

## **1. Who must file a Statement of Interest and when is it due?**

General Assembly members; the Governor; the Governor's cabinet and cabinet-level staff; and the constitutional officers are required to file the Statement (<http://www.tn.gov/sos/tec/forms/ss-8004.pdf>) by April 15 each year. [T.C.A. § 2-10-128]

Members of the Supreme Court; members of the court of criminal appeals; members of the court of appeals; each delegate to a constitutional convention; the attorney general; district attorneys general and public defenders for each judicial district; the administrative director of the courts; the executive director of the district attorneys general conference; the state election coordinator; members of the board of probation and parole; members and the executive director of the alcoholic beverage commission; the chancellor of the board of regents and the president of each college or university governed by the board of regents; the president of the University of Tennessee and the chancellor of each separate branch or campus of the University of Tennessee; members of the registry of election finance; members of the Tennessee ethics commission; and local elected officials are required to file the Statement (<http://www.tn.gov/sos/tec/forms/ss-8005.pdf>) by January 31 of each year. [T.C.A. § 8-50-504]

Candidates for all of the above mentioned offices that are elective are required to file the Statement (<http://www.tn.gov/sos/tec/forms/ss-8005.pdf>) no later than 30 days after the last day to qualify as a candidate. (See Question #4.)

Appointees to any of the above offices are required to file the Statement within 30 days from the date of appointment. The appointing authority is required to notify the Commission of any such appointment within three days of appointment. [T.C.A. § 8-50-501(b)] If the office falls under the April 15 deadline, the appointee should file the ss-8004 form (<http://www.tn.gov/sos/tec/forms/ss-8004.pdf>). Likewise, if the office falls under the January 31 deadline, the appointee should file the ss-8005 (<http://www.tn.gov/sos/tec/forms/ss-8005.pdf>).

## **2. Where do I get the form and where do I file it?**

The Statement may be filed electronically (<https://apps.tn.gov/conflict/>) or by paper. You can download the form from the Commission's website (<http://www.tn.gov/sos/tec/>) or contact (615-741-7959) the Commission to have the form mailed to you. If filing by paper, the Statement should be mailed to the Commission at 404 James Robertson Parkway, Suite 104, Nashville, TN 37243.

## **3. I didn't raise or spend money on my campaign. Why do I have to file?**

The Statement of Interest is not a campaign finance disclosure. It is a personal statement of disclosure. You are required to identify information such as sources of income, investments, etc. You should never enter monetary amounts, account numbers, or social security numbers on the Statement. That information is not required.

## **4. I filed my January 31 Statement but I am running for re-election this year. Do I have to file again this year?**

No, if you are running for the same office you are not required to file twice in one year.

## **5. I filed my January 31 Statement but I am now running for a different office. Do I have to file again?**

Yes.

**6. Does the Statement have to be notarized?**

No, it does not. However, it does require a witness. The witness should be a person other than the filer.

**7. What happens if I do not timely file my Statement or do not file it at all?**

The Commission has the authority to impose civil penalties against a required filer for failing to file a Statement on time and ignoring subsequent warnings to file. [T.C.A. § 8-50-505]

**CLASS ONE (1) OFFENSES.** The Commission may impose class one (1) civil penalties of \$25 a day up to a maximum of \$750 for the late filing of any Statement of Interest required to be filed with the Commission. The law sets specific procedures that must be followed whenever the Commission discovers that a Statement has not been filed [T.C.A. § 3-6-205(a)(1)]

The Commission must notify the filer by personal service or by return receipt required mail that the report has not been received and that civil penalties of \$25 a day will begin to accrue five days after receipt of the notice until the report is filed or for thirty days, whichever occurs first. [T.C.A. §3-6-205(a)(1)(A)]

Civil penalties will not be assessed if the Statement is filed within that five-day grace period.

**CLASS TWO (2) OFFENSES.** The Commission also has the authority to impose civil penalties of up to \$10,000. A class two offense is the failure to file a report within thirty five days of service of notice. [T.C.A. § 3-6-205(a)(2)]

The law requires the Commission to send an assessment letter to the filer before any class two (2) civil penalties are imposed by the Commission, advising the filer of the factual basis of the violation, the maximum penalty and the date that a response must be filed. [T.C.A. § 3-6-205(a)(2)(A)]

**CONTESTED PENALTIES.** To appeal any penalty imposed by the Commission, a person must file a petition with the Commission. [T.C.A. §3-6-205(a)(2)(B)].

**8. If I fail to file, can I qualify as a candidate for future elections?**

A candidate for state public office who fails to file the Statement shall be ineligible to qualify for election to any state public office until the statement is filed with the Commission. [T.C.A. § 3-6-205(b)]