

Federal Contribution Compliance Tips for the 2018 Primary Season

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1. Check the Federal Election Commission's (FEC) primary election chart before contributing to federal candidates.

Individual donors and federal political action committees (PACs) contributing to federal candidates during the primary season should keep in mind how the timing of primary elections might affect their contribution limits. Because an undesignated contribution to a federal candidate automatically counts toward the donor's contribution limit for the federal candidate's next election, a contribution made during the primary season could count toward either the primary or general election depending on whether the contribution is made before or after the federal candidate's primary. Undesignated contributions to a federal candidate made through the date of the candidate's primary automatically count toward the primary; undesignated contributions to a federal candidate made after the candidate's primary through the date of the general election automatically count toward the general election. In addition, if the federal candidate's primary has already occurred, a donor cannot make any monetary or in-kind contributions for the federal candidate's primary with one exception: If the federal candidate's campaign has outstanding debt from the primary, donors can make monetary contributions for the primary to help retire debt but must specifically designate their contributions for primary debt retirement. Donors who plan to "max out" to a federal candidate for both the primary and general elections, but have not yet made any contributions to the candidate, should ensure they make their primary contributions before the candidate's primary. A list of the 2018 primary election dates is available on the FEC's website [here](#).

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2. If your federal PAC is a quarterly filer, you might need to file pre-primary reports.

A federal PAC that opts to file quarterly reports with the FEC must file a pre-primary report if the PAC makes a contribution or independent expenditure in connection with a primary election during the pre-primary reporting period for that state. The pre-primary reporting period begins after the close of books for the PAC's most recently filed report and ends on the 20th day before the primary election; pre-primary reports are due 12 days before the primary election. In addition, pre-convention and pre-primary runoff reports may be required in some states. Given that state primary elections occur throughout the spring, summer, and early fall of 2018, it is possible that quarterly PAC filers may need to file more than one pre-primary report. To minimize or avoid triggering pre-primary reports, a federal PAC should review the FEC's pre-primary reporting chart and plan to make contributions to federal candidates outside of the applicable pre-primary reporting periods. Alternatively, a federal PAC could avoid triggering pre-primary reports by changing its filing frequency from quarterly to monthly in election years. (Monthly filers are not required to file pre-primary reports.) However, a federal PAC is permitted to change its filing frequency only once per calendar year. The 2018 pre-primary reporting periods and filing deadlines are available on the FEC's website [here](#).

3. Hosting a federal candidate fundraiser in your home? Your \$1,000 in-home event exemption resets after the primary.

Under the in-home event exemption, an individual may spend up to \$1,000 per candidate, per election on food, beverages, and invitations in connection with a federal candidate campaign event held in the individual's home. Each individual residing in the home has a separate \$1,000 exemption; spouses have a combined in-home event exemption of \$2,000 per candidate, per election. Although the money spent under this exemption is not considered to be an in-kind contribution to the federal candidate's campaign (and does not count against the individual's contribution limit for the federal candidate), any money spent in excess of the \$1,000 exemption or for expenses other than food, beverages, and invitations is considered to be an in-kind contribution and counts against the individual's contribution limit for the federal candidate. Because the \$1,000 in-home event exemption applies per candidate, per election, individuals have a separate \$1,000 exemption for the primary and general elections. In-home event expenses paid for through the date of the primary election count toward the \$1,000 exemption for the primary; in-home event expenses paid for after the primary election through the date of the general election count toward the \$1,000 exemption for the general election.