



Fundraising Handbook

2008

Introduction

REALTORS® Political Action Committee and the REALTORS® Political Action Committee of Oklahoma (collectively - "RPAC") fundraising activities involve important legal considerations on both the state and federal law levels. All local boards, local board RPAC committees and individual members involved in fundraising should thoroughly understand the legal limitations, procedures and consequences to which RPAC fundraising activities may be subject.

The Federal Election Campaign Act of 1971 (FECA), as amended, regulates the conduct and financing of federal political campaigns. This includes regulating the operation of federal political action committees such as National RPAC.

Also, since 70% of each contribution made to "RPAC" is transmitted to RPAC of Oklahoma, each contribution is subject to the state law governing state political campaigns. The Oklahoma Ethics Commission statutes, Title 74, Section 4249 through 4258 and rules, Title 257 regulate the activities of Political Action Committees which contribute to state political candidates.

This handbook will discuss simple procedures that local boards and individual members involved in fundraising must follow to comply with federal and state law governing the activities involved in RPAC fundraising.

Solicitation of Contributions

(For local boards, local board RPAC Committees and individual members involved in fundraising)

Only individual REALTORS® can be solicited.

This includes:

*Any individual member of any of the three levels of the REALTOR® Association structure, which includes the following persons:

- *REALTOR® members
- *REALTOR-ASSOCIATE® members
- *Affiliate members

*Family members of any member outlined above

*Executive, administrative and management personnel of the Association and member boards.

DO NOT SOLICIT:

*Corporations. Only individuals can give to RPAC – however, corporate contributions may be made to NAR's Political Advocacy Fund. These contributions do count toward RPAC fundraising goals. For more information on corporate contributions, contact OAR staff.

*Persons who are not members of either the National, State or Local Association of REALTORS®.

The word "solicit" has a special meaning under the law governing fundraising for PACs. You can only "solicit" those members listed above, their families and administrative personnel of the Association. All other persons may not be "solicited." Therefore, RPAC or contributing to RPAC should not be actively promoted in the presence of persons who are not in the class that can be solicited.

The use of a periodical - like your newspaper or newsletter - for solicitation may only be used if 1) the periodical only goes to the class that may be solicited or 2) if the periodical is sent to those outside the

class then the article must be informational only.(The informational article should not encourage support of RPAC or provide information on how to contribute, but may provide a statement as to how much has been collected, the number of contributions or details on where additional information may be obtained.)

Accepting Contributions

(For local boards, local board RPAC Committees and individual members involved in fundraising)

When you are fundraising always keep in mind that certain contributions are prohibited by either state or federal law.

Do not accept:

*Cash contributions over \$50.00

*Anonymous contributions, regardless of the amount

*Contributions over \$5,000.00 from one person or family ("family" is described as an individual, spouse and all children under the age of 18 residing in the same household.)

*Contributions from REALTORS® who are federal contractors or foreign nationals

*Contributions made in the name of another (example: Broker Bob is prohibited from writing a \$100 check from his personal checking account and claiming that the amount represents \$10 from the ten salespersons in his firm.)

All checks must be made payable to "RPAC Escrow Account" and contributions of more than \$50.00 in the aggregate must be accompanied by a completed Contributor Statement.

Timelines for Submitting Contributions to Oklahoma RPAC

Checks of more than \$50.00 must be transferred to Oklahoma RPAC within ten (10) days of the date on the check.

Checks or cash contributions of \$50.00 or less must be transferred to Oklahoma RPAC within thirty (30) days of the date on the check or contribution date.

"Transferred" means that monies must be received at the Oklahoma Association of REALTORS® office by 5:00 p.m. When checks are received after the above deadlines, the local board will receive notification and the contribution will be returned directly to the contributor.

When Collecting RPAC Funds . . .

Local boards, local board RPAC committees and individual members involved in RPAC fundraising must ask several questions when accepting, receiving and transmitting RPAC funds.

1. Have I solicited only REALTORS®?
2. Have I accepted a prohibited contribution?
3. Is the check made out to "RPAC Escrow Account?"
4. Have I made the required disclosures to the person who made the contribution?
5. Have I collected a signed "contributor statement" for every contribution of more than \$50.00?
6. Have the RPAC contributions I collected been immediately transmitted to the local board or state association?(There are federal law restrictions.)

Additional Requirements

7. Have the RPAC contributions collected been transmitted to
Oklahoma RPAC
9807 N. Broadway
Oklahoma City, Oklahoma 73114
according to the timetable required under the law? (Contributions of more than \$50 must be transmitted to Oklahoma RPAC within 10 days of receipt. Contributions of \$50 or less must be transmitted to Oklahoma RPAC within 30 days of receipt.)
8. Are the RPAC contributions being transmitted accompanied by a completed "Contributor List" and have "Contributor Statements" for all contributions of more than \$50.00 been transmitted as well?
9. Are all "Contributor Statements" signed by the contributor? (They are no good unless they are.)
10. Does the "Contributor List" contain the contributor's full name and address, profession, amount of contribution, total for page, total for deposit, board name and number?

Paperwork

The federal law requires that a certain disclosure be made to each contributor and state law requires that each contributor of more than \$50.00 sign a "Contributor Statement." We have combined the two requirements into one solicitation card found below. REMEMBER: certain fundraising events require additional reporting and disclosure. Also, some events may not be permitted under federal or state law, so always contact RPAC of Oklahoma at 1-800-375-9944 before planning an event.



- ★ **Print this RPAC Contributor Statement**
- ★ **Send this Statement along with your payment to:**

**Oklahoma RPAC
9807 North Broadway
Oklahoma City, OK 73114-6312**



How do your RPAC dollars work for you?

- ★ **Led the fight to keep banks out of the real estate business**
- ★ **Defeated proposals that would have placed a new tax on your real estate commissions**
- ★ **Protected home buyers and sellers with the passage of the Oklahoma Home Inspector Licensing Law**
- ★ **Limited your liability with the passage of the Residential Property Condition Disclosure Act**

Your contributions help RPAC continue to fight these and other legislative battles. Contribute to Oklahoma RPAC today!

Contributions are not deductible for income tax purposes. Contributions to RPAC are voluntary and are used for political purposes. You may contribute more or less than the suggested amount. You may refuse to contribute without reprisal and the National Association of REALTORS® or any of its state associations or local boards will not favor or disfavor any member because of the amount contributed. 70% of each contribution is used by Oklahoma RPAC to support state and local political candidates. Until Oklahoma RPAC reaches its RPAC goal, 30% is sent to National RPAC to support federal candidates and is charged against your limits under 2 U. S. C. 441a; after Oklahoma RPAC reaches its RPAC goal, it may elect to retain your entire contribution for use in supporting state and local candidates. More information is available online at www.OklahomaRealtors.com/RPAC

★ Corporate monies cannot be accepted as RPAC contributions ★

Contributor Statement

Contributor's Name: _____ Date Given: _____

Address: _____ City: _____ St: _____ Zip: _____

Work Phone (_____) _____ Local Board _____

Occupation: _____ Employer: _____

Please check one: Cash Written Instrument (Personal Check payable to *RPAC Escrow Account*) VISA MasterCard Name on Card: _____



Acct #: _____ Exp. Date: _____

Note: VISA or MasterCard only. Contributions on corporate credit card accounts are NOT allowed.

Declarations: The contribution listed above was freely and voluntarily given by me from my personal property. I have not, directly or indirectly, been compensated or reimbursed for the contribution listed above.

Signature of contributor: _____ **Date:** _____

Contributions or gifts to National REALTORS® Political Action Committee and Oklahoma RPAC are not tax deductible as charitable contributions for income tax purposes.

The RPAC Funds Administrative Process

INDIVIDUAL MEMBER writes \$99.00 personal check made out to
RPAC Escrow Account,
fills out and signs a RPAC Contributor Statement Card and



gives it to **RPAC CHAIRMAN OR
ANY MEMBER INVOLVED IN FUNDRAISING**
who immediately sends or delivers it to the LOCAL BOARD.



The **LOCAL BOARD** takes the contribution and contributor statement,
completes a contributor list and mails it all to
RPAC Oklahoma, 9807 N. Broadway, OKC, OK 73114
within 10 days of receipt of the \$99.00 check.



The **STAFF AT OAR** who provide support to RPAC Oklahoma deposit the
check into the RPAC Escrow Account, making sure to check that the
contributor list and contribution statement are in order, then



The **BANK** at which the RPAC Escrow Account is maintained periodically
sweeps the RPAC Escrow Account sending



30% of the \$99.00
contribution to
National RPAC



70% of the \$99.00
contribution to
Oklahoma RPAC

Contributor List

The form below is a "contributor list" and is to be used when sending contributions into RPAC Oklahoma for processing. A digital copy is available through OKRPAC.com.

REALTORS POLITICAL ACTION COMMITTEE INDIVIDUAL CONTRIBUTOR INFORMATION

STATE: OKLAHOMA

COMPANY NAME REQUIRED BY F.E.C FOR CONTRIBUTIONS OF MORE THAN \$200.00

	NRDS NUMBER	MEMBER TYPE	CONTRIBUTION DATE	CONTRIBUTION AMOUNT (100%)	NAT'L RPAC PORTION (MINIMUM 30%)
CONTRIBUTOR NAME (LAST NAME, FIRST NAME, MI)					
MAILING ADDRESS					
CITY, STATE, ZIP CODE					
COMPANY NAME					
CONTRIBUTOR NAME (LAST NAME, FIRST NAME, MI)					
MAILING ADDRESS					
CITY, STATE, ZIP CODE					
COMPANY NAME					
CONTRIBUTOR NAME (LAST NAME, FIRST NAME, MI)					
MAILING ADDRESS					
CITY, STATE, ZIP CODE					
COMPANY NAME					
CONTRIBUTOR NAME (LAST NAME, FIRST NAME, MI)					
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COMPANY NAME					
CONTRIBUTOR NAME (LAST NAME, FIRST NAME, MI)					
MAILING ADDRESS					
CITY, STATE, ZIP CODE					
COMPANY NAME					
CONTRIBUTOR NAME (LAST NAME, FIRST NAME, MI)					
MAILING ADDRESS					
CITY, STATE, ZIP CODE					
COMPANY NAME					

OF CONTRIBUTORS THIS PG: _____

PG TOTALS: _____