926\(B\)\(2\)\(a\)\(ii\)](#).

The following standards apply:

✓ **Contributor’s name**

- The contributor must provide a first and last name.
- If a joint contribution is made by a married couple, each spouse’s first and last name must be provided to the PAC.

✓ **Contributor’s residential location or street address**

- Only a residential address or location may be provided. A work address or P.O. Box is not permitted.

✓ **Contributor’s occupation**

- The occupation should be sufficiently specific to identify the contributor’s line of work.
- “Attorney,” “accountant,” “doctor,” and the like are sufficiently descriptive. A “consultant” should be more specifically identified, such as “political consultant” or “management consultant.”
- “Retired,” “homemaker,” “unemployed,” “student,” and the like are sufficient occupational descriptions, if applicable.
- If the contributor has multiple occupations, the contributor’s primary or principal occupation should be provided.

✓ **Contributor’s employer**

- If the contributor has multiple employers, the contributor’s primary or principal employer should be provided.
- If the contributor is self-employed, the contributor should list the name, company, or title through which he or she does business.

- “Retired,” “homemaker,” “unemployed,” “student,” and the like are sufficient employment descriptions, if applicable.

#### **2.1.1.4 PAC Contributions from Other Committees**

For contributions from political parties, candidate committees, or other PACs *in any amount*, a PAC is required to record and report the contributor’s name and address. [A.R.S. § 16-901\(29\)\(b\)](#). All committee contributors must be identified, as there is no \$100 reporting threshold like what exists in the individual context. Compare [A.R.S. § 16-926\(B\)\(2\)\(a\)\(i\)](#) with [A.R.S. § 16-926\(B\)\(2\)\(a\)\(iii\)-\(iv\)](#). The following standards apply:

- ✓ **Committee’s name.** See [A.R.S. § 16-901\(29\)\(b\)](#).
  - A committee must provide its name as reflected in its statement of organization. See [A.R.S. § 16-901\(29\)\(b\)](#).
- ✓ **Committee’s physical location or street address**
  - Only a physical address or street location may be provided. A P.O. Box is not permitted.

#### **2.1.1.5 Partnership Contributions**

For partnership contributions in any amount, a PAC is required to record and report the partnership’s name and address, including identifying information about the individual partner contributors. [A.R.S. § 16-901\(29\)\(b\)](#). The following standards apply:

- ✓ **Partnership’s name**
  - A partnership should provide its name as reflected in its articles of incorporation/organization, partnership agreement, or other official document filed with a government entity.
- ✓ **Partnership’s physical location or street address**
  - Only a physical address or street location may be provided. A P.O. Box is not permitted.
- ✓ **Individual contributing partners’ information**
  - A partnership must provide the name, address, occupation and employer for each individual partner who has agreed to participate in the partnership’s contribution, as well as the amount of the contribution attributed to each partner. See [A.R.S. § 16-917\(C\)\(1\)](#).

#### **2.1.2 Using Standard Disclaimers**

PACs not only must ask for identifying information, they must also inform prospective contributors that the PAC is legally required to do so. See [A.R.S. § 16-907\(C\)](#). Thus, when sending out a fundraising solicitation for a forthcoming fundraiser, the following disclaimer will normally suffice: “The committee is legally required to request identifying information from each contributor.”

### **2.1.3 Making “Best Efforts” to Seek Missing Information**

PACs must review all contributions upon receipt to ensure they meet the required standards for identifying contributors. Contributions found to be lacking are “incomplete contributions.” [A.R.S. § 16-901\(30\)](#). When a PAC discovers an incomplete contribution, it must affirmatively seek out the missing information in order to file a **complete and accurate** campaign finance report.

The PAC must make its “best effort” to acquire the missing information. To qualify as a “best effort,” the PAC treasurer (or the treasurer’s agent) must make at least one attempted written communication, such as by email, text message, private message through social media or other similar communication, or at least one attempted oral communication to the contributor that is documented in writing. [A.R.S. § 16-901\(5\)](#). In either case, the treasurer must keep written records documenting these attempts to demonstrate compliance with these requirements. Each follow-up request for information must clearly identify the missing information sought and inform the contributor that the PAC was legally required to seek that information.

### **2.1.4 Reporting and Amending Reports with Contributor Information**

If a PAC’s best effort to contact a contributor ultimately fails, the PAC has done all it can do. It should file its campaign finance report in a timely manner with the incomplete contributor information.

If a contributor belatedly provides this information to the PAC after the applicable campaign finance report is filed, the PAC must amend that report with the updated contributor information within a reasonable period. [A.R.S. § 16-907\(C\)](#).

If a previously small dollar in-state individual donor reaches over \$100 in aggregate contributions during the election cycle, the PAC will itemize the contribution that exceeded the \$100 aggregate amount in the next upcoming report and provide the in-state individual contributor’s identifying information on that report.



## **2.2 TREASURER DUTIES: MANAGING FINANCIAL ACTIVITY AND RECORDS**

The PAC treasurer is charged with preserving the PAC's financial records, managing the PAC's financial affairs, and ensuring the accuracy of campaign finance reports. This section outlines in greater detail some of these basic responsibilities.

### **2.2.1 Activities Requiring Treasurer Approval**

A PAC may not engage in any financial activity without the authorization of the treasurer or the treasurer's agent. [A.R.S. § 16-907\(A\)](#). **The treasurer is ultimately responsible for campaign finance reporting.**

### **2.2.2 Methods of Accepting Contributions**

A PAC may accept a contribution made by cash, check, credit card, payroll deduction, wire transfer, or any other method of online or electronic payment, including contributions in the form of cryptocurrency. [A.R.S. § 16-907\(E\)-\(F\)](#).

The PAC need not provide a receipt for cash contributions, although some contributors might request one. Most contributions likely will be by check or credit card, however. In those cases, the treasurer (or treasurer's agent) has a duty to **ensure that the contributor is the account holder** of the instrument. [A.R.S. § 16-907\(F\)](#). For example, the PAC may not accept a check drawn from the account of "David Johnson" when the accompanying contribution form is from "Marcy Smith." In these cases, the PAC must attempt to reconcile the discrepancy and be prepared to issue a refund. See [A.R.S. § 16-918](#) and [A.R.S. §16-1022\(B\)](#), which prohibit contributing in the name of another.

Special attribution rules apply to married couples. If a check has both spouses' names printed on it but only one spouse signs the check, the contribution is deemed to be from the signing spouse only. [A.R.S. § 16-907\(F\)](#). The same goes for credit card transactions: if a contribution is made from a joint account, only the spouse who authorized the transaction is deemed the contributor. A married couple seeking to make a joint contribution, therefore, must jointly sign the check or otherwise clearly indicate that the contribution should be dually-attributed to both spouses. [A.R.S. § 16-907\(F\)](#). A joint contribution is normally assumed to be allocated 50/50 between spouses, but any other allocation percentage chosen by joint contributors is permissible. Such contributions require identifying information for each joint contributor.



### **2.2.2.1 Cryptocurrency Contributions**

While a PAC may accept an in-kind contribution in the form of cryptocurrency such as Bitcoin, Ethereum, or Litecoin, and such contributions are generally subject to the same rules applicable to traditional contributions in U.S. currency, the PAC should consult legal counsel for advice regarding accepting, retaining, and valuing cryptocurrency for campaign finance reporting purposes. [A.R.S. § 16-901\(11\)](#) This is a method of “electronic transfer” authorized pursuant to [A.R.S. § 16-907\(F\)](#).

### **2.2.3 Recording Contributions and Expenditures**

Arizona law establishes a few methods for determining the date of a contribution. [A.R.S. § 16-926\(C\)\(1\)](#). The answer can be important, because when a contribution was made will dictate when the contribution must be reported. For contributions, the date of receipt is either:

- The date the PAC knowingly takes possession of the contribution; or
- The date shown on the check or credit card payment.

“Knowing possession” means that the PAC is aware that it likely possesses a contribution (for example, the campaign’s most recent mail delivery contains several return envelopes issued by the campaign to receive contributions).

In-kind contributions are deemed made on either:

- The date services are performed; or
- The date the PAC receives the services.

PAC expenditures and disbursements have more nuanced rules:

- For a transaction by check, the expenditure or disbursement is deemed to have been made on the date the PAC signs the check.
- For credit card transactions on paper (*i.e.* when a PAC is presented with a paper slip that must be signed in order to charge a credit card), the expenditure or disbursement is made on the date that authorization slip is signed.
- For an online transaction, the expenditure or disbursement is deemed made on the date that the PAC authorizes the transaction.
- For an agreement to purchase goods or services, the expenditure or disbursement is deemed made either:
  - On the date of the parties’ agreement; or

- The date that the PAC was issued a purchase order or similar invoice.

If a particular expenditure or disbursement does not fall into one of the above categories, the PAC is permitted to treat the expenditure/disbursement as being made:

- On the date that the PAC authorized the expenditure/disbursement; or
- The date that the money is withdrawn from the PAC's account.

The particular reporting method is for the PAC to determine in its discretion. However, the method utilized must be applied consistently throughout the election cycle. [A.R.S. § 16-926\(C\)\(3\)](#). For example, a PAC may not selectively use the date of the check for some contributions while using date of possession for other contributions received at the same time. A more consistent method would entail using the date of possession for all mailed checks and the date of the check for all in-person fundraisers. As long as the PAC's approach is consistent, and not strategic or random, the filing officer will usually defer to the PAC's judgment.

#### **2.2.4 Maintaining Separate Bank Accounts**

An important aspect of financial management is ensuring that certain monies are not commingled in the same bank account. For a PAC, this means making sure that PAC monies are not commingled in the same bank account as any other person's or entity's monies. [A.R.S. § 16-907\(B\)\(1\)](#). The PAC's monies must be held in an account under the PAC's name at the financial institution listed in the PAC's statement of organization. Contributions from individuals, partnerships, candidate committees, political parties, and other PACs must be segregated in different bank accounts from contributions received from other donors. See [A.R.S. § 16-907\(B\)\(1\)-\(2\)](#).

#### **2.2.5 Maintaining Financial Records**

The PAC treasurer is responsible for maintaining records of ***all*** financial activity, even if the information is not required to be disclosed in a campaign finance report. [A.R.S. § 16-907\(A\)](#). This means keeping records of all the money flowing in and out of the PAC, including:

- All contributions made or received by the PAC;
- The identity of any contributor that contributed at least \$50 during the election cycle, including the name and address of all contributors (along with the occupation and employer for individual contributors), the date of each contribution, and the date the contribution was deposited into the PAC's account ([A.R.S. § 16-907\(D\)\(2\)](#));
- The cumulative amount contributed by each donor during the election cycle ([A.R.S. § 16-907\(D\)\(3\)](#)); and

- The name and address of every person who receives any money from the PAC, including the date, amount, and purpose of any expenditure or disbursement. [A.R.S. § 16-907\(D\)\(4\)](#).

All record keeping information must be maintained by the PAC for a period of two years following the election cycle in which the activity occurred. [A.R.S. § 16-907\(G\)](#). Preservation of these records is imperative, as the filing officer or the enforcement officer may request these records from the PAC at any time, regardless of whether a campaign finance report is pending. See [A.R.S. § 16-907](#). The “filing officer” is the Secretary of State. The “enforcement officer” is the Attorney General. [A.R.S. § 16-901\(21\), \(27\)](#).

### 2.2.6 Record Keeping Requirements versus Reporting Requirements

These record-keeping categories largely overlap with the information that must be disclosed in campaign finance reports, although not completely. For example, the record keeping statute requires a PAC to preserve identifying records for donors who contribute at least \$50 in the aggregate during the election cycle, but the reporting statute requires a PAC to report and identify any individual in-state donors that exceed \$100 in contributions, all out-of-state donors and all PAC donors regardless of how much money they contributed. Compare [A.R.S. § 16-907\(D\)\(2\)](#) (record keeping statute) with [A.R.S. § 16-926\(B\)\(2\)\(a\)](#) (reporting statute). Because identifying information is required for each contributor, no anonymous contributions are allowed, including raffles or passing the hat.

Record Keeping Requirement ( <a href="#">A.R.S. § 16-907</a> )	Reporting Requirement ( <a href="#">A.R.S. § 16-926</a> )
All contributions made or received by the PAC.	Contributions from in-state individuals whose contributions exceed \$100 during the election cycle, including contributor identification (including occupation and employer).
The identity of any contributor that contributed at least \$50 in the aggregate during the election cycle regardless of amount and residency (in-state or out-of-state).	Contributions from out-of-state individuals regardless of contribution amount including contributor identification (including occupation and employer).

Disbursements are also recorded and reported differently as the graph below demonstrates. Compare [A.R.S. § 16-907\(D\)\(4\)](#) (record keeping statute) with [A.R.S. § 16-926\(B\)\(3\)](#) (reporting

statute).

<b>Record Keeping Requirement (<a href="#">A.R.S. § 16-907</a>)</b>	<b>Reporting Requirement (<a href="#">A.R.S. § 16-926</a>)</b>
The name and address of every person who receives any money from the PAC, including the date, amount, and purpose of any expenditure or disbursement.	Itemized list of all disbursements in excess of \$250 during the reporting period including recipient name, address, description of the disbursement and date of disbursement.

### 2.2.7 Preserving Records Prior to PAC Formation

All contributions received and expenditures incurred before PAC registration are eventually reportable, so an organization must keep track of all financial activity from dollar one.

An organization need not form a PAC and file campaign finance reports until the registration threshold has been triggered. However, an organization must preserve records of all financial activity incurred prior to registration. Once the registration requirement has been triggered, the PAC's cumulative, pre-registration financial activity during the election cycle must be reported in the PAC's first campaign finance report. [A.R.S. § 16-907\(I\)](#).

## 3 RECEIVING CONTRIBUTIONS

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### 3.1 WHAT IS A "CONTRIBUTION"?

In general, a "contribution" is anything of value provided to a PAC for the purpose of influencing an election. [A.R.S. § 16-901\(11\)](#). Subject to the exceptions outlined below, the law assumes that **all** sources of money that flow into a PAC are "contributions."

Consequences flow from something of value being deemed a "contribution." Contributions are subject to source restrictions. Under Arizona law, a candidate committee may only accept contributions from individuals, PACs, political parties (as long as the candidate is the party's "nominee," having prevailed in the primary election), and partnerships. [A.R.S. § 16-913\(D\)](#). Any PAC or political party contributor must be registered with the appropriate filing officer in Arizona.

Contributions principally fall into three categories:

- Monetary
- Loans
- In-Kind

Contributions are reportable: the PAC must gather identifying information about the contributor and file regular campaign finance reports.

### **3.1.1 Monetary Contributions**

Monetary contributions are traditional sources of payment directly received by a PAC, whether in cash, by check, or through credit card. These sources of support are typically provided by third-party donors and other committees.

### **3.1.2 Loans**

A loan is considered a contribution. See [A.R.S. § 16-901\(11\)\(d\)](#). Loans are advances of money, or extensions of credit, provided to a PAC which the PAC has agreed to pay back.

Any individual who endorses or guarantees a loan on a PAC's behalf (*i.e.* agrees to be financially responsible for repaying the loan in the event the PAC defaults) is deemed to have made a contribution as well. [A.R.S. § 16-911\(B\)\(14\)](#).

As a PAC pays back a loan, the loan balance remains a contribution to the extent the loan remains outstanding. In tandem, the lender and guarantor contribution limits correspondingly free up to the extent of repayment. See [A.R.S. § 16-901\(11\)\(d\)](#).

### **3.1.3 In-Kind Contributions**

In-kind contributions are non-monetary benefits, including goods, services or anything else of value that are provided to a PAC without charge or at less than the usual and normal charge. Donated or discounted goods and services generally constitute contributions, and therefore are subject to contribution limits and source restrictions. See [A.R.S. § 16-901\(32\)](#).

For example, goods and services may include (but are not limited to) the donation of wood/rebar for yard signs, printing services, donor lists from other committees, or designing a PAC website. If a PAC receives a special discount on the purchase of these goods or services (*i.e.* the PAC receives a discount because it is a PAC), the amount of the discount is likewise an in-kind contribution and subject to contribution limits and source restrictions. For example, if a PAC received a discount from a printing company for mailers, then the PAC will report the discounted rate of service as an expenditure and the regular market-based value minus the discounted rate of service will be reported as an in-kind contribution.

In-kind contributions must be reported at fair market value—the price it would cost someone else

to purchase the same good or service. See [A.R.S. § 16-926\(B\)\(2\)\(a\)\(xiii\)](#). However, certain volunteer services are exempt from being considered an in-kind contribution or expenditure. [A.R.S. § 16-911\(B\)\(1\)](#); [A.R.S. § 16-921\(B\)\(1\)](#).

## **3.2 PERMISSIBLE CONTRIBUTORS TO A PAC**

A PAC or political party may generally accept contributions from all sources, including corporations and unions. See [A.R.S. § 16-912\(B\)](#); [A.R.S. § 16-913\(E\)](#); [A.R.S. § 16-914\(D\)](#); [A.R.S. § 16-915\(D\)](#); [A.R.S. § 16-916\(B\)](#). Contributions must be reported pursuant to applicable requirements.

### **3.2.1 Individual Contributors**

This section outlines how to address several types of individual contributions.

#### **3.2.1.1 Contributions from Foreign Nationals**

An individual contributor must be an American citizen or lawful permanent resident of the United States. See [52 U.S.C. § 30121](#) and [11 C.F.R. § 110.20](#). PACs are not required to seek proof of citizenship or confirm immigration status, however checks drawn on a foreign bank account should trigger further inquiry by the PAC to obtain reasonable assurance that the contributor is an American citizen or lawful permanent resident.

#### **3.2.1.2 Joint Contributions from Spouses**

Spouses are permitted to make a joint contribution. Special rules apply to such contributions.

First, a joint contribution from both spouses on the same instrument is deemed to be made from both spouses' personal monies as long as both spouses are account holders, even if only one spouse has an income.

Second, a contribution may be jointly attributed to both spouses as long as both spouses sign the instrument or otherwise clearly indicate the contribution should be treated jointly. The PAC must report both spouse's identifying information for purposes of completing a campaign finance report. [A.R.S. § 16-907\(D\)\(2\), \(F\)](#); [A.R.S. § 16-926\(B\)\(2\)\(a\)\(i\)](#).

#### **3.2.1.3 Contributions from Minors**

Minors under 18 years old are permitted to make contributions. However, the contribution is treated as a contribution by the minor's custodial parent(s). Thus, the PAC is required to obtain

the parent’s identifying information for reporting purposes. See [A.R.S. § 16-912\(C\)](#).

### **3.2.2 PAC Contributors**

PACs may accept unlimited contributions from other PACs. See [A.R.S. § 16-914\(D\)](#).

### **3.2.3 Political Party Contributors**

PACs may receive unlimited contributions from political party contributors. See [A.R.S. § 16-915\(D\)](#).

### **3.2.4 Partnership Contributors**

PACs may receive unlimited contributions from partnerships. See [A.R.S. § 16-917](#).

### **3.2.5 Partnership Establishing a PAC**

When a partnership establishes a PAC and makes contributions through that PAC, the contribution does not require allocation among individual partners. These contributions are treated like any other PAC contributions. See [A.R.S. § 16-917\(D\)](#).

### **3.2.6 Corporate, LLC, and Union Contributors**

A corporation, limited liability company, or union may make unlimited contributions to a PAC or political party.

## **3.3 CONTRIBUTION LIMITS**

PAC contribution limits for the 2025-26 election cycle are as follows, on the next page, pursuant to [A.R.S. § 16-914](#):

Contributor	Recipient				
	Statewide Candidate	Legislative Candidate	Local Candidate	PAC	Political Party
<b>Individual</b>	\$5,500	\$5,500	\$6,750	Unlimited	Unlimited
<b>Partnership</b>	\$5,500	\$5,500	\$6,750	Unlimited	Unlimited
<b>Candidate Committee</b>	Generally prohibited	Generally prohibited	Generally prohibited	Unlimited	Unlimited



Contributor	Recipient				
	Statewide Candidate	Legislative Candidate	Local Candidate	PAC	Political Party
<b>PAC</b>	\$5,500	\$5,500	\$6,750	Unlimited	Unlimited
<b>Mega PAC</b>	\$11,000	\$11,000	\$13,500	Unlimited	Unlimited
<b>Political Party</b>	\$80,500	\$8,500	\$10,500	Unlimited	Unlimited
<b>Corporation</b>	Prohibited	Prohibited	Prohibited	Unlimited	Unlimited
<b>LLC</b>	Prohibited	Prohibited	Prohibited	Unlimited	Unlimited
<b>Trust, Joint Venture, Cooperative, or other unincorporated organization or association</b>	Prohibited	Prohibited	Prohibited	Unlimited	Unlimited
<b>Union</b>	Prohibited	Prohibited	Prohibited	Unlimited	Unlimited

### 3.4 HOW IS AN ELECTION CYCLE DEFINED FOR CONTRIBUTION PURPOSES?

Contribution limits apply over the course of an election cycle. [A.R.S. § 16-912\(A\)](#); [A.R.S. § 16-914\(A\)-\(B\)](#); [A.R.S. § 16-915\(A\)](#); [A.R.S. § 16-917\(A\)](#). For statewide and legislative races, the election cycle runs for the two-year period beginning on January 1 after a statewide general election and ending on December 31 in the year of the next statewide general election. [A.R.S. § 16-901\(18\)](#); *see also* [A.R.S. § 16-211](#). The 2026 election cycle for statewide and legislative candidates begins January 1, 2025 and ends December 31, 2026.

In addition, a separate election cycle is created in the event of a recall election or a special election. [A.R.S. § 16-901\(18\)\(a\)-\(b\)](#).

A donor's contribution limit resets every two years, even if a candidate's term of office exceeds the two-year period. For example, an incumbent serving a four-year term may accept the maximum contribution from a particular donor in each of the two-year periods of the four-year term.



### **3.5 REMEDYING EXCESS AND UNLAWFUL CONTRIBUTIONS**

A PAC is not provided any grace period for accepting prohibited contributions. These include contributions that are earmarked, anonymous, raffles or passing the hat, or from a non-United States citizen.

If a prohibited contribution nonetheless has been accepted by PAC, the PAC must refund the contribution immediately and, if possible, document the circumstances leading to the acceptance of the prohibited contribution and what actions were taken to remedy the mistake.

### **3.6 JOINT FUNDRAISING EVENTS**

Joint fundraising efforts are permissible among PACs as long as the PACs make a written agreement prior to the fundraising effort that outlines how the proceeds of the fundraising effort will be distributed or reimbursed. For example, two PACs could agree to split proceeds equally among them. The agreement need not be formal; an email will suffice. The agreement must be reached before the first fundraising solicitation has been issued, even if the event has not yet occurred. Moreover, after the fundraising effort has concluded, the participating PACs must make distributions or reimbursements that conform to the written agreement. See [A.R.S. § 16-911\(B\)\(6\)\(b\)](#).

Fundraising solicitations should disclose the joint nature of the fundraiser by identifying the collaborating PACs who will benefit from the joint fundraising effort. Once the fundraising effort has concluded, the collaborating PACs must make distributions or reimbursements in accordance with the written agreement. See [A.R.S. § 16-911\(B\)](#).

A separate joint fundraising PAC need not be organized. Thus, checks can be made out to any of the collaborating PACs as long as the recipient PAC deposits and promptly distributes the fundraising proceeds in accordance with the written fundraising agreement. Distributions and reimbursements made according to the joint fundraising agreement must be reported by the collaborating PACs. See [A.R.S. § 16-926\(B\)\(4\)](#). The recipient PAC must provide contributors' identifying information to the other collaborating PACs in the joint fundraising agreement. Each collaborating PAC must identify each contributor along with the contributor's net contribution amount to the reporting PAC.

#### **Example**

- PAC A and PAC B enter into a joint fundraising agreement to split the proceeds of a joint fundraiser equally. PAC A agrees to be the recipient PAC to whom contributions will be

made.

- PAC A distributes fundraising solicitations that state “Paid for by PAC A and PAC B with proceeds to benefit PAC A and PAC B.”
- The fundraiser is held and contributors are asked to make a \$4,000 contribution to PAC A. PAC A accepts the contributions via check and online payment, and collects the required identifying information from each contributor. The fundraiser brings in \$20,000.
- PAC A distributes \$10,000 to PAC B pursuant to the parties’ agreement.
- The PACs file campaign finance reports as follows:
  - ✓ PAC A reports receiving five \$2,000 contributions from individual contributors, including identifying information about each individual contributor, and, if possible, should indicate in the “memo” field that the contributions were received through a joint fundraising event with PAC B.
  - ✓ PAC A also reports receiving \$10,000 of joint fundraising proceeds on behalf of PAC and reports a \$10,000 joint fundraising transfer to PAC B; and
  - ✓ PAC B reports receiving five \$2,000 contributions from individual contributors, including identifying information about each individual contributor, and, if possible, should indicate in the “memo” field that the contributions were received through a joint fundraising event with PAC A.

### **3.7 VOLUNTEER ACTIVITY**

An individual volunteer’s services, including any expenses the individual incurs in the course of volunteering, are not considered contributions to a PAC. As non-contributions, volunteer services need not be reported or limited.

- Travel expenses incurred by the volunteer, such as placing candidate signs, traveling to campaign events, or canvassing door-to-door, are not considered contributions. [A.R.S. § 16-911\(B\)\(1\)\(a\)](#); [A.R.S. § 16-921\(B\)\(1\)\(a\)](#).
- Use of a volunteer’s real or personal property, such as using a volunteer’s vehicle in a parade or hosting a fundraiser at a volunteer’s home, is not a contribution. [A.R.S. § 16-911\(B\)\(1\)\(b\)](#); [A.R.S. § 16-921\(B\)\(1\)\(b\)](#).
- The cost of invitations, food, or beverages purchased or provided by a volunteer for a campaign-related event is not considered a contribution. [A.R.S. § 16-911\(B\)\(1\)\(c\)](#); [A.R.S. § 16-921\(B\)\(1\)\(c\)](#).

- A volunteer's use of email, blogging, social media, or other internet activity on behalf of a PAC do not constitute contributions, as long as: (1) the volunteer's use is not paid for by the volunteer or any other person (*i.e.*, neither the volunteer nor any other person paid to post or promote the message); (2) the volunteer is not paid or reimbursed for such activity; and (3) the emails, social media messages, or other internet activities do not contain or include transmittal of a paid advertisement or paid fundraising solicitation. [A.R.S. § 16-911\(B\)\(1\)\(d\)](#); [A.R.S. § 16-921\(B\)\(1\)\(d\)](#). "Social media messages" are defined as "forms of communication, including internet sites for social networking or blogging, through which users create a personal profile and participate in online communities to share information, ideas and personal messages." [A.R.S. § 16-901\(46\)](#). For example, an individual may freely share links to campaign videos found on YouTube, retweet a PAC advertisement, forward a fundraising invitation by email, post a campaign-related item on his or her Facebook/Meta timeline, or conduct any other similar internet activity and the profile owner or volunteer did not pay to advertise the social media post.

### **Examples**

- PAC A supports political campaigns by connecting uncompensated volunteers to volunteer opportunities in more competitive electoral districts.
- PAC A hosts a meet and greet with Candidate B to encourage volunteers to make calls to eligible voters. The event is organized by paid staff of PAC A and PAC A pays for the food, drinks, and facility rental for the event.
- After the event, some volunteers post flyers in support of Candidate B and make phone calls to voters in support of Candidate B. The volunteers are not reimbursed for their time or any expenses.
- The volunteers' services in support of Candidate B and any unreimbursed expenses incurred in connection with those activities are exempted from the definition of "contribution" and need not be reported.
- The expenses that a PAC incurs for staff time spent organizing a volunteer event and for the food, drinks, and facility rental for the event constitute in-kind contributions from the PAC to the candidate.

## **4 ADVERTISING AND FUNDRAISING DISCLOSURES**

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Any campaign advertisement or fundraising solicitation must include a disclosure statement that indicates it was paid for and authorized by the PAC. A PAC "advertisement" means information or

materials, other than nonpaid social media messages, that are mailed, emailed, posted, distributed, published, displayed, delivered, broadcasted or placed in a communication medium and that are for the purpose of influencing an election. [A.R.S. § 16-901\(1\)](#); [A.R.S. § 16-925\(A\)](#). If applicable, the disclosure must indicate if the expenditure was authorized by any candidate and include the identity of the authorizing candidate. For example, a proper disclosure would read:

**Paid for by XYZ PAC  
Authorized by Doe for House**

If a disclosure contains any acronym or nickname that is not commonly known, the disclosure must spell out the acronym or provide the full name.

In addition, in connection with a PAC expenditure for an advertisement, the disclosure must include the names of the three PACs making the largest aggregate contributions to the PAC making the expenditure if they exceed \$20,000 during the election cycle, as calculated at the time the advertisement was distributed for publication, display, delivery or broadcast. The disclosure statement must also include the aggregate percentage of out-of-state contributors as calculated at the time the advertisement was produced for publication, display, delivery or broadcast. For example, a proper disclosure for a PAC would read as:

Paid for by XYZ PAC  
With \_\_% from out-of-state contributors  
Not Authorized by a Candidate  
See [A.R.S. § 16-925\(B\)](#).

#### **4.1 DISCLOSURE REQUIREMENTS**

The disclosure on a fundraising solicitation should be clearly readable. How the disclosure must be presented depends upon the medium in which the advertisement appears. See [A.R.S. § 16-925](#). For example, if the advertisement is:

- Broadcast on radio, the disclosure must be clearly spoken at the beginning or end of the advertisement;
- Delivered by hand, by mail, or electronically, the disclosure must be clearly readable, and if paid for by a PAC, the disclosure must be displayed in a height that is at least ten percent of the vertical height of the advertisement;
- Displayed on a sign or billboard, the disclosure must be displayed in a height that is at least four percent of the vertical height of the sign or billboard, except that if the advertisement

is paid for by a PAC, the disclosure must be displayed in a height that is at least ten percent of the vertical height of the sign or billboard;

- Broadcast on television or in a video, both of the following requirements must be met:
  - The disclosure must be both written and spoken at the beginning or end of the advertisement, except that if the written disclosure is displayed for the greater of at least one-sixth of the broadcast duration or four seconds, a spoken disclosure is not required; and
  - The written disclosure must be printed in letters that are displayed in a height that is at least four percent of the vertical picture height, except that if the advertisement is paid for by a PAC, the written disclosure must be displayed in a height that is at least ten percent of the vertical picture height. [A.R.S. § 16-925\(D\)\(5\)](#).

#### **4.2 WHEN A DISCLOSURE IS NOT REQUIRED**

A PAC is not required to include a disclosure in the following situations:

- Campaign advertisements or fundraising solicitations made via social media messages, text messages, or messages sent by a short message service. [A.R.S. § 16-925\(E\)\(1\)](#). However, pre-recorded audio messages distributed directly to the voicemail boxes of recipients do not qualify as “messages sent by a short message service” and, therefore, are not exempted from the disclaimer requirement;
- Advertisements that are placed as a paid link on a website, as long as the message is not more than two hundred characters in length and the hyperlink directs the user to another website that contains the requisite disclosure statement;
- Advertisements that are placed as a graphic or picture link where the disclosure cannot be conveniently printed due to the size of the graphic or picture, as long as the hyperlink directs the user to another website that contains the requisite disclosure;
- Bumper stickers, pins, buttons, pens and similar small items on which a disclosure cannot be conveniently printed; or
- A published book or a documentary film or video.

See [A.R.S. § 16-925](#).

## 5 FILING CAMPAIGN FINANCE REPORTS

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A PAC is required to file the following reports, as applicable:

- Campaign finance report, including independent expenditures or monies received or spent for ballot measures. See [A.R.S. § 16-926\(A\)](#); [A.R.S. § 16-926\(H\)](#).
  - A PAC must file a comprehensive campaign finance report, regardless of how much political or financial activity it conducts during the period covered by the report.
- Supplemental independent expenditure reports or “trigger reports” required by the Arizona Clean Elections Act. Trigger reports must be filed via [Beacon](#) within specific timeframes of the expenditure. See [A.R.S. § 16-941\(D\)](#), [A.R.S. § 16-958](#).

### 5.1 CONTENT OF CAMPAIGN FINANCE REPORTS

Arizona law specifies the components of campaign finance reports. [A.R.S. § 16-926\(B\)](#). The Secretary of State’s online filing system, [Beacon](#), publishes reports consistent with statutory requirements from data input by each PAC. For PACs, this included reporting on contributions and expenditures for ballot measures and independent expenditures. [A.R.S. § 16-926\(H\)](#).

All campaign finance reports are deemed to be filed by the PAC treasurer **under penalty of perjury**, notwithstanding that the PAC treasurer does not personally sign a campaign finance report. Accordingly, it is no defense to a campaign finance complaint that someone other than the treasurer filed an incomplete or inaccurate campaign finance report.

### 5.2 INDEPENDENT EXPENDITURES

#### 5.2.1 Trigger Reports (Arizona Clean Elections Act)

A supplemental independent expenditure report, or trigger report, must be filed by a person, PAC, or other entity that makes independent expenditures (i) concerning statewide and/or legislative candidates and (ii) that meet a specific monetary threshold during a reporting period. Trigger reports must be filed with the Secretary of State in accordance with the Arizona Clean Elections Act. The report must set forth the following information:

- Identification of the candidate being supported or opposed;
- The office sought by the candidate being supported or opposed;
- The election date where the candidate will appear on the ballot;

- The mode of advertising (such as radio, television, etc.); and
- The first date of publication, display, distribution or broadcast of the advertisement.

See [A.R.S. § 16-941\(D\)](#), [A.R.S. § 16-958](#).

## **5.3 SPECIAL REPORTING RULES**

### **5.3.1 In-Kind Contributions**

An in-kind contribution must be valued at its usual and normal charge on the date received. [A.R.S. § 16-926\(D\)](#). The PAC must make the determination of what that usual and normal charge is, generally by asking the contributor or by consulting an authoritative third-party source.

### **5.3.2 Processing Fees**

Sometimes a contribution is made through a payment processor that deducts a small fee from the contribution. For example, a contributor might make a \$100 contribution but the PAC might only receive \$97 after a \$3.00 service is deducted by the payment processor.

For consistent reporting, the PAC should report receiving the full amount of the contribution and simultaneously report the value of the service fee as an operating expense. See *e.g.* [FEC AO 1995-09](#).

## **5.4 CAMPAIGN FINANCE REPORTING PERIODS AND DEADLINES**

Campaign finance reports cover the applicable “reporting period.” Reporting periods and deadlines are available at the Secretary’s website. Trigger reports must be filed in addition to the statutory reporting periods and pursuant to [A.R.S. § 16-941\(D\)](#) and [A.R.S. § 16-958](#).

A PAC is required to file campaign finance reports until formally terminated, regardless of the level of political or financial activity during a reporting period.



PAC Reporting Period	Report Due
2025 Quarter 3 Report: July 1, 2025 to September 30, 2025	Oct. 1, 2025 to Oct. 15, 2025
2025 Quarter 4 Report: October 1, 2025 to December 31, 2025	Jan. 1, 2026 to Jan. 15, 2026
2026 Quarter 1 Report: January 1, 2026 to March 31, 2026	April 1, 2026 to April 15, 2026
2026 Quarter 2 Report: April 1, 2026 to June 30, 2026	July 1, 2026 to July 15, 2026
2026 Pre-Primary Election: July 1, 2026 to July 18, 2026	July 19, 2026 to July 20, 2026
2026 Post-Primary Election (Quarter 3): July 19, 2026 to Sept 30, 2026	Oct. 1, 2026 to Oct.15, 2026
2026 Pre-General Election: October 1, 2026 to October 17, 2026	Oct. 18, 2026 to Oct. 19, 2026
2026 Post-General Election (Quarter 4): Oct. 18, 2026 to Dec. 31, 2026	Jan. 1, 2027 to Jan. 15, 2027

Standing PACs have more frequent reporting requirements.

Standing PAC Reporting Period	Report Due
2025 August Pre-Election Report: July 1, 2025 to July 19, 2025	July 20, 2025 to July 26, 2025
2025 August Post-Election (Quarter 3) Report: July 20, 2025 to Sep. 30, 2025	Oct. 1, 2025 to Oct. 15, 2025
2025 November Pre-Election Report: October 1, 2025 to October 18, 2025	Oct. 19, 2025 to Oct. 20, 2025
2025 November Post-Election (Quarter 4) Report: Oct. 19, 2025 to Dec. 31, 2025	Jan. 1, 2026 to Jan. 15, 2026
2026 March Pre-Election: January 1, 2026 to February 21, 2026	Feb. 22, 2026 to Feb. 23, 2026
2026 March Post-Election (Quarter 1): February 22, 2026 to March 31, 2026	April 1, 2026 to April 15, 2026
2026 May Pre-Election: April 1, 2026 to May 2, 2026	May 3, 2026 to May 4, 2026
2026 May Post-Election (Quarter 2): May 3, 2026 to June 30, 2026	July 1, 2026 to July 15, 2026
2026 Pre-Primary Election: July 1, 2026 to July 18, 2026	July 19, 2026 to July 20, 2026
2026 Post-Primary Election (Quarter 3): July 19, 2026 to Sept. 30, 2026	Oct. 1, 2026 to Oct. 15, 2026
2026 Pre-General Election: October 1, 2026 to October 17, 2026	Oct. 18, 2026 to Oct. 19, 2026
2026 Post-General Election (Quarter 4): Oct. 18, 2026 to Dec. 31, 2026	Jan. 1, 2027 to Jan. 15, 2027

## 5.5 PENALTY FOR LATE OR INCOMPLETE CAMPAIGN FINANCE REPORTS

A PAC must file timely and complete campaign finance reports. [A.R.S. § 16-926\(A\)](#); [A.R.S. § 16-937\(A\)](#). If a PAC fails to file a campaign finance report by the applicable deadline, the Secretary of State's Office (or other appropriate filing officer) must send a written notice of the failure to file to the PAC by email within five calendar days after the filing deadline.

**Financial penalties accrue daily *until* the late report is filed.** A filing officer must accept a campaign finance report regardless of whether past-due financial penalties have been paid.

If the PAC does not file its campaign finance report within 30 days after the filing deadline, the filing officer may refer the PAC to the applicable enforcement officer. The Attorney General is the



enforcement officer for matters within the Secretary of State’s jurisdiction. See [A.R.S. § 16-901\(21\)](#); [A.R.S. § 16-937](#); [A.R.S. § 16-938](#).

The Citizens Clean Elections Commission may also impose penalties against participating and nonparticipating candidates for statewide and legislative office for failure to comply with campaign finance reporting requirements. For additional information on these penalties, please refer to [A.R.S. § 16-942](#) and the rules adopted by the [Clean Elections Commission](#).

## **6 WINDING DOWN AND TERMINATING A PAC**

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The process of winding down a PAC entails ceasing all PAC activity, zeroing out the PAC’s bank account (in accordance with Arizona law), and filing a termination statement with the filing officer.

### **6.1 REPAYMENT OF DEBTS**

A PAC must repay its debts to creditors before terminating. If the PAC has sufficient cash on hand, this process is routine.

#### **6.1.1 Fundraising to Retire Debt**

A PAC may continue to fundraise in order to retire debt, even if the election the PAC was formed to advocate for or against has passed.

#### **6.1.2 Debt Forgiveness**

Another way to retire debt is through debt forgiveness, which generally has the same effect as making a contribution.

A debt may be settled or forgiven in its entirety only if the PAC has been unable to repay the debt after 5 years, the creditor has agreed to discharge the debt, and the creditor consents to PAC termination. [A.R.S. § 16-934\(B\)\(2\)\(b\)](#).

### **6.2 DISPOSAL OF SURPLUS FUNDS**

If a terminating PAC has surplus monies remaining after payment of all debts, the PAC may dispose of those surplus monies only in specified ways. See [A.R.S. § 16-901\(50\)](#); [A.R.S. § 16-933](#).

If a terminating PAC has surplus monies remaining after payment of all debts, the PAC may dispose of those surplus monies only in specified ways:

- Return surplus monies to the original contributor;
- Contribute surplus monies to a PAC or political party within the contribution limits;
- Donate surplus monies to a nonprofit organization that has tax exempt status under [Section 501\(c\)\(3\)](#) of the Internal Revenue Code.

**Surplus monies must not be converted for personal use.**

### 6.3 TERMINATING A PAC

Once a PAC has wound down its financial affairs, the PAC may file a termination statement with the Secretary of State's Office (or other applicable filing officer) with whom the PAC's statement of organization was filed. This is the final step to discontinue filing obligations as a PAC; failing to file termination paperwork will result in ongoing obligations to file campaign finance reports. A PAC terminates in [Beacon](#) by selecting "Settings/Account Management" and selecting "Terminate Committee" at the bottom of the page.

PAC termination requirements:

- ✓ Have no outstanding debt.
- ✓ Properly dispose of surplus funds (\$0.00 cash balance).
- ✓ File all outstanding campaign finance reports.
- ✓ Have no outstanding late filing fines.

After a termination statement is filed and accepted, a PAC is not required to file any further campaign finance reports for that PAC.

## 7 CAMPAIGN FINANCE ENFORCEMENT

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Campaign finance enforcement is generally carried out through a bifurcated enforcement structure, relying on an initial determination by the Secretary of State (or other applicable local filing officer) followed by the final decision of the Attorney

General (or other local enforcement officer). The overall process is summarized as follows:

- The filing officer will make a preliminary determination whether a campaign finance violation has occurred, known as a "reasonable cause" finding.
- If the filing officer makes a reasonable cause finding, the filing officer may refer the matter to the appropriate enforcement officer.
- The enforcement officer makes the final determination whether a legal violation occurred, which may require an additional investigation beyond the information provided by the filing officer.
- If the enforcement officer concludes that a campaign finance violation occurred, the enforcement officer may issue a notice of violation to the alleged violator. If the violation has

not been remedied timely, the enforcement officer may initiate legal action to secure compliance with campaign finance law.

- In addition, any person may file a complaint with the Clean Elections Commission if they believe a violation of the Clean Elections Act or Clean Elections Commission rules has occurred. Clean Elections Commission staff may also initiate an internally generated complaint against a person for violation of the Clean Elections Act. See [A.R.S. § 16-957](#).

## **7.1 GROUNDS FOR CAMPAIGN FINANCE COMPLAINTS**

These are some examples of possible grounds for campaign finance complaints against a PAC:

### **7.1.1 Missing or Late Campaign Finance Reports**

If a committee fails to timely file a complete campaign finance report, the Secretary of State's Office (or other local filing officer) will notify the committee by email within 5 calendar days after the reporting deadline. The notice must identify the late report(s), describe how fines accrue, and identify permissible methods of payment for the late fee. [A.R.S. § 16-937](#).

Fines accrue at the rate of \$10.00 per day for the first 15 days after the filing deadline, and \$25.00 per day thereafter. Fines continue to accrue until the late report is filed.

Unpaid fines may have electoral consequences as well. A filing officer may not accept a candidate's nomination paper to run for office if the candidate is subject to an appealable order for \$1,000 or more in unpaid fines. [A.R.S. § 16-311\(J\)](#). The \$1,000 threshold is inclusive of all "fines, penalties, late fees or administrative or civil judgments, including any interest or costs, in any combination, that have not been fully satisfied at the time." [A.R.S. § 16-311\(J\)](#). These must have been assessed in the candidate's political or electoral capacity, not personal capacity. For example, a judgment over \$1,000 resulting from a candidate's student loan default does not constitute grounds to refuse a nomination paper. Additionally, they must be reflected in an *Order* issued by an enforcement or judicial officer—the filing officer is not required to calculate these amounts based on unsubstantiated documentation.

### **7.1.2 Definition of an Independent Expenditure**

An "independent expenditure" is defined by [A.R.S. § 16-901\(31\)](#) as an expenditure that:

- Expressly advocates the election or defeat of a clearly identified candidate; and
- Is not made in cooperation or consultation with (or at the request or suggestion of) the

candidate or the candidate's agent.

An expenditure is not independent if:

- There is any actual coordination between the candidate (or candidate's agent) and the person making the expenditure; or
- Both of the following apply:
  - ✓ The expenditure is based on nonpublic information about the candidate's plans that candidate (or candidate's agent) provided to the person; and
  - ✓ The candidate (or candidate's agent) provided the nonpublic information with an intent towards having the expenditure made.

See [A.R.S. § 16-922\(B\)](#). If either condition exists, the expenditure is conclusively deemed to be coordinated and thus likely to result in an in-kind contribution.

Certain factors create a *presumption* of coordination:

- An agent of the person making the expenditure is also an agent of the candidate whose election or whose opponent's defeat is being advocated by the expenditure. For example, a political consultant should not advise a candidate and an outside group that conducts expenditures in the candidate's race.
- In the same election cycle, the person making the expenditure or that person's agent is or has been authorized to raise or spend monies on the candidate's behalf. For example, the executive director of a trade association that conducts independent expenditures in a particular race should not serve as finance chairman for that candidate.
- In the same election cycle, the candidate is or has been authorized to raise money or solicit contributions on behalf of the person making the expenditure. For example, a candidate should not emcee a fundraising event for a PAC that later conducts expenditures on behalf of the candidate during the election cycle. See [A.R.S. § 16-922\(C\)](#).

These factors constitute rebuttable evidence of coordination. If a person files a campaign finance complaint and cites one or more of the above factors, the burden of persuasion shifts, and the responding candidate must put forth contrary evidence that proves the lack of coordination.

### **7.1.3 Firewalls**

Coordination can be avoided if the outside group making the expenditure maintains a firewall, which is a written policy that precludes one person from sharing information with another. [A.R.S.](#)

[§ 16-901\(28\)](#); [A.R.S. § 16-922\(D\)](#). If properly established, a firewall permits the agent to work with the benefitted candidate without undermining the independence of the group's expenditures.

In order to be effective, a firewall must meet the following criteria:

- The agent may not participate in deciding to make the expenditure or in deciding the content, timing or targeting of the expenditure to benefit a particular candidate;
- The group making the expenditure must have a written policy establishing the firewall and its requirements; and
- Both the agent and group must follow the written firewall policy.

#### **7.1.4 Service on Host Committees**

Fundraising events typically have a host committee, but this does not by itself create a risk of coordination. Host committee members typically play very minor roles. Members are principally expected to make contributions themselves. The existence of a host committee is usually intended to show popular and broad-based support for the candidate. No person should be deterred from serving on a host committee due to possible perception of coordination. So long as the host committee member does nothing more than attend the fundraiser or make a contribution and is not substantially involved in candidate committee strategy or operations, serving on a host committee does not risk turning an independent expenditure into an in-kind contribution.

