

Good morning Kathy,

In response to your questions:

How can Mr. Kennedy appoint a new treasurer without filing a declaration of candidacy?

There are two separate I.C. sections regarding your question – one deals with campaign financing and one deals with getting your name on the ballot.

I.C. 67-6603 outlines that a treasurer must be certified before an individual becomes a candidate or city office, or prior to the time an organization becomes a political committee. No contribution shall be received or expenditure made by or on behalf of a candidate or political committee until a political treasurer is certified.

I.C. 50-432 provides that only during a certain window of time can a candidate file their Declaration of Candidacy and Petition of Candidacy - this year that time period is August 24 through September 4th. (The Declaration of Candidacy and Petition of Candidacy ((or a payment of \$40.00)) are required to get their name on the ballot).

A candidate is not required that they complete a Declaration of Candidacy and Petition of Candidacy before submitting the Appointment of Campaign Treasurer – example an write-in candidate does not file a Declaration of Candidacy/Petition of Nomination and their name would not appear on the printed ballot; however for them to have their votes counted, they do need to file a Declaration of Intent for Write-in Candidate.

How can Mr. Kennedy solicit money for a campaign without filing a declaration of candidacy? See web site.

Anyone can declare their candidacy at any time; however, they cannot accept or spend any funds prior to certifying to the City Clerk their appointment of campaign treasurer. Again, the successful filing of the Declaration of Candidacy and Petition of Candidacy simply places their name on the ballot.

Please respond if this complaint is valid. Has Mr. Kennedy filed as a candidate?

Mr. Kennedy as with all those who has declared their candidacy (example Steve Adams, Josh Arnold) cannot file their Declaration of Candidacy and Petition of Candidacy until August 24th.

In summary, Mr. Kennedy is in compliance with election laws as he has filed his Appointment of Campaign Treasurer.

Kathy, if you have any further questions, or if I can be of any further assistance, please feel free in contacting me.

Susan K. Weathers, CMC
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