

New York City Campaign Finance Board Rules

Chapter 10 Voter Guide

Rule 10-01 Definitions.

Except as otherwise provided, the definitions set forth in Rule 1-02 apply in this chapter. In addition, the following terms shall have the following meanings:

"Ballot proposal" shall mean any proposition, referendum, or other question submitted to the voters pursuant to the Charter or to voters in New York City only pursuant to the New York Municipal Home Rule Law or any other law.

"Candidate Voter Guide statement" shall mean the form filed by a candidate pursuant to Rule 10-02(b), containing biographical and other information, a candidate statement, and a photograph of the candidate for inclusion in the primary or general election Voter Guide if the candidate is on the ballot in the election.

"Election" shall mean any primary or general election, other than a special election to fill a vacancy, runoff primary, or election held pursuant to court order, for the office of mayor, public advocate, comptroller, borough president, or member of the City Council, or a general election in which a ballot proposal is on the ballot.

Rule 10-02 Contents.

(a) General information. In addition to any information that the Board determines to be useful for promoting public awareness of the voting process, City government, and the candidates and ballot proposals in an election, the Voter Guide for an election shall contain:

- (1) the date of the election;
- (2) the hours during which the polls are open;
- (3) an explanation of the voter registration process;
- (4) an explanation of how to obtain and use an absentee ballot;
- (5) an explanation of how to cast a vote, including write-in votes;
- (6) maps outlining the boundaries of City Council districts; and
- (7) such tables of contents, graphics, and other materials which the Board determines will make the Voter Guide easier to understand or more useful for the average voter.

(b) Candidates. (1) The Voter Guide for an election shall contain biographical and other information for each candidate in the election who has submitted, in a timely manner, a candidate Voter Guide statement as provided in this subdivision. The following biographical information shall be included:

- (i) the name of the candidate;

- (ii) the political party in which the candidate is enrolled;
- (iii) the previous and current public offices held by the candidate;
- (iv) the current occupation and employer of the candidate;
- (v) prior employment and positions held by the candidate;
- (vi) the experience the candidate has had in public service;
- (vii) the educational background of the candidate;
- (viii) a list of the candidate's major organizational affiliations; and
- (ix) such other biographical and other information as may be determined by the Board and requested on the candidate Voter Guide statement.

(2) The Voter Guide shall contain concise statements on the candidate's principles, platform, or views, for each candidate in the election who has submitted, in a timely manner, a candidate Voter Guide statement which meets the requirements of this chapter. The information submitted in the candidate Voter Guide statement shall be in English and shall be translated by a translation service under contract to the Board.

(3) Any photograph of a candidate submitted in a candidate Voter Guide statement shall meet the following requirements:

- (i) it is a recent photograph;
- (ii) it is a photograph with a plain background;
- (iii) it shows the face or the head, neck, and shoulders of the candidate;
- (iv) it does not include the hands or anything held in the hands of the candidate;
- (v) it does not show the candidate wearing any distinctive uniform, including but not limited to a judicial robe, or a military, police, or fraternal uniform; and
- (vi) it is within such size requirements as may be determined and required by the Board.

(4) (i) A candidate Voter Guide statement shall be included in the primary election Voter Guide for each candidate named in designating petitions filed with the Board of Elections who submits a statement to the Campaign Finance Board which meets the other requirements of this chapter not later than 12 weeks prior to the primary election or such other time as prescribed by the Campaign Finance Board. Notwithstanding the foregoing, a candidate Voter Guide statement shall not be included in the primary election Voter Guide if no contested primary election for the nomination sought by that candidate will be held based on designating petitions filed with the Board of Elections. The Campaign Finance Board shall determine whether a contested primary election will be held based on information available at the time the primary election Voter Guide is sent to press.

(ii) In the case of general election candidates not named in designating petitions filed with the Board of Elections, a candidate Voter Guide statement shall be included in the general election Voter Guide for each such general election candidate who submits a statement to the Campaign Finance Board which meets the requirements of this chapter not later than 12 weeks prior to the general election or such other time as prescribed by the Campaign Finance Board. In the case of candidates for whom a candidate Voter Guide statement was submitted for the primary election Voter Guide, that statement shall be included in the general election Voter Guide, regardless whether it was included in the primary election Voter Guide, and no additional statement or modifications to a statement or other information shall be accepted from such candidates for the general election Voter Guide.

(iii) The Board shall not accept a candidate Voter Guide statement unless it is submitted in a manner provided by the Board, includes any signatures or notarizations required by the Board, and the candidate has verified that the contents of the form are true to the best of his or her knowledge.

(5) Information contained in the candidate Voter Guide statement shall not exceed the length and space limitations provided by the Board. The Board may, in its discretion, edit candidate Voter Guide statements to achieve uniformity of presentation, conformance with length and space limitations, and consistency with existing law.

(6) The candidate Voter Guide statement is a written instrument which, when filed, becomes part of the Board's records. Knowingly filing a written instrument that contains a false statement or false information is a Class A misdemeanor under New York State Penal Law §175.30. A candidate may not include any false information in his or her candidate Voter Guide statement. The candidate shall verify that his or her candidate Voter Guide statement is true, to the best of his or her knowledge.

(7) Together with a candidate Voter Guide statement, the Board shall publish one of the following notices:

(i) In the case of a participant: "The candidate has joined the Campaign Finance Program" or language to like effect.

(ii) In the case of a non-participant: "The candidate has not joined the Campaign Finance Program" or language to like effect.

(d) Ballot proposals. The Voter Guide for the general election shall contain:

(1) the form of each ballot proposal, as it will appear on the ballot, in the general election;

(2) an abstract of each ballot proposal; and

(3) to the extent feasible, a statement of the major arguments for and against the passage of each ballot proposal, clearly labeled as such. If feasible, the Board shall solicit and accept for possible inclusion in the Voter Guide for a general election statements of arguments for and against passage. A statement shall not be accepted by the Board unless the statement:

(i) is submitted in a form and manner provided by the Board and includes any signatures required by the Board;

(ii) conforms to the length and space limitations provided by the Board; and

(iii) identifies the organization, if any, on whose behalf the statement is made. No person may submit more than one statement per ballot proposal pursuant to this paragraph.

(e) Board determines whether to publish statements for and against ballot proposals. With respect to statements of arguments for and against passage of ballot proposals, the Board, in its discretion, may determine:

(1) not to publish any such statements;

(2) not to publish any statements submitted pursuant to paragraph (d)(3);

(3) to publish all or any portion of a statement submitted pursuant to paragraph (d)(3);

(4) to edit any statement submitted pursuant to paragraph (d)(3) and publish the edited statement; and

(5) to compose and publish such statements of arguments for and against passage of ballot proposals as it deems appropriate, or to designate one or more persons to compose such statements.

Rule 10-03 Publication and Distribution.

The Voter Guide shall be published in English and Spanish, and in such other languages as the Board may determine to be necessary and appropriate. The Voter Guide shall be distributed to each household in which there is at least one registered voter eligible to vote in the primary or general election, as the case may be, in the City. In its discretion, the Board may provide for the publication and distribution of a different Voter Guide in each borough or other subdivision of New York City.

Rule 10-04 Elections Not Held As Scheduled.

Notwithstanding any other provision of this chapter, the Board shall take such actions as are practicable to prepare, publish, and distribute a Voter Guide in a timely manner for an election that is not held as initially scheduled.