



## Summary of Final Board Determination

### I. Daneek Miller

Candidate, 2013, City Council District 27

Program participant: \$95,980 in public funds received

**1. Failing to report merchant accounts used for campaign purposes. \$250**

Campaigns are required to report all bank, merchant, and depository accounts used for campaign purposes. *See* Admin. Code §§ 3-703(1)(c), (d), (g), (6), (10), (11); Board Rules 1-11(d), 2-06, 4-01(f). Bank statements provided by the Campaign revealed that Authorize.net and American Express merchant accounts used by the Campaign were not reported to the CFB.

The Board assessed a penalty of \$250 for this violation.

**2. Failing to provide bank and merchant account statements. \$500**

Campaigns are required to provide copies of all bank and merchant account statements for accounts used for each election. *See* Admin. Code §§ 3-703(1)(d), (g), (11); Board Rule 4-01(f). The Campaign failed to provide requested statements for its BMO Harris Bank, Authorize.net and American Express bank and merchant accounts.

The Board assessed a penalty of \$500 for this violation.

**3. Failing to file daily pre-election disclosure statements. \$100**

Aggregate contributions and loans from a single source in excess of \$1,000, and aggregate expenditures in excess of \$20,000, received or made within 14 days of an election, must be disclosed to the Board within 24 hours. *See* Admin. Code §§ 3-703(6), (12), 3-708(8); Board Rules 1-09, 3-02(e). The Campaign did not file the required daily disclosures to report four expenditures made within the 14 days prior to the primary election totaling \$31,489.78.

The Board assessed a penalty of \$100 for this violation.



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### **4. Making impermissible post-election expenditures. \$563**

After an election and before repaying leftover campaign funds to the Board, participants may spend campaign funds only to pay campaign-related expenses incurred in the preceding election and for “routine activities involving nominal cost associated with winding up a campaign and responding to the post-election audit.” *See* Admin. Code §§ 3-702(21)(a)(8), 3-703(1)(d), (g), (6), (11), 3-710(2)(c); Board Rules 1-03(a), 1-08(b), 5-03(e)(2). Based on the Campaign’s documentation and reporting, it made \$2,253.80 of impermissible post-election expenditures.

The Board assessed a penalty of \$563 for this violation.

### **5. Exceeding the expenditure limit. \$11,617**

Candidates who participate in the Campaign Finance Program may not spend in excess of the expenditure limits (\$168,000 for the primary election for 2013 City Council candidates). *See* Admin. Code §§ 3-703(1)(i), (11), 3-706, 3-711(2)(a); Board Rules 1-08(c), (d), (l), 7-05(b). The Board may assess penalties of up to three times the overage for violations of the expenditure limit. *See* Admin. Code 3-711(2)(a).

Based on the Campaign’s reporting and documentation, the Campaign exceeded the primary election expenditure limit by \$7,745. The Campaign’s overage was 4.6% of the expenditure limit, which corresponds to a penalty of one-and-a-half times the overage under the CFB’s [2013 Penalty Guidelines](#).

The Board assessed a penalty of \$11,617 for this violation.