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Sec. 9-711-1. De minimis excess expenditures

The Commission shall determine whether an excess expenditure is de minimis by considering the following factors:

1. the size of the excess expenditure in relation to the applicable expenditure limit;
2. whether any unforeseen extraordinary circumstances, such as a natural disaster, contributed to the obligation to incur or the occurrence of the excess expenditure;
3. whether the participating candidate or such candidate's campaign treasurer exercised due diligence to abide by the applicable expenditure limit, notwithstanding the excess expenditure;
4. whether the participating candidate or such candidate's campaign treasurer has used such candidate's or treasurer's personal funds to either pay for the excess expenditure or reimburse the qualified candidate committee for its payment of such excess expenditure; and
5. whether the participating candidate or such candidate's campaign treasurer agrees to pay any penalties assessed by the Commission in relation to the excess expenditure.

(Adopted effective June 28, 2007)