City of Los Alamitos



Candidate's Handbook

November 8, 2016

General Municipal Election

CITY OF
Los Alamitos
California

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Los Alamitos, CA 90720-5600
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www.cityoflosalamitos.org

July 18, 2016

SUBJECT: GENERAL INFORMATION REGARDING NOVEMBER 8, 2016 MUNICIPAL ELECTION

Dear Candidate,

Congratulations on your decision to run for the office of Council Member in the City of Los Alamitos.

To assist you, the City Clerk's office has assembled this Candidate's Handbook to help guide you through the nomination process. This handbook explains the various rules, regulations, and common practice ideas for your campaign. Please feel free to call or visit City Hall if you have any questions or concerns regarding your candidacy in the November 8, 2016, General Election.

City Hall offices are open Monday through Thursday, 7:30 a.m. to 5:30 p.m., and alternating Fridays, 7:30 a.m. to 4:00 p.m. City Hall is closed July 29 and August 12. However, since August 12 is the last day of the filing period, the City Clerk's office will be open from 10:00 a.m. to 4:00 p.m., for Candidate filing purposes only.

You are encouraged to file your nomination papers early to correct any possible errors or insufficiencies in the forms. Appointments are highly recommended to insure ample time to thoroughly review the filing requirements and answer any questions. Please call me at (562) 431-3538, ext. 220, if you have any questions.

Sincerely,

CITY OF LOS ALAMITOS

Windmera Quintanar, CMC
City Clerk

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

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Election
Calendar

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

ELECTION CALENDAR

June 20	**CALL ELECTION** *(Elections Code §§12101, 12102, 10242)* On or before this date the City Council will adopt a Resolution calling the Election.
July 4– July 18	**NOTICE OF ELECTION** The City Clerk shall publish a Notice of Election.
July 18 – August 12	**NOMINATION PERIOD** *(Elections Code §§10220-10225, 104-105, 10407)* Filing period for candidates to file nomination papers and Candidate Statements with the City Clerk. **CANDIDATE STATEMENTS** During this period candidates may file with the City Clerk a candidate statement not to exceed 200 words for inclusion in the Official Sample Ballot Booklet. The statement shall be filed no later than the last day to file nomination documents.
August 12 4:00 p.m. ***City Hall will be open 10:00 a.m. to 4:00 p.m. Candidate Filing purposes ONLY***	**FILING NOMINATION PAPERS DEADLINE DATE** *(Elections Code §§10220,10224)* Last day for candidates to file nomination documents with the City Clerk if the incumbents eligible for re-for election have filed. **CANDIDATE WITHDRAWAL** No candidate whose Declaration of Candidacy has been filed may withdraw after this date.
August 17 5:30 p.m.	**FILING NOMINATION PAPERS - EXTENSION** *(Elections Code §§10225)* If an incumbent does not file, last day and hour for nomination papers to be filed with the City Clerk. No incumbent may file during the extended filing period.

August 18	**ORDER OF NAMES ON BALLOT** *(Elections Code §§13112)* The Secretary of State conducts a drawing of the letters of the alphabet constituting a randomized alphabet to be used in determining the order of all candidates on the ballot. The random alphabet can be accessed on the Secretary of State's website at www.ss.ca.gov. The City Clerk will inform all candidates of the ballot order according to the randomized alphabet.

August 25	**CANCELLED ELECTION BECAUSE OF AN INSUFFICIENT NUMBER OF CANDIDATES** *(Elections Code § 10229)* Last day for the City Clerk to make appointment(s) in lieu of election when an insufficient number of candidates file for office. If an appointment(s) is not made, the election shall be held.

September 12 – October 25	**STATEMENT OF WRITE-IN CANDIDACY** *(Elections Code §8600-8604, 10103, 10220, 15340, 15341, 15342)* A name written on a ballot will not be counted unless the person has filed during this period a Statement of Write-In Candidacy and sponsors' signatures stating that he or she is a Write-In Candidate for the election.

September 29	**FILING DEADLINE FOR FIRST PRE-ELECTION CAMPAIGN EXPENDITURE STATEMENTS** *(Govt. Code §§84200.4, 84200.7, 84200.8, 84215e)* Last day for each candidate and each committee supporting or opposing a candidate or candidates or supporting or opposing a ballot measure or ballot measures to file campaign statements with the City Clerk. (Filing period is 7/1/16-9/24/16).

October 10 – November 1	**VOTE-BY-MAIL BALLOT APPLICATIONS** *(Elections Code §§3001)* During this time any voter entitled to vote-by-mail ballot may file with the County Election Department, either in person or by mail. Applications received prior to the first day of the period shall be held and processed during the application period.

October 18	**SAMPLE BALLOTS AND POLLING PLACE NOTICES** *(Elections Code §13303)* Last day for the County Elections Department to mail to each registered voter a sample ballot and a polling place notice showing the location of the precinct polling place of the voter.

October 24	**VOTER REGISTRATION CLOSES** *(Elections Code §2107)* Last day to register to vote in the November 8, 2016 Election.

October 27	**FILING DEADLINE FOR SECOND PRE-ELECTION CAMPAIGN STATEMENTS** *(Government Code §§84200.8, 84215e)* Last day for each candidate and each committee supporting or opposing a candidate or candidates or supporting or opposing a ballot measure or ballot measures to file campaign statements with the City Clerk. (Filing period is 9/25/16-10/22/16).

November 1	**NOTICE OF NOMINEES – PUBLICATION** *(Elections Code §12110,12112.11)* On or before this date, the City Clerk shall publish a list of nominees once in a newspaper of general circulation within the city.

November 2 – November 8	**EMERGENCY VOTE-BY-MAIL PERIOD** *(Elections Code §3021)* During this time any voter may apply for a vote-by-mail ballot if conditions require his or her absence from the precinct on Election Day. The voter may designate an authorized representative to pick up and return the ballot.

August 10 – November 8	**LATE CONTRIBUTIONS/INDEPENDENT EXPENDITURES (FORM 497)** File statement with City Clerk within 24 hours of making or receiving late contributions of $1,000 or more during the 16 days immediately prior to the election in which the candidate or measure is being voted on.

November 8	**ELECTION DAY** *(Elections Code §§10242)* Polls open 7:00 a.m. to 8:00 p.m.

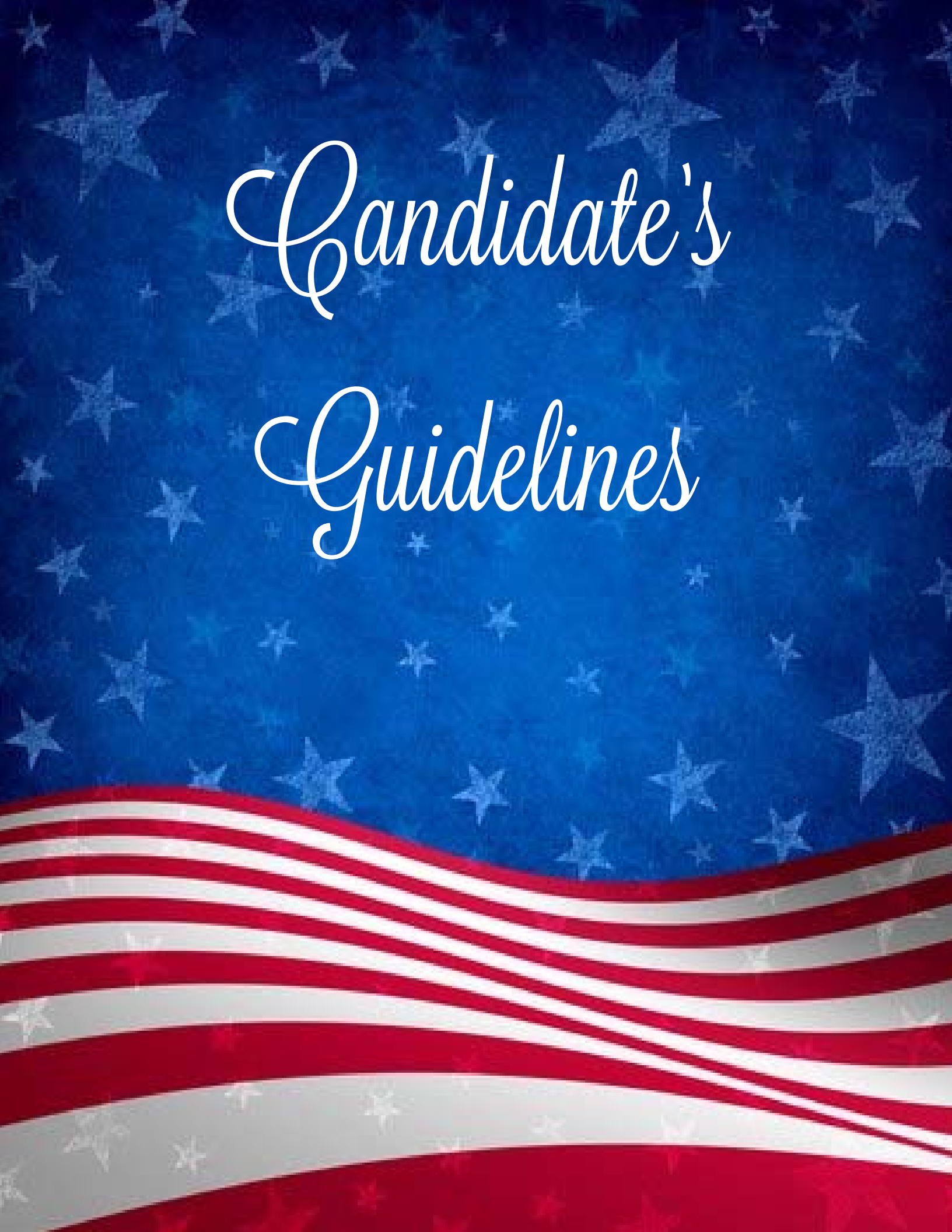
November 9	**OFFICIAL CANVASS OF ELECTION BEGINS** The Official Canvass by the County Elections Department of returns shall commence no later than the first Thursday following the election.

November 21	**COMPLETION OF OFFICIAL CANVASS** *(Elections Code §§ 10262,10263)* A certified statement of the results of the election shall be prepared and submitted to the governing body no later than the last Monday before the last Friday in November.

November 21 – December 23	**RESULTS OF ELECTION** *(Elections Code §§ 10262, 10264)* During this period the City Council shall adopt a Resolution citing the results of the election. The City Clerk shall issue a Certificate of Election and administer the oath to each person elected.

	STATEMENTS OF ECONOMIC INTERESTS (FORM 700) *(Government Code §§87202, 87204)* Every person elected to the Office of Member of the City Council and persons leaving those offices shall file an assuming or leaving office statement disclosing investments and interests in real property. **Form 700 shall be filed no later than 30 days after assuming/leaving office.**

January 31, 2017	**CAMPAIGN EXPENDITURE STATEMENTS** *(Government Code §§84200.8, 84215e)* Last day for each candidate and each committee supporting or opposing a candidate or candidates or supporting or opposing a ballot measure or ballot measures to file campaign statements with the City Clerk. The closing date is **December 31, 2016.** (Filing period is 10/23/16 – 12/31/16)


Candidate's
Guidelines

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

CANDIDATE'S GUIDELINES

This handbook has been prepared to assist candidates in the election process by providing general guidance only. It is not intended to provide legal advice. Candidates and others using this book must bear full responsibility for making their own determinations as to all legal standards, duties, and factual material contained herein.

ELECTION SUMMARY

ELECTION DATE: November 8, 2016. Polls are open from 7:00 a.m. to 8:00 p.m.

OFFICES TO BE FILLED: Two Members of the Los Alamitos City Council

TERM OF OFFICE: Four years

CANDIDATE ELIGIBILITY: Registered voter (18 years old) in the City of Los Alamitos at the time Nomination Papers are issued

NOMINATION PERIOD: Monday, July 18, 2016, through 4:00 p.m., Friday, August 12, 2016

NOMINATION PERIOD (EXTENDED): 5:30 p.m., Wednesday, August 17, 2016
(if an incumbent fails to file)

OFFICE HOURS: Monday – Thursday: 7:30 a.m. to 5:30 p.m.
Alternate Fridays: 7:30 a.m. to 4:00 p.m., closed alternate Fridays

REQUIRED WHEN FILING FOR NOMINATION

- $25 Filing Fee
- Nomination Paper
- Ballot Designation Worksheet
- Form 700 – Statement of Economic Interests

Optional Forms When Filing For Nomination - must be received at the same time as Nomination Paper and Form 700

- Candidate Statement with $650 deposit
- Code of Fair Campaign Practices

LAST DAY TO REGISTER TO VOTE: Monday, October 24, 2016

NOMINATION PROCESS

OFFICES TO BE FILLED

There are two (2) Council seats to be filled. Candidates elected at the November 8, 2016, election will serve a four-year term.

CANDIDATE ELIGIBILITY

To be eligible for candidacy for the office of City Council of the City of Los Alamitos, you must be a registered voter in the City of Los Alamitos. Prior to issuing Nomination Papers, the registration of all prospective candidates will be **verified** with the Orange County Registrar of Voters.

NOMINATION PAPERS

Nomination Papers are obtained from the City Clerk's Office, beginning at 7:30 a.m. on Monday, July 18, 2016, through 4:00 p.m. on Friday, August 12, 2016.

If Nomination Papers for an incumbent member of the City Council are not filed by 4:00 p.m. on Friday, August 12, 2016, the voters shall have until 5:30 p.m. on Wednesday, August 17, 2016, to nominate candidates other than the incumbent for such elective office.

Following verification that you are a registered voter in the City of Los Alamitos, your name will be typed onto the Nomination Paper and the Nomination Paper will be signed by the City Clerk or her designee and issued to you for circulation.

In accordance with State law, the City Council has implemented a filing fee of $25 to be paid at the time Nomination Papers are filed. California Courts have ruled that we may not refuse to place a candidate's name on the ballot due to an inability to pay the filing fee. If the City Clerk cannot waive the fee after review of financial documents, there is another alternative. Candidates may substitute four additional signatures for each one-dollar of the filing fee (100 additional signatures) in accordance with Elections Code Section 8106.

Listed below are key steps to follow in the circulation of a Nomination Paper:

Circulator

- You may circulate your own Nomination Paper or any registered voter in the City of Los Alamitos may circulate it on your behalf. However, only <u>one</u> voter may circulate the Nomination Paper.

- The "Declaration of Circulator" on the back of the Nomination Paper <u>must</u> contain the dates between which the paper was circulated and the circulator's address and signature.

- All information contained in the "Declaration of Circulator" <u>must</u> be completed in the <u>Circulator's own handwriting.</u>

Signatures

- The Nomination Paper must contain at least 20 signatures, but no more than 30 signatures of registered voters in the City of Los Alamitos. A candidate will be disqualified if they have too many signatures or less than 20 required signatures.

- You are urged to obtain the maximum of 30 signatures to ensure that you have the required amount in the event signatures are disqualified. A Nomination Paper containing more than 30 signatures will not be accepted.

- Each person signing the Nomination Paper must personally sign his/her name as it appears on the voter's affidavit of registration and print his/her name on the second line.

- Each person signing the Nomination Paper must personally print his/her address (street and number) in the space provided.

- A voter may sign as many Nomination Papers as there are seats to be filled. In this election, there are two (2) seats to be filled.

- A candidate may sign his/her own Nomination Paper.

Affidavit of Nominee and Oath or Affirmation of Allegiance
Found on the last page of the Nomination Paper, the oath and signature must be completed in the presence of the City Clerk or her designee. If you are having a representative submit your nomination papers, the signature on the affidavit must be notarized.

The affidavit shall contain:

1. The candidate's name
2. Name of office sought
3. The candidate's name exactly as the candidate wants it to appear on the ballot
4. The candidate's ballot designation exactly as the candidate wants it to appear on the ballot
5. The candidate's residence address
6. Signature in the presence of the City Clerk or notarized affidavit

CANDIDACY WITHDRAWAL
A candidate may withdraw his/her candidacy after his/her Nomination Paper is filed with the City Clerk up to and including the last applicable day of filing on Friday, August 12, 2016, 4:00 p.m.

BALLOT DESIGNATIONS
Per Section 13107 of the California Elections Code, a candidate may, immediately under his/her name on the ballot, place no more than three words designating the principal profession, vocation, or occupation of the candidate. The ballot designation shall be included on the Nomination Paper at the time it is submitted to the City Clerk. See the Elections Code and Secretary of State's regulations included in this handbook for more information.

If the City Clerk finds the ballot designation submitted by a candidate violates any of the restrictions set forth in the Elections Code, the City Clerk will notify the candidate by registered or certified mail, return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents.

The candidate shall, within three (3) days from the date of receipt of the notice, appear before the City Clerk and provide an alternate designation.

If the candidate fails to provide an alternate designation, no designation will appear after the candidate's name.

CHANGING BALLOT DESIGNATIONS
No ballot designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except when specifically requested by the City Clerk to change an unacceptable designation.

BALLOT DESIGNATION WORKSHEET
Each candidate who submits a ballot designation shall file a Ballot Designation Worksheet that supports the use of that ballot designation by the candidate. The Worksheet shall be in a format prescribed by the Secretary of State. The Ballot Designation Worksheet shall be filed with the City Clerk at the same time that the candidate files his or her Nomination Papers. In the event the candidate fails to file a Ballot Designation Worksheet, no designation shall appear under the candidate's name on the ballot.

ORDER OF CANDIDATES ON BALLOT
On Thursday, **August 18, 2016**, the Secretary of State's Office will conduct a random alphabetical drawing to determine the order in which qualified candidate names shall appear on the ballot for the election held on November 8, 2016. Candidates will be notified of their ballot position after the random drawing occurs.

VOTE-BY-MAIL BALLOTS
A vote-by-mail ballot is available to any registered voter. Applications may be obtained from the City Clerk's Department or registered for online at the Orange County Registrar of Voters website, www.ocvote.com.

PRECINCT MAPS
A precinct map is available for review in the City Clerk's Office. Information has been provided in this handbook for purchase of personal copies.

COUNCIL AGENDAS
Complete City Council agendas are available online at http://cityoflosalamitos.org. The City Clerk's Office will make copies of City Council agenda materials available to all candidates from the end of the filing period, August 12, 2016, until the election. If you wish to have the material printed, please make your request in writing and send it to wquintanar@cityoflosalamitos.org. The agenda packets will be available for pickup by you or your representative late Thursday afternoon preceding the Monday evening Council meeting.

CANDIDATE STATEMENT GUIDELINES

The Candidate Statement is **optional**; the statement appears in the Voter's Pamphlet (sample ballot), which is mailed to every registered voter in the City of Los Alamitos no less than 21 days before the election. If you choose to file a Candidate Statement, the contents of the statement will be confidential until the end of the filing period. If you choose to prepare and file a Candidate Statement, please keep the following in mind:

- If the candidate wishes to file a Candidate's Statement, it must be filed at the time the Nomination Paper is filed.

- The Candidate Statement must be submitted in Microsoft Word via e-mail to wquintanar@cityoflosalamitos.org. Handwritten statements or statements on lined paper will not be accepted.

- The statement may include the name, age, occupation of the candidate, and a brief description of no more than 200 words of the candidate's education and qualifications.

- A Candidate's Statement of Qualifications may make no reference to another candidate; shall be limited to a recitation of the candidate's own personal background and qualifications; and, shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities.

- A "Word Count Standard" for Candidate Statements is enclosed to assist you in completing the statement within the 200 words allowable.

- At the time you file your Candidate Statement, the City Clerk or her designee will count the words in the statement. If you exceed the word limit, you will be given the opportunity to revise the statement before it is accepted.

- The statement shall NOT include political party affiliation of the candidate, nor membership or activity in partisan political organizations.

- The statement may be withdrawn, but not changed, during the period for filing Nomination Papers, July 18 – August 12, 2016.

- In the event that the nomination period is extended because an incumbent did not file Nomination Papers, the Candidate Statement may be withdrawn, but not changed during the extended period, August 17, 2016, 5:30 p.m.

- **Boldface**, *italics*, underlining, WORDS IN ALL CAPITALS, bullets, asterisks, etc. are not allowed. All Candidate Statements will be printed in block paragraph format.

- Check your statement carefully for errors in spelling, punctuation, and grammar before filing. With the exception of formatting requirements, your statement will be printed exactly as submitted.

- Candidates wishing to file a Candidate's Statement will be required to pay in advance his/her pro rata share (estimated at $650) of the printing, handling, and mailing costs. Pursuant to minority language provisions of the Federal Voting Rights Act, Orange County is required to provide election materials in the Chinese, Korean, Spanish, and Vietnamese languages in addition to English. The materials covered by this Act include Candidates' Statements. Therefore, the estimated cost of $650 includes translating and printing of Candidates' Statements in the Chinese, Korean, Spanish and Vietnamese languages. These materials will be provided to voters who have requested Chinese, Korean, Spanish and Vietnamese language election materials.

- Any additional amount due the City shall be billed as soon as the final costs have been determined. The City Clerk will refund any overpayment by the candidate within 30 days of the election.

- If a candidate alleges to be indigent and unable to pay in advance the requisite fee for submitting a Candidate Statement, the candidate shall submit to the City a statement of financial worth to be used in determining whether or not he/she is eligible to submit a Candidate Statement without payment of the fee in advance. The candidate shall also sign a release form of the candidate's most recent Federal income tax report. The statement of financial worth shall be submitted by the candidate together with his/her Candidate's Statement. A determination as to whether or not

the candidate is indigent will be made and the candidate notified. Statements of Financial Worth forms are available in the City Clerk's Office.

- Candidates are liable for civil or criminal action or penalty for false, slanderous or libelous statements offered for printing or contained in the voter's pamphlet.

- See Resolution No. 2016-17 in your Candidate Handbook for regulations regarding Candidate Statements.

POLITICAL REFORM ACT

All candidates for municipal office are subject to the provisions of the Political Reform Act of 1974, as amended. The Fair Political Practices Commission (FPPC) has been charged with carrying out the provisions of the Act. Candidates will be required to file two kinds of statements, Statement of Economic Interests (Form 700) and Campaign Expenditure Statements, in compliance with the Political Reform Act.

FORM 700 - STATEMENT OF ECONOMIC INTERESTS

State law requires that all candidates file a Statement of Economic Interests (Form 700) with the City Clerk at the time Nomination Papers are filed. Form 700 contains detailed instructions for completing the statement. Please read the instructions carefully.

- You should check the box labeled "Candidate" and sign your name in ink on the first page of the form.

- Candidates are required to complete Schedules A-1, A-2, and B, disclosing investments and interest in real property held on the date of the filing.

- In addition, the completion of Schedules C, D, E, and F are required for disclosing income received during the 12 months prior to the date of filing.

- Should you have nothing to report, you may simply complete and file the cover page indicating "None – No reportable interests on any schedule."

- Once this document is filed it becomes a public record. The original is forwarded by the City Clerk to the Fair Political Practices Commission, a copy is kept in the official records of the City, and a redacted version is posted on the City's website.

CAMPAIGN DISCLOSURE

Included in the Candidate Handbook is a copy of "Campaign Disclosure Manual 2". This manual contains pertinent information for both campaign candidates and committee treasurers.

If you have any questions about a disclosure, you can obtain free advice from the Fair Political Practices Commission (FPPC), Technical Assistance Division, in Sacramento, at 1-866-275-3772. The FPPC's website address is www.fppc.ca.gov.

Pre-Campaign Candidate Intention Requirements – Forms 501 & 410
If you plan to be a candidate for local office and you intend to receive contributions from others, or you plan to expend personal funds on your campaign, you must file the following forms:

FORM 501 – CANDIDATE INTENTION STATEMENT
For use by all "recipient committees" which receive $2,000 or more in contributions in a calendar year.

File a Candidate Intention Statement, Form 501, with the City Clerk prior to solicitation or receipt of any contributions or expenditures of any personal funds used for the election (excluding expenditures for your statement of qualifications in the ballot pamphlet).

An incumbent candidate must file a separate Form 501 for each election, including re-election to the same office.

FORM 410 – STATEMENT OR ORGANIZATION (RECIPIENT COMMITTEE)
For use by all "recipient committees" which receive $2,000 or more in contributions in a calendar year.

Candidate Committee names must include the Candidate's last name, office sought, and the year of the Election. Incumbents running for reelection must file an amended Form 410 to change the committee name to reflect the current election year. Forms submitted to the Secretary of State without the required information will be rejected.

File the original and one copy with the Secretary of State, Political Reform Division, 1500 – 11th Street, Room 495, Sacramento, CA 95814, and a copy with the City Clerk.

A Statement of Organization, Form 410 must be filed within 10 days of receiving $2,000 in contributions, or within 24 hours if a committee qualified during the 16 days prior to an election.

The term "contribution" includes monetary payments, loans, and non-monetary goods or services.

If a form 410 is filed prior to receipt of $2,000 in contributions, check the box "Not Yet Qualified." Once the committee qualifies, you must file an amended Form 410 to report the date qualified.

A campaign bank account must be established at an office of a financial institution located in the State of California.

Payment for Candidate Filing Fee/Candidate Statement Fee
Payments from a candidate's personal funds for either the $25 filing fee or the $650 Candidate Statement fee are not reportable contributions or expenditures.

Payments for the filing fee and Candidate Statement fee from campaign funds continue to be reportable expenditures on Form 460, Schedule E; a third party payment of these fees is an in-kind contribution and is reported on Form 460, Schedule C.

CAMPAIGN EXPENDITURE STATEMENTS (FORMS 460 & 470)
Candidates are required to file campaign expenditure statements, Form 460 and/or Form 470 during the course of the campaign.

Form 460 – Recipient Committee Campaign Statement
For use by candidates who intend to raise or spend $2,000 or more during the calendar year or by a candidate filing with one or more controlled committees.

Form 460 is to be filed three times during the election period. In each case the original is to be filed with the City Clerk as follows:

First Pre-election:	Due September 29, 2016, for the period of July 1 – September 24, 2016.
Second Pre-election:	Due October 27, 2016, for the period of September 25 – October 22, 2016.
Late Contributions of $1,000 or more:	During the period of August 10 – November 8, 2016, late contributions of $1,000 or more must be reported to the City Clerk within 24 hours on a Form 497, by personal delivery, e-mail, guaranteed overnight service, or fax.
Semi-annual:	Due January 31, 2017, for period of October 23 – December 31, 2016.

Semi-annual filings must be submitted every six months until the committee is terminated by the filing of another Form 410. Late filers are fined pursuant to State law.

Form 470 - Officeholder and Candidate Campaign Statement
For use by candidates who do not have a Controlled Committee (see Manual 2 for definition of Controlled Committee) and who do not anticipate receiving contributions totaling $2,000 or more or make expenditures of $2,000 or more (excluding personal funds for any filing fee or statement of qualifications) during the calendar year.

If Form 470 is filed by September 29, 2016, no additional campaign statements need to be filed for the remainder of the year as long as total receipts remain less than $2,000 and total expenditures remain less than $2,000; however, within 48 hours of exceeding $2,000 for either contributions or expenditures, Form 470 Supplement must be sent to the City Clerk as instructed on the form.

CAMPAIGNING

CALENDAR OF ELECTION EVENTS
A Calendar of Election Events is provided in the candidate handbook and provides deadlines for both the candidate and the City Clerk. The calendar also provides an overview of the election process.

PUBLIC INFORMATION RESUME
If you wish to provide information to those who might ask prior to the filing deadline when Candidate Statements become public information, a “Public Information Resume” form is included. This optional form will be used to respond to inquiries regarding candidates and, if requested, may be provided to the press.

CODE OF FAIR CAMPAIGN PRACTICES
The California Legislature encourages every candidate for public office in this State to subscribe to the Code of Fair Campaign Practices. State law provides that at the time candidates are issued Nomination Papers, the City Clerk or her designee shall also give the prospective candidate a blank

form of the Code of Fair Campaign Practices and a copy of Chapter 5 of the California Elections Code. Subscription to the Code is voluntary on the part of the candidate. If the candidate elects to subscribe to the Code of Fair Campaign Practices, he/she shall complete the Code of Fair Campaign Practices form included in the candidate handbook and file it with the City Clerk or her designee at the time the Nomination Paper is filed.

Completed Code of Fair Campaign Practices will be retained by the City Clerk for public inspection until 30 days after the election.

POLITICAL SIGNS GUIDELINES
The Los Alamitos Municipal Code establishes regulations for the posting of political signs. A copy of these regulations is included in the candidate's packet. For obvious safety and liability reasons, political signs are not allowed in the public right-of-way.

POLITICAL ADVERTISEMENTS
Candidates are advised to consult Election Code Sections 20000-20009 regarding regulations pertaining to paid political advertisements and election endorsements.

MASS MAILING REQUIREMENTS
Section 84305 of the Government Code has been provided as required by the Election Code to inform each candidate of the laws regarding mass mailing of election literature. It is important that candidates and committees review these requirements prior to mailing campaign information.

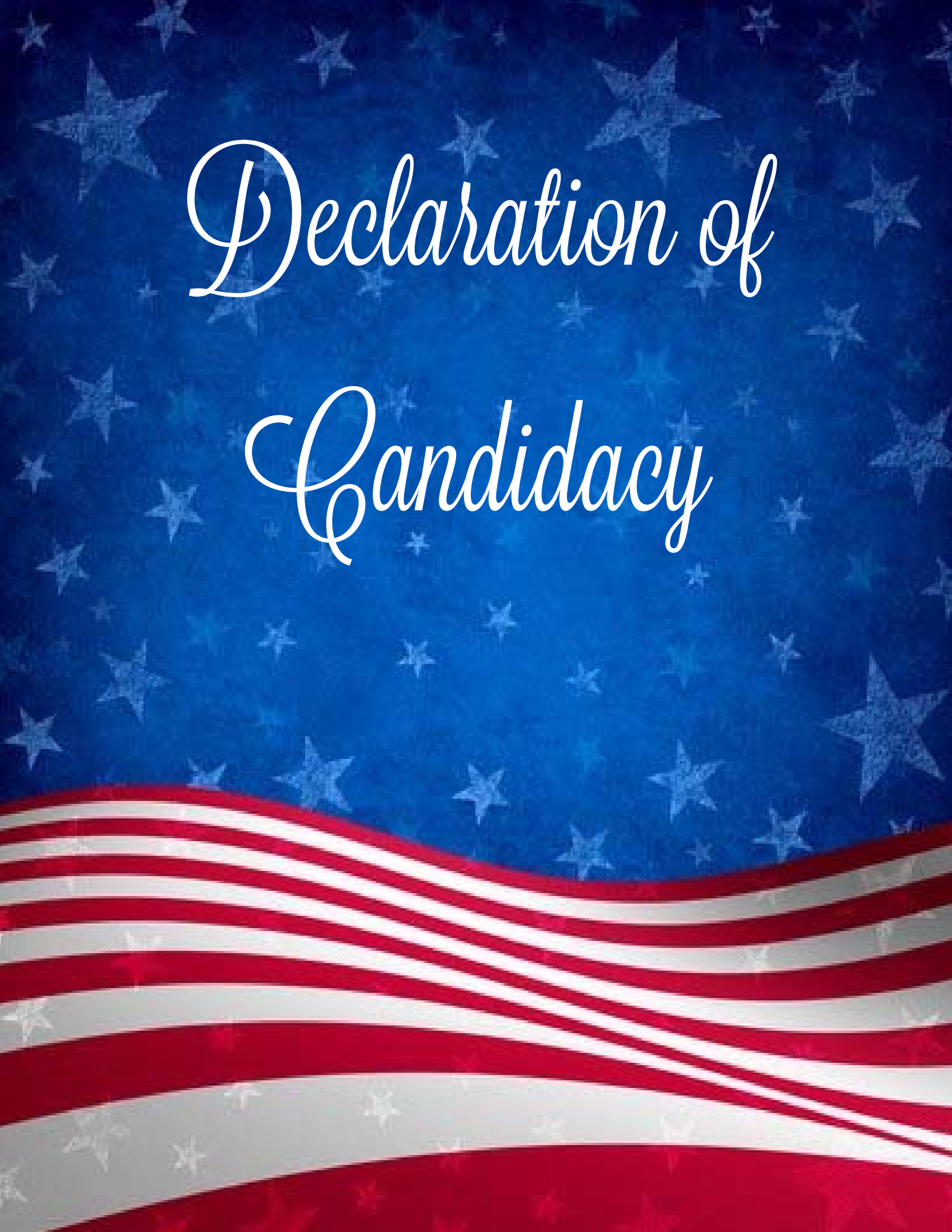
BULK MAILING
Prior to sending any campaign material by bulk mail, contact the Post Office for regulations. The telephone number of the Los Alamitos Post Office is (562) 594-0286.

ELECTIONEERING
Per Section 18370 of the Elections Code: “No person, on Election Day, shall, within 100 feet of a polling place:

a. Circulate an initiative, referendum, recall, or nomination petition, or any other petition.
b. Solicit a vote or speak to a voter on the subject of marking a ballot.
c. Place a sign relating to voters’ qualifications or speak to a voter on the subject of his/her qualifications except as provided in Section 14240.
d. Do any electioneering.

As used in this section, “100 feet from a polling place” shall mean a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots. Any person who violates any of the provisions of this section is guilty of a misdemeanor.”

ELECTION NIGHT
For information concerning semi-final official results and certification of the election, please refer to the information provided in the Candidate Handbook.


Declaration of
Candidacy

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

RECEIPT OF CANDIDATE'S HANDBOOK

I have received from the Office of the City Clerk of the City of Los Alamitos, California, the required election material in connection with the November 8, 2016, General Municipal Election. I have been notified the 2016 Candidate's Handbook is available on the City's website: http://cityoflosalamitos.org/?page_id=7147. _____ *(initials)*

The City Hall offices are open Monday through Friday, except on alternating Fridays. City Hall is closed July 29 and August 12. However, since August 12 is the last day of the filing period, the City Clerk's office will be open from 10:00 a.m. to 4:00 p.m. for candidate filing purposes only _____ *(initials)*

I understand the following documents are **REQUIRED** to be filed with the City Clerk prior to August 12, 2016 at 4:00 p.m. (If an incumbent does not file, then the date for non-incumbents to file is extended to August 17, 2016, at 5:30 p.m.).

Required

- ★ Nomination Paper
- ★ $25 filing fee
- ★ Form 700 – Statement of Economic Interests
- ★ Ballot Designation Worksheet

Optional

- ★ Candidate's Statement sent via e-mail in "Word" format
- ★ Candidate's Statement Deposit, $650.00
- ★ Candidate's Statement Agreement
- ★ Code of Fair Campaign Practices
- ★ Public Information Resume

Received By: _____ Date: _____

Signature: _____

Address: _____

Contact Phone Number: _____ ☐ Home ☐ Cell

E-mail Address: _____

If handbook is being picked up by someone other than the candidate, please complete the following:

Name of Candidate: _____

Address of Candidate: _____

Contact Phone Number: _____ ☐ Home ☐ Cell

_____ _____
Staff Signature Date

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

ACKNOWLEDGEMENT OF RELEASE OF PERSONAL INFORMATION

I, _____, have pulled Candidate papers for the upcoming General Municipal Election of City Council Members. It is my understanding that during the filing period for candidacy, reporters and other interested individuals may request personal information such as name, address and telephone number for those that have pulled Candidate papers, but may have yet to officially file them. The City of Los Alamitos provides this information to interested parties.

I hereby acknowledge and consent that all information will be provided to interested parties upon request and that the information will be included on the City's website; however, home address and telephone numbers will be redacted from online copies.

Name:_____

Address:_____

Contact Phone Number: _____ ☐ Home ☐ Cell

E-mail Address: _____

Additional Information:_____

Candidate Signature:_____ Date:_____

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

CHECKLIST OF REQUIREMENTS AT TIME OF FILING

CANDIDATE NAME _____

FILING DATE_____ FILING TIME _____

Candidate Signature _____

Required

- ☐ Nomination Paper – Fully Executed
- ☐ Ballot Designation Worksheet
- ☐ Form 700
- ☐ $25 filing fee

Optional

- ☐ Candidate's Statement
  (200 word maximum submitted via e-mail in Microsoft Word format)
- ☐ $ 650.00 Check for Candidate's Statement
- ☐ Candidate Statement Agreement
- ☐ Code of Fair Campaign Practices
- ☐ Public Information Resume

_____ _____

City Clerk Signature Date

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

RECEIPT

CANDIDATE'S FILING FEE

Twenty Five Dollars ($25.00)

ACCOUNT NO. 10.511.5233

RECEIVED FROM _____

ADDRESS _____

Contact Phone Number: _____ ☐ Home ☐ Cell

FOR _____
(Candidate's Name)

RECEIVED BY _____ DATE _____

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

RECEIPT

CANDIDATE'S STATEMENT FEE
Estimated Costs for Candidate's Statement,
in compliance with the Federal Voting Rights Act

Six Hundred Fifty Dollars ($650.00)

ACCOUNT NO. 10.11.5233

RECEIVED FROM _____

ADDRESS _____

Contact Phone Number: _____ ☐ Home ☐ Cell

FOR _____
(Candidate's Name)

PLEASE NOTE

The amount paid is an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost.

RECEIVED BY _____ Date _____

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

CANDIDATE'S STATEMENT AGREEMENT

I, _____, am a candidate for the office of Member of the City Council, City of Los Alamitos, at the General Municipal Election to be held on November 8, 2016 I have prepared and I am filing a Candidate's Statement of 200 words or less in accordance with the provisions of Elections Code Section 13307.

I understand that, pursuant to law, the City Council of the City of Los Alamitos adopted Resolution No. 2016-17, stating that each candidate utilizing this service shall pay in advance to the City of Los Alamitos his or her pro rata share of the estimated cost of printing, handling, translating, and mailing such statement.

I wish to have my Candidate's Statement printed in the sample ballot: _____
initial

I am aware that the minority language requirements of the Federal Voting Rights Act requires that my statement be translated into Spanish, Vietnamese, Korean, and Chinese and provided to registered voters requesting election materials in those languages. I am aware my cost for the printing of my Candidate's Statement includes costs to comply with the 1992 Federal Voting Rights Act.

I have been informed that the estimated cost and deposit for the above requested printing is $650.00.

_____
initial

I agree to the terms and conditions of this agreement.

_____ _____
Signature of Candidate Date

_____ _____
Printed Name of Candidate Street Address of Candidate

_____ _____
Witness Date

Nomination Papers Issued in person in the City Clerk's Office

2015/2016 Statement of Economic Interests

Form 700

A Public Document

Also available on the FPPC website:

- ***Form 700 in Excel format***
- *Reference Pamphlet for Form 700*

California Fair Political Practices Commission

428 J Street, Suite 620 • Sacramento, CA 95814
Email Advice: advice@fppc.ca.gov
Toll-free advice line: 1 (866) ASK-FPPC • 1 (866) 275-3772
Telephone: (916) 322-5660 • Website: www.fppc.ca.gov

December 2015

What's New

Gifts of Travel

Effective January 1, 2016, if an individual receives a travel payment that is a reportable gift, he or she must disclose the travel destination. (See the Schedule E instructions for information about other details that must be disclosed.) This applies to travel taken on or after January 1, 2016. An individual who is filing a 2015 annual statement is not required to disclose the travel destination, but may do so.

Who must file:

- Elected and appointed officials and candidates listed in Government Code Section 87200
- Employees, appointed officials, and consultants filing pursuant to a conflict of interest code ("code filers"). **Obtain your disclosure categories, which describe the interests you must report, from your agency;** they are not part of the Form 700
- Candidates running for local elective offices that are designated in a conflict of interest code (e.g., county sheriffs, city clerks, school board trustees, and water board members)
- Members of newly created boards and commissions not yet covered under a conflict of interest code
- Employees in newly created positions of existing agencies

See Reference Pamphlet, page 3, at *www.fppc.ca.gov.*

Where to file:

87200 Filers

State offices	➲	Your agency
Judicial offices	➲	The clerk of your court
Retired Judges	➲	Directly with FPPC
County offices	➲	Your county filing official
City offices	➲	Your city clerk
Multi-County offices	➲	Your agency

Code Filers — State and Local Officials, Employees, and Consultants Designated in a Conflict of Interest Code: File with your agency, board, or commission unless otherwise specified in your agency's conflict of interest code (e.g., Legislative staff files directly with FPPC). In most cases, the agency, board, or commission will retain the statements.

Members of Boards and Commissions of Newly Created Agencies: File with your newly created agency or with your agency's code reviewing body.

Employees in Newly Created Positions of Existing Agencies: File with your agency or with your agency's code reviewing body. See Reference Pamphlet, page 3.

Candidates: File with your local elections office.

How to file:

The Form 700 is available at *www.fppc.ca.gov*. Form 700 schedules are also available in Excel format. All statements must have an original "wet" signature or be duly authorized by your filing officer to file electronically under Government Code Section 87500.2. Instructions, examples, FAQs, and a reference pamphlet are available to help answer your questions.

When to file:

Annual Statements

➲ **March 1, 2016**
- Elected State Officers
- Judges and Court Commissioners
- State Board and Commission Members listed in Government Code Section 87200

➲ **April 1, 2016**
- Most other filers

Individuals filing under conflict of interest codes in city and county jurisdictions should verify the annual filing date with their local filing officers.

Statements postmarked by the filing deadline are considered filed on time.

Assuming Office and Leaving Office Statements
Most filers file within 30 days of assuming or leaving office or within 30 days of the effective date of a newly adopted or amended conflict of interest code.

Exception:

If you assumed office between October 1, 2015, and December 31, 2015, and filed an assuming office statement, you are not required to file an annual statement until March 1, 2017, or April 3, 2017, whichever is applicable. The annual statement will cover the day after you assumed office through December 31, 2016. See Reference Pamphlet, pages 6 and 7, for additional exceptions.

Candidate Statements
File no later than the final filing date for the declaration of candidacy or nomination documents.

Amendments
Statements may be amended at any time. You are only required to amend the schedule that needs to be revised. It is not necessary to amend the entire filed form. Obtain amendment schedules at *www.fppc.ca.gov.*

There is no provision for filing deadline extensions unless the filer is serving in active military duty.
Statements of 30 pages or less may be faxed by the deadline as long as the originally signed paper version is sent by first class mail to the filing official within 24 hours.

Introduction

The Political Reform Act (Gov. Code Sections 81000-91014) requires most state and local government officials and employees to publicly disclose their personal assets and income. They also must disqualify themselves from participating in decisions that may affect their personal economic interests. The Fair Political Practices Commission (FPPC) is the state agency responsible for issuing the attached Statement of Economic Interests, Form 700, and for interpreting the law's provisions.

Gift Prohibition

Gifts received by most state and local officials, employees, and candidates are subject to a limit. For years 2015-2016, the limit is $460 from a single source during a calendar year.

In addition, state officials, state candidates, and certain state employees are subject to a $10 limit per calendar month on gifts from lobbyists and lobbying firms registered with the Secretary of State. See Reference Pamphlet, page 10.

State and local officials and employees should check with their agency to determine if other restrictions apply.

Disqualification

Public officials are, under certain circumstances, required to disqualify themselves from making, participating in, or attempting to influence governmental decisions that will affect their economic interests. This may include interests they are not required to disclose (i.e., a personal residence is often not reportable, but may be disqualifying). Specific disqualification requirements apply to 87200 filers (e.g., city councilmembers, members of boards of supervisors, planning commissioners, etc.). These officials must publicly identify the economic interest that creates a conflict of interest and leave the room before a discussion or vote takes place at a public meeting. For more information, consult Government Code Section 87105, Regulation 18707, and the Guide to Recognizing Conflicts of Interest at *www.fppc.ca.gov.*

Honorarium Ban

Most state and local officials, employees, and candidates are prohibited from accepting an honorarium for any speech given, article published, or attendance at a conference, convention, meeting, or like gathering. See Reference Pamphlet, page 10.

Loan Restrictions

Certain state and local officials are subject to restrictions on loans. See Reference Pamphlet, page 14.

Post-Governmental Employment

There are restrictions on representing clients or employers before former agencies. The provisions apply to elected state officials, most state employees, local elected officials, county chief administrative officers, city managers, including the chief administrator of a city, and general managers or chief administrators of local special districts and JPAs. The FPPC website has fact sheets explaining the provisions.

Late Filing

The filing officer who retains originally-signed or electronically filed statements of economic interests may impose on an individual a fine for any statement that is filed late. The fine is $10 per day up to a maximum of $100. Late filing penalties may be reduced or waived under certain circumstances.

Persons who fail to timely file their Form 700 may be referred to the FPPC's Enforcement Division (and, in some cases, to the Attorney General or district attorney) for investigation and possible prosecution. In addition to the late filing penalties, a fine of up to $5,000 per violation may be imposed.

For assistance concerning reporting, prohibitions, and restrictions under the Act:

- Email questions to advice@fppc.ca.gov.
- Call the FPPC toll-free at (866) 275-3772.

Form 700 is a Public Document Public Access Must Be Provided

Statements of Economic Interests are public documents. The filing officer must permit any member of the public to inspect and receive a copy of any statement.

- Statements must be available as soon as possible during the agency's regular business hours, but in any event not later than the second business day after the statement is received. Access to the Form 700 is not subject to the Public Records Act procedures.
- No conditions may be placed on persons seeking access to the forms.
- No information or identification may be required from persons seeking access.
- Reproduction fees of no more than 10 cents per page may be charged.

Types of Form 700 Filings

Assuming Office Statement:

If you are a newly appointed official or are newly employed in a position designated, or that will be designated, in a state or local agency's conflict of interest code, your assuming office date is the date you were sworn in or otherwise authorized to serve in the position. If you are a newly elected official, your assuming office date is the date you were sworn in.

- Investments, interests in real property, and business positions held on the date you assumed the office or position must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date you assumed the office or position is reportable.

For positions subject to confirmation by the State Senate or the Commission on Judicial Performance, your assuming office date is the date you were appointed or nominated to the position.

Example:

Maria Lopez was nominated by the Governor to serve on a state agency board that is subject to state Senate confirmation. The assuming office date is the date Maria's nomination is submitted to the Senate. Maria must report investments, interests in real property, and business positions she holds on that date, and income (including loans, gifts, and travel payments) received during the 12 months prior to that date.

If your office or position has been added to a newly adopted or newly amended conflict of interest code, use the effective date of the code or amendment, whichever is applicable.

- Investments, interests in real property, and business positions held on the effective date of the code or amendment must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the effective date of the code or amendment is reportable.

Annual Statement:

Generally, the period covered is January 1, 2015, through December 31, 2015. If the period covered by the statement is different than January 1, 2015, through December 31, 2015, (for example, you assumed office between October 1, 2014, and December 31, 2014 or you are combining statements), you must specify the period covered.

- Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2015.
- If your disclosure category changes during a reporting period, disclose under the old category until the effective date of the conflict of interest code amendment and disclose under the new disclosure category through the end of the reporting period.

Leaving Office Statement:

Generally, the period covered is January 1, 2015, through the date you stopped performing the duties of your position. If the period covered differs from January 1, 2015, through the date you stopped performing the duties of your position (for example, you assumed office between October 1, 2014, and December 31, 2014, or you are combining statements), the period covered must be specified. The reporting period can cover parts of two calendar years.

- Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2015.

Candidate Statement:

If you are filing a statement in connection with your candidacy for state or local office, investments, interests in real property, and business positions held on the date of filing your declaration of candidacy must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date of filing your declaration of candidacy is reportable. Do not change the preprinted dates on Schedules A-1, A-2, and B.

Candidates running for local elective offices (e.g., county sheriffs, city clerks, school board trustees, or water district board members) must file candidate statements, as required by the conflict of interest code for the elected position. The code may be obtained from the agency of the elected position.

Amendments:

If you discover errors or omissions on any statement, file an amendment as soon as possible. You are only required to amend the schedule that needs to be revised; it is not necessary to refile the entire form. Obtain amendment schedules from the FPPC website at *www.fppc.ca.gov.*

Instructions
Cover Page

Enter your name, mailing address, and daytime telephone number in the spaces provided. **Because the Form 700 is a public document, you may list your business/office address instead of your home address.**

Part 1. Office, Agency, or Court

- Enter the name of the office sought or held, or the agency or court. Consultants must enter the public agency name rather than their private firm's name. (Examples: State Assembly; Board of Supervisors; Office of the Mayor; Department of Finance; Hope County Superior Court)
- Indicate the name of your division, board, or district, if applicable. (Examples: Division of Waste Management; Board of Accountancy; District 45). **Do not use acronyms.**
- Enter your position title. (Examples: Director; Chief Counsel; City Council Member; Staff Services Analyst)
- If you hold multiple positions (i.e., a city council member who also is a member of a county board or commission), you may be required to file statements with each agency. To simplify your filing obligations, you may complete an expanded statement.
- To do this, enter the name of the other agency(ies) with which you are required to file and your position title(s) in the space provided. **Do not use acronyms.** Attach an additional sheet if necessary. Complete one statement covering the disclosure requirements for all positions. Each copy must contain an original signature. Therefore, before signing the statement, make a copy for each agency. Sign each copy with an original signature and file with each agency.

If you assume or leave a position after a filing deadline, you must complete a separate statement. For example, a city council member who assumes a position with a county special district after the April 1 annual filing deadline must file a separate assuming office statement. In subsequent years, the city council member may expand his or her annual filing to include both positions.

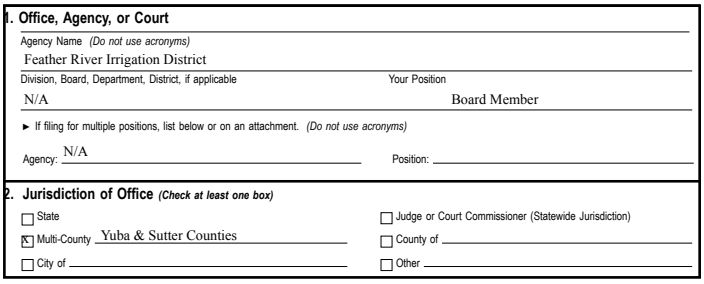
Example:
Scott Baker is a city council member for the City of Lincoln and a board member for the Camp Far West Irrigation District – a multi-county agency that covers Placer and Yuba counties. Scott will complete one Form 700 using full disclosure (as required for the city position) and covering interests in both Placer and Yuba counties (as required for the multi-county position) and list both positions on the Cover Page. Before signing the statement, Scott will make a copy and sign both statements. One statement will be filed with City of Lincoln and the other will be filed with Camp Far West Irrigation District. Both will contain an original signature.

Part 2. Jurisdiction of Office

- Check the box indicating the jurisdiction of your agency and, if applicable, identify the jurisdiction. Judges, judicial candidates, and court commissioners have statewide jurisdiction. All other filers should review the Reference Pamphlet, page 13, to determine their jurisdiction.
- If your agency is a multi-county office, list each county in which your agency has jurisdiction.
- If your agency is not a state office, court, county office, city office, or multi-county office (e.g., school districts, special districts and JPAs), check the "other" box and enter the county or city in which the agency has jurisdiction.

Example:
This filer is a member of a water district board with jurisdiction in portions of Yuba and Sutter Counties.

Part 3. Type of Statement


1. Office, Agency, or Court
Agency Name (Do not use acronyms)
Feather River Irrigation District
Division, Board, Department, District, if applicable: N/A
Your Position: Board Member
► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)
Agency: N/A Position:
2. Jurisdiction of Office (Check at least one box)
☐ State ☐ Judge or Court Commissioner (Statewide Jurisdiction)
☒ Multi-County Yuba & Sutter Counties ☐ County of
☐ City of ☐ Other

Check at least one box. The period covered by a statement is determined by the type of statement you are filing. If you are completing a 2015 annual statement, **do not** change the pre-printed dates to reflect 2016. Your annual statement is used for reporting the **previous year's** economic interests. Economic interests for your annual filing covering January 1, 2016, through December 31, 2016, will be disclosed on your statement filed in 2017. See Reference Pamphlet, page 4.

Combining Statements: Certain types of statements may be combined. For example, if you leave office after January 1, but before the deadline for filing your annual statement, you may combine your annual and leaving office statements. File by the earliest deadline. Consult your filing officer or the FPPC.

Part 4. Schedule Summary

- Complete the Schedule Summary after you have reviewed each schedule to determine if you have reportable interests.
- Enter the total number of completed pages including the cover page and either check the box for each schedule you use to disclose interests; **or** if you have nothing to disclose on any schedule, check the "No reportable interests" box. Please **do not** attach any blank schedules.

Part 5. Verification

Complete the verification by signing the statement and entering the date signed. All statements must have an original "wet" signature or be duly authorized by your filing officer to file electronically under Government Code Section 87500.2. Instructions, examples, FAQs, and a reference pamphlet are available to help answer your questions. **When you sign your statement, you are stating, under penalty of perjury, that it is true and correct.** Only the filer has authority to sign the statement. An unsigned statement is not considered filed and you may be subject to late filing penalties.

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
A PUBLIC DOCUMENT

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

Date Initial Filing Received
Official Use Only

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*

Division, Board, Department, District, if applicable Your Position

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

☐ State
☐ Multi-County _____
☐ City of _____
☐ Judge or Court Commissioner (Statewide Jurisdiction)
☐ County of _____
☐ Other _____

3. Type of Statement *(Check at least one box)*

☐ **Annual:** The period covered is January 1, 2015, through December 31, 2015.
-or-
The period covered is _____/_____/_____, through December 31, 2015.

☐ **Assuming Office:** Date assumed _____/_____/_____

☐ **Leaving Office:** Date Left _____/_____/_____
(Check one)
○ The period covered is January 1, 2015, through the date of leaving office.
-or-
○ The period covered is _____/_____/_____, through the date of leaving office.

☐ **Candidate:** Election year _____ and office sought, if different than Part 1: _____

4. Schedule Summary (must complete) ► *Total number of pages including this cover page:* _____

Schedules attached

☐ **Schedule A-1 -** *Investments* – schedule attached
☐ **Schedule A-2 -** *Investments* – schedule attached
☐ **Schedule B -** *Real Property* – schedule attached
☐ **Schedule C -** *Income, Loans, & Business Positions* – schedule attached
☐ **Schedule D -** *Income – Gifts* – schedule attached
☐ **Schedule E -** *Income – Gifts – Travel Payments* – schedule attached

-or-

☐ ***None*** **-** *No reportable interests on any schedule*

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER
( )

E-MAIL ADDRESS

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed _____
(month, day, year)

Signature _____
(File the originally signed statement with your filing official.)

Clear Page Print Form

Which Schedule Do I Use?

Common Reportable Interests

Schedule A-1	Stocks, including those held in an IRA or a 401K
Schedule A-2	Business entities (including certain independent contracting), sole proprietorships, partnerships, LLCs, corporations, and trusts
Schedule B	Rental property in the jurisdiction
Schedule C	Non-governmental salaries of public official and spouse/registered domestic partner
Schedule D	Gifts from businesses (such as tickets to sporting or entertainment events)
Schedule E	Travel payments from third parties (not your employer)

Common Non-Reportable Interests

Schedule A-1	Insurance policies, government bonds, diversified mutual funds, certain funds similar to diversified mutual funds (such as exchange traded funds) and investments held in certain retirement accounts. See Reference Pamphlet, page 13, for detailed information. (Regulation 18237)
Schedule A-2	Savings and checking accounts and annuities
Schedule B	A residence used exclusively as a personal residence (such as a home or vacation cabin)
Schedule C	Governmental salary (such as a school district)
Schedule D	Gifts from family members
Schedule E	Travel paid by your government agency

Remember:

- ✓ Mark the "No reportable interests" box on Part 4 of the Schedule Summary on the Cover Page if you determine you have nothing to disclose and file the Cover Page only. **Make sure you carefully read all instructions to ensure proper reporting.**
- ✓ The Form 700 is a public document.
- ✓ **Most individuals must consult their agency's conflict of interest code for reportable interests.**
- ✓ Most individuals file the Form 700 with their agencies.

Questions and Answers

General

Q. What is the reporting period for disclosing interests on an assuming office statement or a candidate statement?

A. On an assuming office statement, disclose all reportable investments, interests in real property, and business positions held on the date you assumed office. In addition, you must disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you assumed office.

On a candidate statement, disclose all reportable investments, interests in real property, and business positions held on the date you file your declaration of candidacy. You must also disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you file your declaration of candidacy.

Q. I hold two other board positions in addition to my position with the county. Must I file three statements of economic interests?

A. Yes, three are required. However, you may complete one statement listing the county and the two boards on the Cover Page or an attachment as the agencies for which you will be filing. Report your economic interests using the largest jurisdiction and highest disclosure requirements assigned to you by the three agencies. Make two copies of the entire statement before signing it, sign each copy with an original signature, and distribute one original to the county and to each of the two boards. Remember to complete separate statements for positions that you leave or assume during the year.

Q. I am a department head who recently began acting as city manager. Should I file as the city manager?

A. Yes. File an assuming office statement as city manager. Persons serving as "acting," "interim," or "alternate" must file as if they hold the position because they are or may be performing the duties of the position.

Q. As a designated employee, I left one state agency to work for another state agency. Must I file a leaving office statement?

A. Yes. You may also need to file an assuming office statement for the new agency.

Q. My spouse and I are currently separated and in the process of obtaining a divorce. Must I still report my spouse's income, investments, and interests in real property?

A. Yes. A public official must continue to report a spouse's economic interests until such time as dissolution of marriage proceedings is final. However, if a separate property agreement has been reached prior to that time, your estranged spouse's income may not have to be reported. Contact the FPPC for more information.

Investment Disclosure

Q. I have an investment interest in shares of stock in a company that does not have an office in my jurisdiction. Must I still disclose my investment interest in this company?

A. Probably. The definition of "doing business in the jurisdiction" is not limited to whether the business has an office or physical location in your jurisdiction. See Reference Pamphlet, page 13.

Q. My spouse and I have a living trust. The trust holds rental property in my jurisdiction, our primary residence, and investments in diversified mutual funds. I have full disclosure. How is this trust disclosed?

A. Disclose the name of the trust, the rental property and its income on Schedule A-2. Your primary residence and investments in diversified mutual funds registered with the SEC are not reportable.

Q. I am required to report all investments. I have an IRA that contains stocks through an account managed by a brokerage firm. Must I disclose these stocks even though they are held in an IRA and I did not decide which stocks to purchase?

A. Yes. Disclose on Schedule A-1 or A-2 any stock worth $2,000 or more in a business entity located in or doing business in your jurisdiction.

Q. I am the sole owner of my business, an S-Corporation. I believe that the nature of the business is such that it cannot be said to have any "fair market value" because it has no assets. I operate the corporation under an agreement with a large insurance company. My contract does not have resale value because of its nature as a personal services contract. Must I report the fair market value for my business on Schedule A-2 of the Form 700?

A. Yes. Even if there are no *tangible* assets, intangible assets, such as relationships with companies and clients are commonly sold to qualified professionals. The "fair market value" is often quantified for other purposes, such as marital dissolutions or estate planning. In addition, the IRS presumes that "personal services corporations" have a fair market value. A professional "book of business" and the associated goodwill that generates income are not without a determinable value. The Form 700 does not require a precise fair market value; it is only necessary to check a box indicating the broad range within which the value falls.

Q. I own stock in IBM and must report this investment on Schedule A-1. I initially purchased this stock in the early 1990s; however, I am constantly buying and selling shares. Must I note these dates in the "Acquired" and "Disposed" fields?

A. No. You must only report dates in the "Acquired" or "Disposed" fields when, during the reporting period, you initially purchase a reportable investment worth $2,000 or more or when you dispose of the entire investment. You are not required to track the partial trading of an investment.

Q. On last year's filing I reported stock in Encoe valued at $2,000 - $10,000. Late last year the value of this stock fell below and remains at less than $2,000. How should this be reported on this year's statement?

A. You are not required to report an investment if the value was less than $2,000 during the **entire** reporting period. However, because a disposed date is not required for stocks that fall below $2,000, you may want to report the stock and note in the "comments" section that the value fell below $2,000. This would be for informational purposes only; it is not a requirement.

Q. We have a Section 529 account set up to save money for our son's college education. Is this reportable?

A. If the Section 529 account contains reportable interests (e.g., common stock valued at $2,000 or more), those interests are reportable (not the actual Section 529 account). If the account contains solely mutual funds, then nothing is reported.

Income Disclosure

Q. I reported a business entity on Schedule A-2. Clients of my business are located in several states. Must I report all clients from whom my pro rata share of income is $10,000 or more on Schedule A-2, Part 3?

A. No, only the clients located in or doing business on a regular basis in your jurisdiction must be disclosed.

Q. I believe I am not required to disclose the names of clients from whom my pro rata share of income is $10,000 or more on Schedule A-2 because of their right to privacy. Is there an exception for reporting clients' names?

A. Regulation 18740 provides a procedure for requesting an exemption to allow a client's name not to be disclosed if disclosure of the name would violate a legally recognized privilege under California or Federal law. This regulation may be obtained from our website at *www.fppc.ca.gov.* See Reference Pamphlet, page 14.

Q. I am sole owner of a private law practice that is not reportable based on my limited disclosure category. However, some of the sources of income to my law practice are from reportable sources. Do I have to disclose this income?

A. Yes, even though the law practice is not reportable, reportable sources of income to the law practice of $10,000 or more must be disclosed. This information would be disclosed on Schedule C with a note in the "comments" section indicating that the business entity is not a reportable investment. The note would be for informational purposes only; it is not a requirement.

Q. I am the sole owner of my business. Where do I disclose my income - on Schedule A-2 or Schedule C?

A. Sources of income to a business in which you have an ownership interest of 10% or greater are disclosed on Schedule A-2. See Reference Pamphlet, page 8, for the definition of "business entity."

Q. My husband is a partner in a four-person firm where all of his business is based on his own billings and collections from various clients. How do I report my community property interest in this business and the income generated in this manner?

A. If your husband's investment in the firm is 10% or greater, disclose 100% of his share of the business on Schedule A-2, Part 1 and 50% of his income on Schedule A-2, Parts 2 and 3. For example, a client of your husband's must be a source of at least $20,000 during the reporting period before the client's name is reported.

Q. How do I disclose my spouse's or registered domestic partner's salary?

A. Report the name of the employer as a source of income on Schedule C.

Q. I am a doctor. For purposes of reporting $10,000 sources of income on Schedule A-2, Part 3, are the patients or their insurance carriers considered sources of income?

A. If your patients exercise sufficient control by selecting you instead of other doctors, then your patients, rather than their insurance carriers, are sources of income to you. See Reference Pamphlet, page 14, for additional information.

Q. I received a loan from my grandfather to purchase my home. Is this loan reportable?

A. No. Loans received from family members are not reportable.

Q. Many years ago, I loaned my parents several thousand dollars, which they paid back this year. Do I need to report this loan repayment on my Form 700?

A. No. Payments received on a loan made to a family member are not reportable.

Real Property Disclosure

Q. During this reporting period we switched our principal place of residence into a rental. I have full disclosure and the property is located in my agency's jurisdiction, so it is now reportable. Because I have not reported this property before, do I need to show an "acquired" date?

A. No, you are not required to show an "acquired" date because you previously owned the property. However, you may want to note in the "comments" section that the property was not previously reported because it was used exclusively as your residence. This would be for informational purposes only; it is not a requirement.

Q. My daughter is buying her first home and I am the co-signer on the loan. I won't occupy the home, but my daughter will. The home is located in my agency's jurisdiction. Must I report this property?

A. No. Property occupied by a family member is not reportable as long as you are not receiving rental income or using the property for business purposes.

Gift Disclosure

Q. If I received a reportable gift of two tickets to a concert valued at $100 each, but gave the tickets to a friend because I could not attend the concert, do I have any reporting obligations?

A. Yes. Since you accepted the gift and exercised discretion and control of the use of the tickets, you must disclose the gift on Schedule D.

Q. Mary and Joe Benson, a married couple, want to give a piece of artwork to a county supervisor. Is each spouse considered a separate source for purposes of the gift limit and disclosure?

A. Yes, each spouse may make a gift valued at the gift limit during a calendar year. For example, during 2015 the gift limit was $460, so the Bensons may have given the supervisor artwork valued at no more than $920. The supervisor must identify Joe and Mary Benson as the sources of the gift.

Q. I am a Form 700 filer with full disclosure. Our agency holds a holiday raffle to raise funds for a local charity. I bought $10 worth of raffle tickets and won a gift basket valued at $120. The gift basket was donated by Doug Brewer, a citizen in our city. At the same event, I bought raffle tickets for, and won a quilt valued at $70. The quilt was donated by a coworker. Are these reportable gifts?

A. Because the gift basket was donated by an outside source (not an agency employee), you have received a reportable gift valued at $110 (the value of the basket less the consideration paid). The source of the gift is Doug Brewer and the agency is disclosed as the intermediary. Because the quilt was donated by an employee of your agency, it is not a reportable gift.

Q. My agency is responsible for disbursing grants. An applicant (501(c)(3) organization) met with agency employees to present its application. At this meeting, the applicant provided food and beverages. Would the food and beverages be considered gifts to the employees? These employees are designated in our agency's conflict of interest code and the applicant is a reportable source of income under the code.

A. Yes. If the value of the food and beverages consumed by any one filer, plus any other gifts received from the same source during the reporting period total $50 or more, the food and beverages would be reported using the fair market value and would be subject to the gift limit.

Q. I received free admission to an educational conference related to my official duties. Part of the conference fees included a round of golf. Is the value of the golf considered informational material?

A. No. The value of personal benefits, such as golf, attendance at a concert, or sporting event, are gifts subject to reporting and limits.

Instructions – Schedules A-1 and A-2
Investments

"Investment" means a financial interest in any business entity (including a consulting business or other independent contracting business) that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling $2,000 or more at any time during the reporting period. See Reference Pamphlet, page 13.

Reportable investments include:

- Stocks, bonds, warrants, and options, including those held in margin or brokerage accounts and managed investment funds (See Reference Pamphlet, page 13.)
- Sole proprietorships
- Your own business or your spouse's or registered domestic partner's business (See Reference Pamphlet, page 8, for the definition of "business entity.")
- Your spouse's or registered domestic partner's investments even if they are legally separate property
- Partnerships (e.g., a law firm or family farm)
- Investments in reportable business entities held in a retirement account (See Reference Pamphlet, page 15.)
- If you, your spouse or registered domestic partner, and dependent children together had a 10% or greater ownership interest in a business entity or trust (including a living trust), you must disclose investments held by the business entity or trust. See Reference Pamphlet, page 15, for more information on disclosing trusts.
- Business trusts

You are not required to disclose:

- Insurance policies, government bonds, diversified mutual funds, certain funds similar to diversified mutual funds (such as exchange traded funds) and investments held in certain retirement accounts. See Reference Pamphlet, page 13, for detailed information. (Regulation 18237)
- Bank accounts, savings accounts, money market accounts and certificates of deposits
- Insurance policies
- Annuities
- Commodities
- Shares in a credit union
- Government bonds (including municipal bonds)
- Retirement accounts invested in non-reportable interests (e.g., insurance policies, mutual funds, or government bonds) (See Reference Pamphlet, page 15.)
- Government defined-benefit pension plans (such as CalPERS and CalSTRS plans)
- Certain interests held in a blind trust (See Reference Pamphlet, page 16.)

Use Schedule A-1 to report ownership of less than 10% (e.g., stock). Schedule C (Income) may also be required if the investment is not a stock or corporate bond. See second example below.

Use Schedule A-2 to report ownership of 10% or greater (e.g., a sole proprietorship).

To Complete Schedule A-1:

Do not attach brokerage or financial statements.

- Disclose the name of the business entity.
- Provide a general description of the business activity of the entity (e.g., pharmaceuticals, computers, automobile manufacturing, or communications).
- Check the box indicating the highest fair market value of your investment during the reporting period. If you are filing a candidate or an assuming office statement, indicate the fair market value on the filing date or the date you took office, respectively.
- Identify the nature of your investment (e.g., stocks, warrants, options, or bonds).
- An acquired or disposed of date is only required if you initially acquired or entirely disposed of the investment interest during the reporting period. The date of a stock dividend reinvestment or partial disposal is not required. Generally, these dates will not apply if you are filing a candidate or an assuming office statement.

Examples:

John Smith holds a state agency position. His conflict of interest code requires full disclosure of investments. John must disclose his stock holdings of $2,000 or more in any company that is located in or does business in California, as well as those stocks held by his spouse or registered domestic partner and dependent children.

Susan Jones is a city council member. She has a 4% interest, worth $5,000, in a limited partnership located in the city. Susan must disclose the partnership on Schedule A-1 and income of $500 or more received from the partnership on Schedule C.

Reminders

- Do you know your agency's jurisdiction?
- Did you hold investments at any time during the period covered by this statement?
- Code filers – your disclosure categories may only require disclosure of specific investments.

SCHEDULE A-1
Investments
Stocks, Bonds, and Other Interests
(Ownership Interest is Less Than 10%)

Do not attach brokerage or financial statements.

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name _____

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

Comments: _____

Clear Page Print Form

Instructions – Schedule A-2
Investments, Income, and Assets of Business Entities/Trusts

Use Schedule A-2 to report investments in a business entity (including a consulting business or other independent contracting business) or trust (including a living trust) in which you, your spouse or registered domestic partner, and your dependent children, together or separately, had a 10% or greater interest, totaling $2,000 or more, during the reporting period and which is located in, doing business in, planning to do business in, or which has done business during the previous two years in your agency's jurisdiction. See Reference Pamphlet, page 13. A trust located outside your agency's jurisdiction is reportable if it holds assets that are located in or doing business in the jurisdiction. Do not report a trust that contains non-reportable interests. For example, a trust containing only your personal residence not used in whole or in part as a business, your savings account, and some municipal bonds, is not reportable.

Also report on Schedule A-2 investments and real property held by that entity or trust if your pro rata share of the investment or real property interest was $2,000 or more during the reporting period.

To Complete Schedule A-2:

Part 1. Disclose the name and address of the business entity or trust. If you are reporting an interest in a business entity, check "Business Entity" and complete the box as follows:

- Provide a general description of the business activity of the entity.
- Check the box indicating the highest fair market value of your investment during the reporting period.
- If you initially acquired or entirely disposed of this interest during the reporting period, enter the date acquired or disposed.
- Identify the nature of your investment.
- Disclose the job title or business position you held with the entity, if any (i.e., if you were a director, officer, partner, trustee, employee, or held any position of management). A business position held by your spouse is not reportable.

Part 2. Check the box indicating **your pro rata** share of the **gross** income received **by** the business entity or trust. This amount includes your pro rata share of the **gross** income **from** the business entity or trust, as well as your community property interest in your spouse's or registered domestic partner's share. Gross income is the total amount of income before deducting expenses, losses, or taxes.

Part 3. Disclose the name of each source of income that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency's jurisdiction, as follows:

- Disclose each source of income and outstanding loan **to the business entity or trust** identified in Part 1 if your pro rata share of the **gross** income (including your community property interest in your spouse's or registered domestic partner's share) to the business entity or trust from that source was $10,000 or more during the reporting period. See Reference Pamphlet, page 11, for examples. Income from governmental sources may be reportable if not considered salary. See Regulation 18232. Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.
- Disclose each individual or entity that was a source of commission income of $10,000 or more during the reporting period through the business entity identified in Part 1. See Reference Pamphlet, page 8, for an explanation of commission income.

You may be required to disclose sources of income located outside your jurisdiction. For example, you may have a client who resides outside your jurisdiction who does business on a regular basis with you. Such a client, if a reportable source of $10,000 or more, must be disclosed.

Mark "None" if you do not have any reportable $10,000 sources of income to disclose. Using phrases such as "various clients" or "not disclosing sources pursuant to attorney-client privilege" may trigger a request for an amendment to your statement. See Reference Pamphlet, page 14, for details about requesting an exemption from disclosing privileged information.

Part 4. Report any investments or interests in real property held or leased **by the entity or trust** identified in Part 1 if your pro rata share of the interest held was $2,000 or more during the reporting period. Attach additional schedules or use FPPC's Form 700 Excel spreadsheet if needed.

- Check the applicable box identifying the interest held as real property or an investment.
- If investment, provide the name and description of the business entity.
- If real property, report the precise location (e.g., an assessor's parcel number or address).
- Check the box indicating the highest fair market value of your interest in the real property or investment during the reporting period. (Report the fair market value of the portion of your residence claimed as a tax deduction if you are utilizing your residence for business purposes.)
- Identify the nature of your interest.
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property or investment during the reporting period.

SCHEDULE A-2
Investments, Income, and Assets of Business Entities/Trusts
(Ownership Interest is 10% or Greater)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name

▶ 1. BUSINESS ENTITY OR TRUST

Name

Address *(Business Address Acceptable)*

Check one

☐ Trust, *go to 2* ☐ Business Entity, *complete the box, then go to 2*

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
- ☐ $0 - $1,999
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:

___/___/ 15 ACQUIRED ___/___/ 15 DISPOSED

NATURE OF INVESTMENT

☐ Partnership ☐ Sole Proprietorship ☐ _____ Other

YOUR BUSINESS POSITION _____

▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF $10,000 OR MORE (Attach a separate sheet if necessary.)

☐ None or ☐ Names listed below

▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:

☐ INVESTMENT ☐ REAL PROPERTY

Name of Business Entity, if Investment, or
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or
City or Other Precise Location of Real Property

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:

___/___/ 15 ACQUIRED ___/___/ 15 DISPOSED

NATURE OF INTEREST

☐ Property Ownership/Deed of Trust ☐ Stock ☐ Partnership

☐ Leasehold _____ Yrs. remaining ☐ Other _____

☐ Check box if additional schedules reporting investments or real property are attached

---

▶ 1. BUSINESS ENTITY OR TRUST

Name

Address *(Business Address Acceptable)*

Check one

☐ Trust, *go to 2* ☐ Business Entity, *complete the box, then go to 2*

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
- ☐ $0 - $1,999
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:

___/___/ 15 ACQUIRED ___/___/ 15 DISPOSED

NATURE OF INVESTMENT

☐ Partnership ☐ Sole Proprietorship ☐ _____ Other

YOUR BUSINESS POSITION _____

▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF $10,000 OR MORE (Attach a separate sheet if necessary.)

☐ None or ☐ Names listed below

▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:

☐ INVESTMENT ☐ REAL PROPERTY

Name of Business Entity, if Investment, or
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or
City or Other Precise Location of Real Property

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:

___/___/ 15 ACQUIRED ___/___/ 15 DISPOSED

NATURE OF INTEREST

☐ Property Ownership/Deed of Trust ☐ Stock ☐ Partnership

☐ Leasehold _____ Yrs. remaining ☐ Other _____

☐ Check box if additional schedules reporting investments or real property are attached

Comments: _____

Clear Page Print Form

Instructions – Schedule B
Interests in Real Property

Report interests in real property located in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling $2,000 or more any time during the reporting period. See Reference Pamphlet, page 13.

Interests in real property include:

- An ownership interest (including a beneficial ownership interest)
- A deed of trust, easement, or option to acquire property
- A leasehold interest (See Reference Pamphlet, page 14.)
- A mining lease
- An interest in real property held in a retirement account (See Reference Pamphlet, page 15.)
- An interest in real property held by a business entity or trust in which you, your spouse or registered domestic partner, and your dependent children together had a 10% or greater ownership interest (Report on Schedule A-2.)
- Your spouse's or registered domestic partner's interests in real property that are legally held separately by him or her

You are <u>not</u> required to report:

- A residence, such as a home or vacation cabin, used exclusively as a personal residence (However, a residence in which you rent out a room or for which you claim a business deduction may be reportable. If reportable, report the fair market value of the portion claimed as a tax deduction.)

  Please note: A non-reportable residence can still be grounds for a conflict of interest and may be disqualifying.
- Interests in real property held through a blind trust (See Reference Pamphlet, page 16, for exceptions.)

To Complete Schedule B:

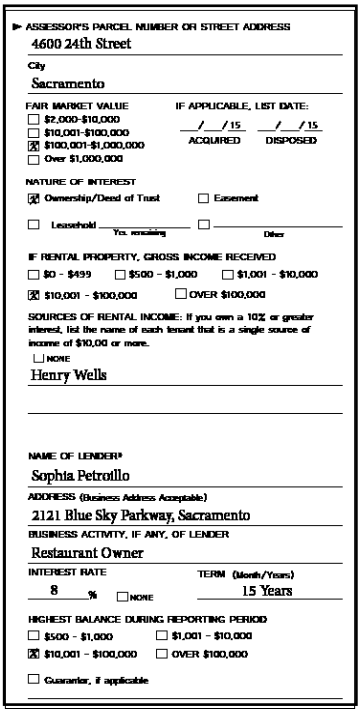
- Report the precise location (e.g., an assessor's parcel number or address) of the real property.
- Check the box indicating the fair market value of your interest in the property (regardless of what you owe on the property).
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property during the reporting period.
- Identify the nature of your interest. If it is a leasehold, disclose the number of years remaining on the lease.
- If you received rental income, check the box indicating the gross amount you received.
- If you had a 10% or greater interest in real property and received rental income, list the name of the source(s) if your pro rata share of the gross income from any single tenant was $10,000 or more during the reporting period. If you received a total of $10,000 or more from two or more tenants acting in concert (in most cases, this will apply to married couples), disclose the name of each tenant. Otherwise, mark "None."
- Loans from a private lender that total $500 or more and are secured by real property may be reportable. **Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.**

  When reporting a loan:
  - Provide the name and address of the lender.
  - Describe the lender's business activity.
  - Disclose the interest rate and term of the loan. For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period. The term of a loan is the total number of months or years given for repayment of the loan at the time the loan was established.
  - Check the box indicating the highest balance of the loan during the reporting period.
  - Identify a guarantor, if applicable.

If you have more than one reportable loan on a single piece of real property, report the additional loan(s) on Schedule C.

Example:

Joe Nelson is a city planning commissioner. Joe received rental income of $12,000 during the reporting period from a single tenant who rented property Joe owned in the city's jurisdiction. If Joe had received the $12,000 from two or more tenants, the tenants' names would not be required as long as no single tenant paid $10,000 or more. A married couple would be considered a single tenant.



▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS
4600 24th Street

City
Sacramento

FAIR MARKET VALUE
☐ $2,000-$10,000
☐ $10,001-$100,000
☒ $100,001-$1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/15 ACQUIRED
__/__/15 DISPOSED

NATURE OF INTEREST
☒ Ownership/Deed of Trust ☐ Easement
☐ Leasehold _____ Yrs. remaining ☐ _____ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED
☐ $0 - $499 ☐ $500 - $1,000 ☐ $1,001 - $10,000
☒ $10,001 - $100,000 ☐ OVER $100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,00 or more.
☐ NONE
Henry Wells

NAME OF LENDER*
Sophia Petrotllo

ADDRESS (Business Address Acceptable)
2121 Blue Sky Parkway, Sacramento

BUSINESS ACTIVITY, IF ANY, OF LENDER
Restaurant Owner

INTEREST RATE
8 % ☐ NONE

TERM (Month/Years)
15 Years

HIGHEST BALANCE DURING REPORTING PERIOD
☐ $500 - $1,000 ☐ $1,001 - $10,000
☒ $10,001 - $100,000 ☐ OVER $100,000

☐ Guarantor, if applicable

Reminders

- Income and loans already reported on Schedule B are not also required to be reported on Schedule C.
- Real property already reported on Schedule A-2, Part 4 is not also required to be reported on Schedule B.
- Code filers – do your disclosure categories require disclosure of real property?

SCHEDULE B
Interests in Real Property
(Including Rental Income)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name

► ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

CITY

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/ 15 ACQUIRED __/__/ 15 DISPOSED

NATURE OF INTEREST
- ☐ Ownership/Deed of Trust
- ☐ Easement
- ☐ Leasehold _____ Yrs. remaining
- ☐ _____ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED
- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,000 or more.
- ☐ None

► ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

CITY

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/ 15 ACQUIRED __/__/ 15 DISPOSED

NATURE OF INTEREST
- ☐ Ownership/Deed of Trust
- ☐ Easement
- ☐ Leasehold _____ Yrs. remaining
- ☐ _____ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED
- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,000 or more.
- ☐ None

---

* You are not required to report loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE TERM (Months/Years)

_____% ☐ None

HIGHEST BALANCE DURING REPORTING PERIOD
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

☐ Guarantor, if applicable

NAME OF LENDER*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE TERM (Months/Years)

_____% ☐ None

HIGHEST BALANCE DURING REPORTING PERIOD
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

☐ Guarantor, if applicable

Comments: _____

Clear Page Print Form

Instructions – Schedule C
Income, Loans, & Business Positions
(Income Other Than Gifts and Travel Payments)

Reporting Income:
Report the source and amount of gross income of $500 or more you received during the reporting period. Gross income is the total amount of income before deducting expenses, losses, or taxes and includes loans other than loans from a commercial lending institution. See Reference Pamphlet, page 11. You must also report the source of income to your spouse or registered domestic partner if your community property share was $500 or more during the reporting period.

A source of income must be reported only if the source is located in, doing business in, planning to do business in, or has done business during the previous two years in your agency's jurisdiction. See Reference Pamphlet, page 13, for more information about doing business in the jurisdiction. Reportable sources of income may be further limited by your disclosure category located in your agency's conflict of interest code.

Reporting Business Positions:
You must report your job title with each reportable business entity even if you received no income during the reporting period. Use the comments section to indicate that no income was received.

Commonly reportable income and loans include:
- Salary/wages, per diem, and reimbursement for expenses including travel payments provided by your employer
- Community property interest (50%) in your spouse's or registered domestic partner's income - **report the employer's name and all other required information**
- Income from investment interests, such as partnerships, reported on Schedule A-1
- Commission income not required to be reported on Schedule A-2 (See Reference Pamphlet, page 8.)
- Gross income from any sale, including the sale of a house or car (Report your pro rata share of the total sale price.)
- Rental income not required to be reported on Schedule B
- Prizes or awards not disclosed as gifts
- Payments received on loans you made to others
- An honorarium received prior to becoming a public official (See Reference Pamphlet, page 10, concerning your ability to receive future honoraria.)
- Incentive compensation (See Reference Pamphlet, page 12.)

Reminders
- Code filers – your disclosure categories may not require disclosure of all sources of income.
- If you or your spouse or registered domestic partner are self-employed, report the business entity on Schedule A-2.
- Do not disclose on Schedule C income, loans, or business positions already reported on Schedules A-2 or B.

You are <u>not</u> required to report:
- Salary, reimbursement for expenses or per diem, or social security, disability, or other similar benefit payments received by you or your spouse or registered domestic partner from a federal, state, or local government agency.
- Stock dividends and income from the sale of stock unless the source can be identified.
- Income from a PERS retirement account.

See Reference Pamphlet, page 11, for more exceptions to income reporting.

To Complete Schedule C:

Part 1. Income Received/Business Position Disclosure
- Disclose the name and address of each source of income or each business entity with which you held a business position.
- Provide a general description of the business activity if the source is a business entity.
- Check the box indicating the amount of gross income received.
- Identify the consideration for which the income was received.
- For income from commission sales, check the box indicating the gross income received and list the name of each source of commission income of $10,000 or more. See Reference Pamphlet, page 8. **Note: If you receive commission income on a regular basis or have an ownership interest of 10% or more, you must disclose the business entity and the income on Schedule A-2.**
- Disclose the job title or business position, if any, that you held with the business entity, even if you did not receive income during the reporting period.

Part 2. Loans Received or Outstanding During the Reporting Period
- Provide the name and address of the lender.
- Provide a general description of the business activity if the lender is a business entity.
- Check the box indicating the highest balance of the loan during the reporting period.
- Disclose the interest rate and the term of the loan.
  - For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period.
  - The term of the loan is the total number of months or years given for repayment of the loan at the time the loan was entered into.
- Identify the security, if any, for the loan.

SCHEDULE C
Income, Loans, & Business Positions
(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name

► 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

YOUR BUSINESS POSITION

GROSS INCOME RECEIVED

☐ $500 - $1,000 ☐ $1,001 - $10,000
☐ $10,001 - $100,000 ☐ OVER $100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____ *(Real property, car, boat, etc.)*

☐ Loan repayment

☐ Commission or ☐ Rental Income, *list each source of $10,000 or more*

_____ *(Describe)*

☐ Other _____ *(Describe)*

► 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

YOUR BUSINESS POSITION

GROSS INCOME RECEIVED

☐ $500 - $1,000 ☐ $1,001 - $10,000
☐ $10,001 - $100,000 ☐ OVER $100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____ *(Real property, car, boat, etc.)*

☐ Loan repayment

☐ Commission or ☐ Rental Income, *list each source of $10,000 or more*

_____ *(Describe)*

☐ Other _____ *(Describe)*

► 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF LENDER

HIGHEST BALANCE DURING REPORTING PERIOD

☐ $500 - $1,000
☐ $1,001 - $10,000
☐ $10,001 - $100,000
☐ OVER $100,000

INTEREST RATE

_____% ☐ None

TERM (Months/Years)

_____

SECURITY FOR LOAN

☐ None ☐ Personal residence

☐ Real Property _____ *Street address*

_____ *City*

☐ Guarantor _____

☐ Other _____ *(Describe)*

Comments: _____

FPPC Form 700 (2015/2016) Sch. C
FPPC Advice Email: advice@fppc.ca.gov
FPPC Toll-Free Helpline: 866/275-3772 www.fppc.ca.gov

Clear Page Print Form

Instructions – Schedule D
Income – Gifts

A gift is anything of value for which you have not provided equal or greater consideration to the donor. A gift is reportable if its fair market value is $50 or more. In addition, multiple gifts totaling $50 or more received during the reporting period from a single source must be reported.

It is the acceptance of a gift, not the ultimate use to which it is put, that imposes your reporting obligation. Except as noted below, you must report a gift even if you never used it or if you gave it away to another person.

If the exact amount of a gift is unknown, you must make a good faith estimate of the item's fair market value. Listing the value of a gift as "over $50" or "value unknown" is not adequate disclosure. In addition, if you received a gift through an intermediary, you must disclose the name, address, and business activity of both the donor and the intermediary. You may indicate an intermediary either in the "source" field after the name or in the "comments" section at the bottom of Schedule D.

Commonly reportable gifts include:

- Tickets/passes to sporting or entertainment events
- Tickets/passes to amusement parks
- Parking passes not used for official agency business
- Food, beverages, and accommodations, including those provided in direct connection with your attendance at a convention, conference, meeting, social event, meal, or like gathering
- Rebates/discounts not made in the regular course of business to members of the public without regard to official status
- Wedding gifts (See Reference Pamphlet, page 16)
- An honorarium received prior to assuming office (You may report an honorarium as income on Schedule C, rather than as a gift on Schedule D, if you provided services of equal or greater value than the payment received. See Reference Pamphlet, page 10, regarding your ability to receive future honoraria.)
- Transportation and lodging (See Schedule E.)
- Forgiveness of a loan received by you

You are <u>not</u> required to disclose:

- Gifts that were not used and that, within 30 days after receipt, were returned to the donor or delivered to a charitable organization or government agency without being claimed by you as a charitable contribution for tax purposes
- Gifts from your spouse or registered domestic partner, child, parent, grandparent, grandchild, brother, sister, and certain other famly members (See Regulation 18942 for a complete list.). The exception does not apply if the donor was acting as an agent or intermediary for a reportable source who was the true donor.
- Gifts of similar value exchanged between you and an individual, other than a lobbyist registered to lobby your state agency, on holidays, birthdays, or similar occasions
- Gifts of informational material provided to assist you in the performance of your official duties (e.g., books, pamphlets, reports, calendars, periodicals, or educational seminars)
- A monetary bequest or inheritance (However, inherited investments or real property may be reportable on other schedules.)
- Personalized plaques or trophies with an individual value of less than $250
- Campaign contributions
- Up to two tickets, for your own use, to attend a fundraiser for a campaign committee or candidate, or to a fundraiser for an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The ticket must be received from the organization or committee holding the fundraiser.
- Gifts given to members of your immediate family if the source has an established relationship with the family member and there is no evidence to suggest the donor had a purpose to influence you. (See Regulation 18943.)
- Free admission, food, and nominal items (such as a pen, pencil, mouse pad, note pad or similar item) available to all attendees, at the event at which the official makes a speech (as defined in Regulation 18950(b)(2)), so long as the admission is provided by the person who organizes the event.
- Any other payment not identified above, that would otherwise meet the definition of gift, where the payment is made by an individual who is not a lobbyist registered to lobby the official's state agency, where it is clear that the gift was made because of an existing personal or business relationship unrelated to the official's position and there is no evidence whatsoever at the time the gift is made to suggest the donor had a purpose to influence you.

Reminders

- Gifts from a single source are subject to a $460 limit. See Reference Pamphlet, page 10.
- Code filers – you only need to report gifts from reportable sources.

Gift Tracking Mobile Application

- FPPC has created a gift tracking app for mobile devices that helps filers track gifts and provides a quick and easy way to upload the information to the Form 700. Visit FPPC's website to download the app.

To Complete Schedule D:

- Disclose the full name (not an acronym), address, and, if a business entity, the business activity of the source.
- Provide the date (month, day, and year) of receipt, and disclose the fair market value and description of the gift.

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name

SCHEDULE D
Income – Gifts

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

Comments: _____

Clear Page Print Form

Instructions – Schedule E
Travel Payments, Advances, and Reimbursements

Travel payments reportable on Schedule E include advances and reimbursements for travel and related expenses, including lodging and meals.

Gifts of travel may be subject to the gift limit. In addition, certain travel payments are reportable gifts, but are not subject to the gift limit. To avoid possible misinterpretation or the perception that you have received a gift in excess of the gift limit, you may wish to provide a specific description of the purpose of your travel. See the FPPC fact sheet entitled "Limitations and Restrictions on Gifts, Honoraria, Travel, and Loans" at *www.fppc.ca.gov*.

You are <u>not</u> required to disclose:

- Travel payments received from any state, local, or federal government agency for which you provided services equal or greater in value than the payments received, such as reimbursement for travel on agency business from your government agency employer.
- A payment for travel from another local, state, or federal government agency and related per diem expenses when the travel is for education, training or other inter-agency programs or purposes.
- Travel payments received from your employer in the normal course of your employment that are included in the income reported on Schedule C.
- A travel payment that was received from a non-profit entity exempt from taxation under Internal Revenue Code Section 501(c)(3) for which you provided equal or greater consideration, such as reimbursement for travel on business for a 501(c)(3) organization for which you are a board member.

  Note: Certain travel payments may not be reportable if reported on Form 801 by your agency.

To Complete Schedule E:

- Disclose the full name (not an acronym) and address of the source of the travel payment.
- Identify the business activity if the source is a business entity.
- Check the box to identify the payment as a gift or income, report the amount, and disclose the date(s).
  - **Travel payments are gifts** if you did not provide services that were equal to or greater in value than the payments received. You must disclose gifts totaling $50 or more from a single source during the period covered by the statement.

    When reporting travel payments that are gifts, you must provide a description of the gift and the **date(s)** received. If the travel occurred on or after January 1, 2016, you must also disclose the **travel destination.**
  - **Travel payments are income** if you provided services that were equal to or greater in value than the payments received. You must disclose income totaling $500 or more from a single source during the period covered by the statement. You have the burden of proving the payments are income rather than gifts. When reporting travel payments as income, you must describe the services you provided in exchange for the payment. You are not required to disclose the date(s) for travel payments that are income.

Example:

City council member Rick Chandler is the chairman of a 501 (c)(6) trade association and the association pays for Rick's travel to attend its meetings. Because Rick is deemed to be providing equal or greater consideration for the travel payment by virtue of serving on the board, this payment may be reported as income. Payments for Rick to attend other events for which he is not providing services are likely considered gifts.


► NAME OF SOURCE
Health Services Trade Association
ADDRESS *(Business Address Acceptable)*
1230 K Street, Ste. 610
CITY AND STATE
Sacramento, CA
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
Association of Healthcare Workers
DATE(S): ___/___/___ - ___/___/___ *(If applicable)* AMT: $ 588.00
TYPE OF PAYMENT: (must check one) ☐ Gift ☒ Income
DESCRIPTION: Travel reimbursement for board meeting

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name _____

SCHEDULE E
Income – Gifts
Travel Payments, Advances, and Reimbursements

- **Mark either the gift or income box.**
- **Mark the "501(c)(3)" box for a travel payment received from a nonprofit 501(c)(3) organization or the "Speech" box if you made a speech or participated in a panel. These payments are not subject to the $460 gift limit, but may result in a disqualifying conflict of interest.**
- **For gifts of travel that occurred on or after January 1, 2016, provide the travel destination.**

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

CITY AND STATE

☐ 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE(S): ____/____/____ - ____/____/____ AMT: $_____
(If gift)

► MUST CHECK ONE: ☐ Gift **-or-** ☐ Income

◯ Made a Speech/Participated in a Panel

◯ Other - Provide Description _____

► If Gift, Provide Travel Destination _____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

CITY AND STATE

☐ 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE(S): ____/____/____ - ____/____/____ AMT: $_____
(If gift)

► MUST CHECK ONE: ☐ Gift **-or-** ☐ Income

◯ Made a Speech/Participated in a Panel

◯ Other - Provide Description _____

► If Gift, Provide Travel Destination _____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

CITY AND STATE

☐ 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE(S): ____/____/____ - ____/____/____ AMT: $_____
(If gift)

► MUST CHECK ONE: ☐ Gift **-or-** ☐ Income

◯ Made a Speech/Participated in a Panel

◯ Other - Provide Description _____

► If Gift, Provide Travel Destination _____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

CITY AND STATE

☐ 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE(S): ____/____/____ - ____/____/____ AMT: $_____
(If gift)

► MUST CHECK ONE: ☐ Gift **-or-** ☐ Income

◯ Made a Speech/Participated in a Panel

◯ Other - Provide Description _____

► If Gift, Provide Travel Destination _____

Comments: _____

Clear Page Print Form

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

CITY COUNCIL CANDIDATE INFORMATION SHEET

During your campaign effort, the City may be contacted by the news media and various community organizations to obtain information of interest about you to provide to the general public. Please fill out any item you are willing to issue to the press as public information.

NAME: _____

HOME ADDRESS: _____

CONTACT PHONE NUMBER:_____ ☐ Home ☐ Cell

E-MAIL ADDRESS: _____

SPOUSE'S NAME: _____

CHILDREN'S NAME & AGES:

NUMBER OF YEARS IN CITY: _____

CIVIC ACTIVITIES:

VOLUNTEER WORK:

HOBBIES/INTEREST:

OCCUPATION: _____

COMPANY NAME: _____

BUSINESS PHONE: _____

ADDITIONAL INFORMATION:

NOTE: This is an optional form which the candidate may complete and, if requested, will be provided to the press.

EXPIRES: December 31, 2016

CODE OF FAIR CAMPAIGN PRACTICES

(Division 20, Chapter 5, Elections Code.)
Chapter 5. Fair Campaign Practices

Article 1. General Intent

20400.The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

Article 2. Definitions

20420. As used in this Chapter, "Code" means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices

20440. At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure, as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with § 81000) of the Government Code, an initial campaign statement on behalf of the committee.

The text of the Code shall read, as follows: (See "CODE OF FAIR CAMPAIGN PRACTICES" on reverse side).

20442.The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443.Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444.In no event shall a candidate for public office be required to subscribe to or endorse the code.

Required to be given to candidate.
Optional to be signed and returned.

EXPIRES: December 31, 2016

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammeled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

(1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism.

(2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.

(3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.

(4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.

(5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.

(6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.

(7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

_____
Signature Date

_____
Candidates Name

November 8, 2016
Date of Election

Contest ID:_____

Candidate ID :_____

Words: _____

[ ] 200 [ ] 400

November 8, 2016

Candidate's Statement of Qualifications

CITY OF: _____
OFFICE SOUGHT:_____
WARD/DISTRICT #:_____ (if applicable)

NAME:

AGE:
(Optional)

OCCUPATION:

The Candidate Statement must **be submitted in Microsoft Word via e-mail to wquintanar@cityoflosalamitos.org.** Handwritten statements or statements on lined paper will not be accepted.

INSTRUCTIONS: (Elections Code § 13307)

Date_____ _____
Candidate's Signature

CANDIDATE'S STATEMENT FORMATTING GUIDELINES

The Registrar of Voters office has a semi-automated system for Sample Ballot input/layout of Candidate's Statement of Qualifications. Due to the volume of statements and printing deadlines, it is necessary to have a standardized format for candidates' statements. We have prepared the following guidelines to assist candidates in the preparation of their statements.

1. The following paragraph styles are acceptable with this system.

INDENTED PARAGRAPHS:

Xxxxx xxxxx xxxxxxxxxx xxxxx xxxxx. X xxxx xx xxxxxxxxx xxxxxxxxx xxxxxxxxxxx xxxxxxx xxxxxxxxxx xx xxx xxxxx. Xxx xxxxx xxxxxxx xxxxx xx xx.

Xxxx xxxxxxxx xx x x xxxxxxxxxx x xxxxxx xxxxx. Xxx xxxxxx xxxxxx xxxxx xx xxx xxxxx xxx xxxxxx. Xx xxxxx xxx.

BLOCK PARAGRAPHS:

Xxxxx xxxxxxx xxxxx. Xxxx x xx xxxx xxxxxxxxxx xxx. Xxxx xxx xxx xxxxxxxxxx. Xxxxxxx xx x xxxxxxx xx xx
xxxx. X xxx xxxxx xxx x xx xxxx. Xxx xxx xxx xxxxxxx xxxxx xxx.

Xxx xxxxxx xxx. Xx xxx xxxxxxx xxxxxx xxxxx. X xxx xxxxx xxxxxx xxxxx xxx. Xxxxx xxxxxxxxxxxxxxx xx xx
x xx xxx xxx. Xxx xxxx xxxxxxxx xxxxx xxx. Xxx xxxxx xxxxxx xxxxxx xxxxx.

DO NOT USE ANY PARAGRAPH/FORMAT STYLE OTHER THAN THOSE LISTED ABOVE.

2. All statements must be submitted on our form or typed or printed by automated equipment. **DO NOT PRINT ANY STATEMENT ON LINED PAPER.**

3. NOTE: Name, age, and occupation lines are not included in the word count. Only the text is counted. **The words reflected in the "Occupation" field must follow the ballot designation guidelines.**

4. Do not underline or **bold** WORDS; words may NOT be all CAPITAL letters. §13307

5. Do not use *italics* or different type styles or type sizes to highlight portions of the statement. §13307

6. A 200-word statement must fit on one quarter of a Sample Ballot page. A 400-word statement must fit on a half page of a sample ballot. If your statement exceeds this limitation we will be forced to adjust your format to fit in the space allowed.

7. Do not use bullet points, stars, asterisks, or numbers that function as bullet points to off-set paragraphs. **Excessive number of paragraphs or block-indentation in a Candidate's Statement may cause the statement to not fit in the allotted space even though the word count hasn't exceeded the maximum number of words. If the statement does not fit into the box, you will be asked to edit your statement. Keep this in mind as you write and format your statement.**

8. You may block indent a paragraph as long as you do not use bullet points, stars, asterisks or numbers.

9. All statements are printed in the sample ballot pamphlet with the following titles which are not included in the word count:

NAME OF CITY
TITLE OF OFFICE

Use these general guidelines to assist you in the preparation of your statement.

CHECK YOUR STATEMENT CAREFULLY FOR ERRORS IN SPELLING, PUNCTUATION, AND GRAMMAR BEFORE FILING. WITH THE EXCEPTION OF THE FORMATTING REQUIREMENTS, YOUR STATEMENT WILL BE PRINTED EXACTLY AS SUBMITTED.

WORD COUNT STANDARD FOR CANDIDATE'S STATEMENT OF QUALIFICATIONS
(§9 – entire page)

Each word shall be counted as one word except as specified on this page.

The following are the guidelines for computing the word count:

The title of the office, name, district, age, and occupation lines are not included in the word count –only the text is counted. For voter-nominated offices, the party preference line is also not included in the word count.

Punctuation marks are not included in the word count.
Symbols such as "&" (and), and "#" (number/pound) are not considered punctuation..... each symbol is counted as one word

Dictionary words.....one word
The words "a", "the", "and", and "an" are counted as individual words.

Geographical names -- **limited to cities, counties, and states**.....one word
Examples: County of Orange, Orange County, San Juan Capistrano, City of Brea

Abbreviations - UCLA, U.C.L.A., PTA, P.T.A., USMC, U.S.M.C.....one word

Acronyms.....one word

Regularly hyphenated words appearing in any generally available standard reference dictionary published in the United States within 10 years preceding the election. Each part of all other hyphenated words shall be counted as a separate word.....one word

Dates - all digits (4/8/98).....one word
Words and digits (April 8,1998).....two words

Whole numbers - Digits (1 or 10 or 100, etc.).....one word
Spelled out (one or ten or one hundred).....each word counts as one word

Names of persons and things.....each word counts as one word
Gus Enright (two words); L.A. Basketball Team (three words)

Numeric combinations (1973, 18 1/2, 1971-73, 5%).....one word

Monetary amounts (if the dollar sign is used with figures - $1,000).....one word
Spelled out (one thousand dollars).....each word counts as one word

Telephone/fax numbers.....one word

E-mail and website addresses.....one word

If the text exceeds the word limit, the candidate must delete or change a sufficient number of words, or a sentence, to put the statement within the required word limit before the statement is filed. The candidate should correct any misspellings before the statement is filed. **Other than formatting requirements, your statement will be printed as filed.**

The submitted statement must be typed. No word will be printed in "ALL CAPS", bolding or underlining. Do not use bullet points, stars, asterisks, or numbers that function as bullet points to block-indent paragraphs. However, you may block-indent within the paragraph without using bullets, etc. See "Candidate's Statement Formatting Guidelines" for more information. The scanning equipment used by the Registrar of Voters' office to produce camera ready copy for Sample Ballot Pamphlet

candidates and length of statements, the above amounts are only an estimate. If more candidates prepare statements for the same office, the actual cost per candidate will be less than the deposit amount. If only one candidate prepares a statement for an office, the actual cost of the statement will be significantly higher.

The actual cost of the statement may also be higher due to increases in sample ballot production costs and printing and the translation into four required languages countywide, as required by federal law. Although the Registrar of Voters attempts to make the closest possible estimates, there are often either increases or decreases in costs for a particular contest. **Bills, if any, or refunds will be made within thirty (30) days of the election.** **§ 13307(c)**

If a candidate's contest does not appear on the ballot (due to being a contest whose candidates may be appointed in lieu of election if the number of candidates nominated does not exceed the number of candidates to be elected from that district), his/her Candidate's Statement payment will be automatically refunded.

IMPORTANT: A candidate may withdraw his/her Candidate's Statement by signing and submitting a cancellation notice at the bottom of the Deposit Agreement or in writing to the Registrar of Voters no later than 5:00 p.m. of the next working day after the close of the nomination period. **§ 13307(a)**

CANDIDATE'S STATEMENT INFORMATION SHEET

Please type using regular lowercase letters, do not use all CAPS.
Type your statement clearly and legibly - DO NOT handwrite or print.

Section 13307 of the Elections Code of the State of California sets forth guidelines for candidate's statements. Please follow them:

1. The statement of each candidate shall be printed in type of uniform size and darkness and with uniform spacing.
2. The statement shall not include any party affiliation or membership or activity in partisan political organizations.
3. Reference to other candidates for that office or to another candidate' s qualifications, character, or activities are prohibited.
4. Your statement will be printed as submitted; therefore you are advised to carefully check for errors in punctuation and grammar. Spelling however, will be corrected by the computer automatically.
5. Remember to sign this form and any supplemental sheets if used and attach them to your statement. If you wish to have a Foreign language translation of your statement prepared for printing in the Voter's Pamphlet, be sure to check the space(s) provided on the front of this form.

WORD COUNT STANDARDS

As stated in Section 9 of the Elections Code.

(a)Counting of words, for purposes of this code, shall be as follows:

(1) Punctuation is not counted.
(2) Each word shall be counted as one word except as specified in this section.
(3) All proper nouns, including geographical names, shall be considered as one word; for example, "City and County of San Francisco" shall be counted as one word.
(4) Each abbreviation for a word, phrase, or expression shall be counted as one word. *E.G. UCLA, PTA, L.A.P.D.*
(5)Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
(6) Dates shall be counted as one word, in either format, i.e. *April 10, 1990* or *4/10/90.*
(7) Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. "100" shall be counted as one word.
(8) Telephone numbers shall be counted as one word.
(9) Internet web site and email addresses shall be counted as one word.

(b)This section shall not apply to counting words for ballot designations under Sections 13107 and 13107.5.

FOR MEMBER OF THE CITY COUNCIL
JOHN SMITH Age: 45
Occupation: Businessman

I have been a 30 year resident of this City and thoroughly enjoy living here. I would like to increase citizen education and police resources to stop the gang and graffiti activity that are overtaking our city.

I would like to implement environmental standards for cleaner water and air quality.

I respectfully ask for your support and thank those of you who cast your vote for me. A vote for me is a vote for a better City Council.

/s/ John Smith

SAMPLE OF STATEMENT FORMAT



Please use Helvetica 10 pt type.

BALLOT DESIGNATION WORKSHEET

Pursuant to California Elections Code Section 13107.3 and Section 20711 of the California Code of Regulations, this entire form must be completed, or it will not be accepted and you will not be entitled to a ballot designation. DO NOT LEAVE ANY RESPONSE SPACES BLANK. If information requested is not applicable, please write N/A in the space provided. Otherwise the information MUST be provided. Upon filing, this worksheet will be a public record.

Candidate Name: _____

Office of: _____

Home Address: _____

Business Address: _____

Mailing Address: _____

Business Phone: _____ Home/Mobile Phone: _____

Fax Number: _____ E-Mail Address: _____

Other Person Authorized to Act in Your Behalf or Not Applicable: ☐

Attorney Name: _____ Office: _____

Home Address: _____

Business Address: _____

Mailing Address: _____

Business Phone: _____ Home/Mobile Phone: _____

Fax Number _____ E-Mail Address: _____

PROPOSED BALLOT DESIGNATION: _____

1st Alternative: _____

2nd Alternative: _____

You may select as your ballot designation one of the following:
(a) Your current principal profession(s), vocation(s), or occupation(s) [maximum total of three words, separated by a "/"]
(b) The full title of the public office you currently occupy and to which you were elected
(c) "Appointed [full title of public office]" if you currently serve by appointment in an elective public office and are seeking election to a different office
(d) "Incumbent" if you were elected (or, if you are a Superior Court Judge, appointed) to your current public office and seek election to a new term
(e) "Appointed Incumbent" if you were appointed to your current elective public office (other than Superior Court Judge) and seek election to a new term

In the space provided on the next page or on an attachment sheet, describe why you believe you are entitled to use the proposed ballot designation. Attach any documents or exhibits that you believe support your proposed ballot designation. If using the title of an elective office, attach a copy of your certificate of election or appointment. These documents will not be returned to you. Do not submit originals.

If your proposed ballot designation includes the word "volunteer," indicate the title of your volunteer position and the name of the entity for which you volunteer along with a brief description of the type of volunteer work you do and the approximate amount of time involved. You may only use the ballot designation "community volunteer" if you volunteer for a 501(c)(3) charitable, educational, or religious organization, a governmental agency or an educational institution. You may not use "community volunteer" together with another designation.

Required to be given to candidate.
Required to be signed and returned.

Remember, it is your responsibility to justify your proposed ballot designation and to provide all requested details.
For your reference, attached are Elections Code Sections 13107 and 13107.3, and 2 California Code of Regulations (CCR) Section 20711. You may also wish to consult Elections Code Section 11307.5 ("community volunteer") and 2 CCR Sections 20712 - 20719 (found at www.sos.ca.gov).

Justification for use of proposed ballot designation:

Current or Most Recent Job Title: _____ Start Date: _____ End Date: _____

Employer Name or Business: _____

Person(s) Who Can Verify this Information:

Name(s): _____ Phone Number: _____

E-Mail: _____

Name(s): _____ Phone Number: _____

E-Mail: _____

Before signing below, answer the following questions:
Does your proposed ballot designation:

-Use only a portion of the title of your current elected office?	Yes ☐	No ☐
-Use only the word "Incumbent" for an elective office (other than Superior Court Judge) to which you were appointed?	Yes ☐	No ☐
-Use more than three total words for your principal professions, vocations or occupations?	Yes ☐	No ☐
-Suggest an evaluation of you, such as outstanding, leading, expert, virtuous, or eminent?	Yes ☐	No ☐
-Refer to a status (Veteran, Activist, Founder, Scholar), rather than a profession, vocation or occupation?	Yes ☐	No ☐
-Abbreviate the word "retired"?	Yes ☐	No ☐
-Place the word "retired" after the words it modifies? Example: Accountant, retired	Yes ☐	No ☐
-Use any word or prefix (except "retired") such as "former" or "ex-" to refer to a former profession, vocation or occupation?	Yes ☐	No ☐
-Use the word "retired" along with a current profession, vocation or occupation? Example: Retired Firefighter/Teacher	Yes ☐	No ☐
-Use the name of a political party or political body?	Yes ☐	No ☐
-Refer to a racial, religious, or ethnic group?	Yes ☐	No ☐
-Refer to any activity prohibited by law?	Yes ☐	No ☐

If the answer is to any of these questions is "Yes," your proposed Ballot Designation is likely to be rejected.

Candidate's Signature: _____ Date: _____

For your reference, the relevant provisions of the Elections Code section are reproduced below:

13106. No Title or Degree.

No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name.

13107. Ballot Designation Requirements

(a) With the exception of candidates for Justice of the State Supreme Court or Court of Appeal, immediately under the name of each candidate, and not separated from the name by any line, unless the designation made by the candidate pursuant to Section 8002.5 must be listed immediately below the name of the candidate pursuant to Section 13105, and in that case immediately under the designation, may appear at the option of the candidate only one of the following designations:

(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior court judge.

(2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior court judge, was appointed to that office.

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(4) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

(b) Neither the Secretary of State nor any other elections official shall accept a designation of which any of the following would be true:

(1) It would mislead the voter.

(2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.

(3) It abbreviates the word "retired" or places it following any word or words which it modifies.

(4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."

(5) It uses the name of any political party, whether or not it has qualified for the ballot.

(6) It uses a word or words referring to a racial, religious, or ethnic group.

(7) It refers to any activity prohibited by law.

(c) If, upon checking the nomination documents and the ballot designation worksheet described in Section 13107.3, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate's ballot designation worksheet.

(1) The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision (a).

(2) In the event the candidate fails to provide a designation that complies with subdivision (a) within the three-day period specified in paragraph (1), no designation shall appear after the candidate's name.

(d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as provided in subdivision (e). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.

(e) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.

13107.3 Ballot Designation Worksheet in format prescribed by Secretary of State

(a) A candidate who submits a ballot designation pursuant to subdivision (a) of Section 13107 shall file a ballot designation worksheet that supports the use of that ballot designation by the candidate, in a format prescribed by the Secretary of State.

(b) The ballot designation worksheet shall be filed with the elections official at the same time that the candidate files his or her declaration of candidacy.

(c) In the event that a candidate fails to file a ballot designation worksheet in accordance with subdivision (a), no designation shall appear under the candidate's name on the ballot.

For your reference, the relevant provisions of the Elections Code section are reproduced below:

13107.5. Ballot Designation of "Community Volunteer"

(a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:

(1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.

(2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.

(3) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.

(b) The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.

20711. Ballot Designation Worksheet.

(a) In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code Section 13107, the candidate shall submit, at the time of filing his or her proposed ballot designation on the Declaration of Candidacy, a completed Ballot Designation Worksheet on a form provided by the Secretary of State.

(b) All Ballot Designation Worksheets filed with the Office of the Secretary of State or the county elections officials pursuant to this section shall be public records and shall be available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, Fifth Floor, 1500 11th Street, Sacramento, California 95814, or at the office of the applicable county elections official.

(c) The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:

(1) The candidate's name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number;

(2) A designation of the office for which the candidate is seeking election;

(3) The name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;

(4) The proposed ballot designation submitted by the candidate;

(5) The candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate's preference;

(6) A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, including the following:

(A) If the candidate holds elected office and is submitting his or her proposed ballot designation pursuant to Elections Code Section 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently occupies and may attach a copy of his or her Certificate of Election;

(B) If the candidate is a judicial officer and is submitting his or her proposed ballot designation pursuant to Elections Code Section 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently holds and may attach either (A) a copy of his or her Certificate of Election or (B) a copy of his or her commission or certificate of appointment, issued at the time the candidate was appointed to the judicial office which he or she currently occupies;

(C) If the candidate submits a ballot designation pursuant to Elections Code Section 13107, subdivision (a)(3), the candidate shall indicate:

(i) The title of the position or positions which he or she claims supports the proposed ballot designation;

(ii) The dates during which the candidate held such position;

(iii) A description of the work he or she performs in the position;

(iv) The name of the candidate's business or employer;

(v) The name and telephone number of a person or persons who could verify such information; and

(vi) A statement that the professions, vocations or occupations relied upon to support the proposed ballot designation constitute the primary, main or leading professions, vocations or occupations of the candidate, in accordance with the definition of the term "principal" as set forth at Section 20714, subdivision (b).

(D) If the candidate submits a ballot designation pursuant to Elections Code Section 13107, subdivision (a)(4), the candidate shall indicate the date on which he or she was appointed to the office for which he or she is an appointed incumbent.

(d) The candidate may attach or append any supporting documents or other exhibits to his or her Ballot Designation Worksheet which he or she believes support his or her proposed ballot designation. Such attached documents or other exhibits shall be deemed to be incorporated by reference as part of the candidate's Ballot Designation Worksheet and shall be considered as such by the Secretary of State.

(e) If a candidate requests a change of his or her ballot designation pursuant to Elections Code Section 13107(e), that request shall be accompanied by a Ballot Designation Worksheet.

Ballot Designations

California Code of Regulations

Title 2. Administration
Division 7. Secretary of State
Chapter 7. Ballot Designations

- 20710. General Provisions.
- 20711 Ballot Designation Worksheet.
- 20712 Proposed Ballot Designations Submitted Pursuant to Elections Code Section 13107, Subdivision (a)(1).
- 20713 Proposed Ballot Designations Submitted Pursuant to Elections Code Section 13107, Subdivision (a)(2).
- 20714 Proposed Ballot Designations Submitted Pursuant to Elections Code Section 13107, Subdivision (a)(3).
    - 20714.5 "Community Volunteer."
- 20715 Proposed Ballot Designations Submitted Pursuant to Elections Code Section 13107, Subdivision (a)(4).
- 20716 Unacceptable Ballot Designations.
- 20717 Requests for Supporting Documentation.
- 20718 Communication of Decisions Regarding Ballot Designations.
- 20719 Service of Legal Process Regarding Ballot Designations.

20710. General Provisions.

1. The regulatory purpose of this Chapter is to ensure the accurate designation of the candidate upon the ballot in order that an informed electorate may intelligently elect one of the candidates.
2. The Secretary of State shall, at all times, apply and interpret the provisions of Elections Code Section 13107 and the regulations included in this Chapter in a manner consistent with the regulatory purpose of this Chapter.
3. Candidates are not required to use a ballot designation pursuant to Elections Code Section 13107, subdivision (a), and may opt to leave the space for such a designation on the ballot blank. In order to notify the elections official as to whether he or she will use a ballot designation or will opt to leave the ballot designation space blank, the candidate must initial the appropriate box on the Declaration of Candidacy or otherwise so indicate on the Declaration of Candidacy.
4. Pursuant to Elections Code s 13107, subdivision (a), a candidate may submit a proposed ballot designation pursuant to any one of the four provisions specified in Elections Code Section 13107, subdivision (a), subparts (1) through (4), applicable to that candidate. The candidate shall be free to select from which of the applicable four subparts he or she is submitting his or her proposed ballot designation.
5. The regulations set forth in this Chapter shall apply only to elections held for offices for which elections returns are certified by the Secretary of State of the State of California.
6. Whenever, the word "should" is used in this Chapter, it is recommended, not mandatory.

Note: Authority cited: Section 12172.5, Government Code. Reference: Section 13107, Elections Code.

HISTORY

1. New chapter 7 (sections 20710-20719) and section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).

20711. Ballot Designation Worksheet.

1. In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code Section 13107, the candidate shall submit, at the time of filing his or her proposed ballot designation on the Declaration of Candidacy, a completed Ballot Designation Worksheet on a form provided by the Secretary of State.
2. All Ballot Designation Worksheets filed with the Office of the Secretary of State or the county elections officials pursuant to this section shall be public records and shall be available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, Fifth Floor, 1500 11th Street, Sacramento, California 95814, or at the office of the applicable county elections official.
3. The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:
    1. The candidate's name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number;
    2. A designation of the office for which the candidate is seeking election;
    3. The name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;
    4. The proposed ballot designation submitted by the candidate;
    5. The candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate's preference;
    6. A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, including the following:
        1. If the candidate holds elected office and is submitting his or her proposed ballot designation pursuant to Elections Code Section 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently occupies and may attach a copy of his or her Certificate of Election;
        2. If the candidate is a judicial officer and is submitting his or her proposed ballot designation pursuant to Elections Code Section 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently holds and may attach either (A) a copy of his or her Certificate of

Election or (B) a copy of his or her commission or certificate of appointment, issued at the time the candidate was appointed to the judicial office which he or she currently occupies;

3. If the candidate submits a ballot designation pursuant to Elections Code Section 13107, subdivision (a)(3), the candidate shall indicate:
    1. The title of the position or positions which he or she claims supports the proposed ballot designation;
    2. The dates during which the candidate held such position;
    3. A description of the work he or she performs in the position;
    4. The name of the candidate's business or employer;
    5. The name and telephone number of a person or persons who could verify such information; and
    6. A statement that the professions, vocations or occupations relied upon to support the proposed ballot designation constitute the primary, main or leading professions, vocations or occupations of the candidate, in accordance with the definition of the term "principal" as set forth at Section 20714, subdivision (b).
4. If the candidate submits a ballot designation pursuant to Elections Code Section 13107, subdivision (a)(4), the candidate shall indicate the date on which he or she was appointed to the office for which he or she is an appointed incumbent.

4. The candidate may attach or append any supporting documents or other exhibits to his or her Ballot Designation Worksheet which he or she believes support his or her proposed ballot designation. Such attached documents or other exhibits shall be deemed to be incorporated by reference as part of the candidate's Ballot Designation Worksheet and shall be considered as such by the Secretary of State.
5. If a candidate requests a change of his or her ballot designation pursuant to Elections Code Section 13107(e), that request shall be accompanied by a Ballot Designation Worksheet.

Note: Authority Authority cited: Section 12172.5, Government Code. Reference: Sections 13107 and 13107.3, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment of subsections (a), (c)(5), (c)(6)(A)-(C) and (c)(6)(D), new subsection (e) and amendment of Note filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20712. Proposed Ballot Designations Submitted Pursuant to Elections Code Section 13107, Subdivision (a)(1).

Proposed ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(1), shall be subject to the following provisions:

1. In the case of candidates holding elective city, county, district, state, or federal office, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents.
2. In the case of judicial officers, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents.
3. There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(1).
4. Proposed ballot designations indicating a position of legislative leadership or leadership in another elected body, such as "Majority Leader of the California Senate," "Minority Leader of the California State Assembly," "Speaker of the California State Assembly," "President Pro Tempore of the California State Senate," "City of Orange Mayor Pro Tem," and the like, are not elective offices described in Elections Code Section 13107, subdivision (a)(1). Such ballot designations are improper, pursuant to Elections Code Section 13107, subdivision (a)(1). They may, however, subject to the three-word limit, be considered under the provisions of Section 13107(a)(3). Examples of acceptable ballot designations under this section include, but are not limited to, "Assembly Minority Leader," "California Assembly Speaker," and "Mayor Pro Tem."
5. Proposed ballot designations indicating that the candidate is a member of the state or county central committee of a political party, or an officer of a state or county central committee of a political party, are improper, as such positions do not constitute elective county or state offices as specified in Elections Code Section 13107, subdivision (a)(1).

Note: Authority cited: Section 12172.5, Government Code. Reference: Section 13107, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment of subsection (d) filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20713. Proposed Ballot Designations Submitted Pursuant to Elections Code Section 13107, Subdivision (a)(2).

Proposed ballot designations submitted pursuant to Elections Code s 13107, subdivision (a)(2), shall be subject to the following provisions:

1. A proposed ballot designation submitted pursuant to Elections Code Section 13107, subdivision (a)(2), is limited "incumbent," as that term is defined in Elections Code s 13107, subdivision (a)(2).
2. The term "incumbent" must be used as a noun. It shall not be used in conjunction with any other words, including any accompanying adjectives or modifiers, and must stand alone. A candidate qualified to use this designation pursuant to Elections Code Section 13107, subdivision (a)(2), shall be entitled to use the ballot designation "Incumbent."
3. The word "incumbent" is strictly limited for use in ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(2), and may not be used as an adjective in any other ballot designation.

Note: Authority cited: Section 12172.5, Government Code. Reference: Section 13107, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).

20714. Proposed Ballot Designations Submitted Pursuant to Elections Code Section 13107, Subdivision (a)(3).

Proposed ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(3), shall be subject to the following provisions:

1. The terms "profession," "vocation," or "occupation," as those terms are used in Elections Code Section 13107, subdivision (a)(3), are defined as follows:
    1. "Profession" means a field of employment requiring special education or skill and requiring knowledge of a particular discipline. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to, law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a "profession," as defined in Elections Code Section 13107, subdivision (a)(3), include, but are not limited to, "attorney," "physician," "accountant," "architect," and "teacher."
    2. "Vocation" means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood and spends a major portion of his or her time. As defined, vocations may include, but are not limited to, religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a "vocation," as defined in Elections Code Section 13107, subdivision (a)(3), include, but are not limited to, "minister," "priest," "mother," "father," "homemaker," "dependent care provider," "carpenter," "plumber," "electrician," and "cabinetmaker."
    3. "Occupation" means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an "occupation," as defined in Elections Code Section 13107, subdivision (a)(3), include, but are not limited to, "rancher," "restaurateur," "retail salesperson," "manual laborer," "construction worker," "computer manufacturing executive," "military pilot," "secretary," and "police officer."
2. "Principal," as that term is used in Elections Code Section 13107, subdivision (a)(3), means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. The term "principal" precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute.
    1. If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it one of his or her

"principal" professions, vocations or occupations if the candidate has maintained his or her license current as of the date he or she filed his or nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and the status of the candidate's license is active at the time he or she filed his or her nomination documents.

2. A candidate who holds a professional, vocational or occupational license issued by the State of California may not claim such profession, vocation or occupation as one of his or her "principal" professions, vocations or occupations if the candidate's licensure status is "inactive" at the time the candidate files his or her nomination document, or the candidate's license has been suspended or revoked by the agency issuing the license at the time the candidate files his or her nomination documents.

3. In order for a ballot designation submitted pursuant to Elections Code Section 13107, subdivision (a)(3), to be deemed acceptable by the Secretary of State, it must accurately state the candidate's principal professions, vocations or occupations, as those terms are defined in subdivisions (a) and (b) herein. Each proposed principal profession, vocation or occupation submitted by the candidate must be factually accurate, descriptive of the candidate's principal profession, vocation or occupation, must be neither confusing nor misleading, and must be in full and complete compliance with Elections Code Section 13107 and the regulations in this Chapter.

4. If the candidate is engaged in a profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate's proposed ballot designation is entitled to consist of the candidate's current principal professions, vocations and occupations. In the event the candidate does not have a current principal profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate may use a ballot designation consisting of his or her principal professions, vocations or occupations, which the candidate was principally engaged in during the calendar year immediately preceding the filing of the candidate's nomination papers.

5. A candidate may engage in multiple principal professions, vocations or occupations. Accordingly, the candidate may designate multiple principal professions, vocations or occupations. If a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions:

    1. The proposed ballot designation must comply with the three-word limitation specified in Elections Code Section 13107, subdivision (a)(3), and as implemented pursuant to subdivision (f) herein.
    2. Each such proposed profession, vocation or occupation shall be separately considered by the Secretary of State and must independently qualify as a "principal" profession, vocation or occupation, as that term is defined pursuant to subdivision (b) herein.
    3. When multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash ("/"). An example of an acceptable designation would be "Legislator/Rancher/Physician."

6. Pursuant to Elections Code Section 13107, subdivision (a)(3), the candidate's ballot designation shall be limited to not more than three (3) words. The following rules shall govern the application of the three-word limitation:

1. The proposed ballot designation shall be grammatically correct, generic, and all words must be spelled correctly.
2. Punctuation shall be limited to the use of a comma (e.g., District Attorney, Los Angeles County) and a slash (e.g., Legislator/Rancher/Physician), pursuant to subdivision (e) of this section. A hyphen may be used if, and only if, the use of a hyphen is called for in the spelling of a word as it appears in a standard reference dictionary of the English language, which was published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted.
3. All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special districts and political subdivisions are not "geographical names," as that term is used in Elections Code Section 13107, subdivision (a)(3). If the candidate desires, the geographical name may be used in the form of "City of . . . ," "County of . . . ," or "City and County of . . ." Examples of geographical names considered to be one word include Tehama County, Los Angeles County and County of Sacramento. Examples of designations containing a special district or political subdivision that are not geographical names include "Butte County Rural Fire District Captain," "Huntington Beach Unified School District President," and "South Bay Irrigation District Director."
4. An acronym shall be counted as one word.

7. A candidate who chooses to include the name of his or her elective office with another profession, vocation, or occupation may do so pursuant to Elections Code section 13107(a)(3), but that ballot designation shall be limited to no more than three words. Examples of acceptable designations under this section include "State Senator/Rancher," "California Assemblywoman/Attorney," "County Supervisor/Teacher," and "State Controller/Businessman." Examples of unacceptable designations under this section include "Assemblyman, 57th District/Educator," "California State Senator/Architect," "Placer County Supervisor/Business Owner," and "Member, Board of Equalization/Banker."

Note: Authority cited: Section 12172.5, Government Code. Reference: Sections 9 and 13107, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment of subsections (a)(1), (c) and (f)(2)-(3), new subsection (g) and amendment of Note filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20714.5. "Community Volunteer."

1. "Community Volunteer" means a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following:

1. A charitable, educational, or religious organization as defined by the United States Internal Revenue Code section 501(c)(3);
2. A governmental agency; or
3. An educational institution.

2. The activity or service must constitute substantial involvement of the candidate's time and effort such that the activity or service is the sole, primary, main or leading professional, vocational or occupational endeavor of the candidate within the meaning of subdivisions (a) and (b) of section 20714 of this Chapter.

Note: Authority cited: Section 12172.5, Government Code; and Section 13107.5(b), Elections Code. Reference: Sections 13107 and 13107.5, Elections Code; and Section 501(c)(3), United State Internal Revenue Code.

HISTORY

1. New section filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20715. Proposed Ballot Designations Submitted Pursuant to Elections Code s 13107, Subdivision (a)(4).

1. Pursuant to Elections Code Section 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the phrase "appointed incumbent" if the candidate holds an office, other than a judicial office, by virtue of appointment, and the candidate is a candidate for election to the same office. The candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed."
2. Pursuant to Elections Code Section 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the word "appointed" in conjunction with the elective office, if the candidate is a candidate for election to the same office or to some other office. The candidate may not use any words designating the office unmodified by the word "appointed."
3. There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(4).

Note: Authority cited: Section 12172.5, Government Code. Reference: Section 13107, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).

20716. Unacceptable Ballot Designations.

1. The Secretary of State shall reject as unacceptable any proposed ballot designation which fails to comply with Elections Code Section 13107, subdivision (a); is prohibited pursuant to Elections

Code Section 13107, subdivision (b); is misleading; or is otherwise improper pursuant to the regulations set forth in this Chapter.

2. The following types of activities are distinguished from professions, vocations and occupations and are not acceptable as ballot designations pursuant to Elections Code Section 13107, subdivision (a)(3):
    1. Avocations: An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate's principal profession, vocation or occupation. Avocations may include, but are not limited to, hobbies, social activities, volunteer work (except as set forth in Section 20714.5 of this Chapter), and matters pursued as an amateur.
    2. Pro Forma Professions, Vocations and Occupations: Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated, except as set forth in Section 20714.5 of this Chapter. Pro forma professions, vocations and occupations may include, but are not limited to, such pursuits as honorary peace officer, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like.
    3. Statuses: A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to, veteran, proponent, reformer, scholar, founder, philosopher, philanthropist, activist, patriot, taxpayer, concerned citizen, husband, wife, and the like.
3. Pursuant to Elections Code Section 13107, subdivision (b)(1), the Secretary of State shall reject as unacceptable any proposed ballot designation which would mislead voters. In making this determination, the Secretary of State shall determine whether there is a substantial likelihood that a reasonably prudent voter would be misled as to the candidate's principal profession, vocation or occupation by the candidate's proposed ballot designation. The determination shall take into account the plain meaning of the words constituting the proposed ballot designation and the factual accuracy of the proposed ballot designation based upon supporting documents or other evidence submitted by the candidate in support of the proposed ballot designation, pursuant to SectionSection 20711 and 20717 of this Chapter.
4. A ballot designation may not comprise or include commercial identification information, such as a trademark, service mark, tradename, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not limited to, "Acme Company President," "Universal Widget Inventor," "Director, Smith Foundation," "UCLA Professor," and the like.
5. Pursuant to Elections Code Section 13107, subdivision (b)(2), the Secretary of State shall reject as unacceptable any proposed ballot designation which would suggest an evaluation of the candidate's qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate's qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to, "senior," "emeritus," "specialist," "magnate," "outstanding," "leading," "expert," "virtuous," "eminent,"

"best," "exalted," "prominent," "famous," "respected," "honored," "honest," "dishonest," "corrupt," "lazy," and the like.

6. Pursuant to Elections Code Section 13107, subdivision (b)(3), the Secretary of State shall reject as unacceptable any proposed ballot designation which abbreviates the word "retired" or places it following any word or words which it modifies. Examples of impermissible designations include "Ret. Army General," "Major USAF, Retired" and "City Attorney, Retired."
7. Pursuant to Elections Code Section 13107, subdivision (b)(4), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed or judicial office previously held by the candidate. Such impermissible words or prefixes include, but are not limited to, "Ex-," "former," "past," and "erstwhile." Examples of impermissible designations include "Former Congressman," "Ex-Senator," and "Former Educator."
8.
    1. Subject to the provisions of Elections Code Section 13107, subdivision (b)(4), use of the word "retired" in a ballot designation is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation.
    2. In evaluating a proposed ballot designation including the word "retired," the Secretary of State will consider the following factors in making a determination as to the propriety of the use of the term "retired":
        1. Prior to retiring from his or her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than 5 years;
        2. The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension;
        3. The candidate has reached at least the age of 55 years;
        4. The candidate voluntarily left his or her last professional, vocational or occupational position; and,
        5. The candidate's retirement benefits are providing him or her with a principal source of income.
    3. If a candidate is requesting a ballot designation that he or she is a retired public official, the candidate must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office. If such a candidate did not voluntarily retire from public office, he or she may not use the word "retired" in his or her ballot designation.
    4. A candidate may not use the word "retired" in his or her ballot designation if that candidate possesses another more recent, intervening principal profession, vocation, or occupation.
9. Pursuant to Elections Code Section 13107, subdivision (b)(5), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status.
10. Pursuant to Elections Code Section 13107, subdivision (b)(6), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or words referring to a racial, religious, or ethnic group.

1. The Secretary of State shall reject as unacceptable any ballot designation which expressly contains or implies any ethnic or racial slurs or ethnically or racially derogatory language.
2. If the candidate is a member of the clergy, the candidate may not make reference to his or her specific denomination. However, the candidate may use his or her clerical title as a ballot designation (e.g., "Rabbi," "Pastor," "Minister," "Priest," "Bishop," "Deacon," "Monk," "Nun," "Imam," etc.)

11. Pursuant to Elections Code Section 13107, subdivision (b)(7), the Secretary of State shall reject as unacceptable any proposed ballot designation which refers to any activity prohibited by law. Unlawful activity includes any activities, conduct, professions, vocations, or occupations prohibited by state or federal law.

Note: Authority cited: Section 12172.5, Government Code. Reference: Section 13107, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20717. Requests for Supporting Documentation.

In addition to the Ballot Designation Worksheet required to be filed with the Secretary of State pursuant to Elections Code Section 13107.3 and Section 20711 of this Chapter, the Secretary of State may request that a candidate submit additional supporting documentation or other evidence to support the proposed ballot designation.

1. Time is of the essence regarding all matters pertaining to the review of proposed ballot designations submitted by candidates for public office. Failure to promptly submit requested supporting materials will preclude consideration of such materials in and the rendering of a final decision on the candidate's proposed ballot designation.
2. The Secretary of State will communicate, whenever possible, with the candidate in the most expeditious manner, including, but not limited to, telephone, facsimile transmission and electronic mail at the number or address provided by the candidate. When the candidate does not have reasonable access to a facsimile machine or electronic mail, the Secretary of State will transmit written communication to the candidate by means of overnight express delivery to the address provided by the candidate.
3. The candidate shall have the burden of establishing that the proposed ballot designation that he or she has submitted is accurate and complies with all provisions of Elections Code Section 13107 and this Chapter.

Note: Authority cited: Section 12172.5, Government Code. Reference: Sections 13107 and 13107.3, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment of section and Note filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20718. Communication of Decisions Regarding Ballot Designations.

1. If a candidate's proposed ballot designation has been rejected, an official copy of the decision of the Secretary of State will be made in writing and transmitted directly to the candidate by registered or certified mail, return receipt requested, to the address provided by the candidate. The Secretary of State shall also provide a copy to the elections official in the candidate's county of residence and to the elections official of each county within the political subdivision. Copies may also be made available to all other candidates in the race.
2. At the request of the candidate, the Secretary of State will transmit a copy of the decision of the Secretary of State regarding the candidate's proposed ballot designation by facsimile transmission or e-mail to the facsimile number or e-mail address listed on the candidate's Ballot Designation Worksheet.
3. All written decision of the Secretary of State regarding ballot designations are public records and are available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, 1500 11th Street, Fifth Floor, Sacramento, California 95814.

Note: Authority cited: Section 12172.5, Government Code. Reference: Section 13107, Elections Code.

HISTORY

1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

20719. Service of Legal Process Regarding Ballot Designations.

1. In the event a candidate or other interested party files a petition for the issuance of an extraordinary writ with the court or other legal action pertaining to a candidate's ballot designation, the summons and any other legal process should be served upon the Chief Counsel to the Secretary of State, 1500 11th Street, Sixth Floor, Sacramento, California 95814. The Chief Counsel may designate a Deputy Secretary of State to accept service of process on behalf of the Secretary of State.
2. Telephone notice pertaining to any ex parte applications filed with the court by any candidate or other interested party should be directed to the attention of the Chief Counsel to the Secretary of State at (916) 653-7244. Counsel for all parties to such ex parte matters are admonished that waivers of the Secretary of State's right to timely notice and the right to personally appear at the ex parte hearing will be granted in writing and only in limited instances.

3. The Secretary of State shall provide a copy of any legal actions in subdivision (a) or (b) above to the elections official in the county of the candidate's residence and any other county in the district.
4. The Secretary of State shall be named as a respondent in any legal action pertaining to a ballot designation for a candidate described in Elections Code Section 15375, except for a candidate for judge of the superior court.

Note: Authority cited: Section 12172.5, Government Code. Reference: Sections 13107 and 13314, Elections Code.

HISTORY

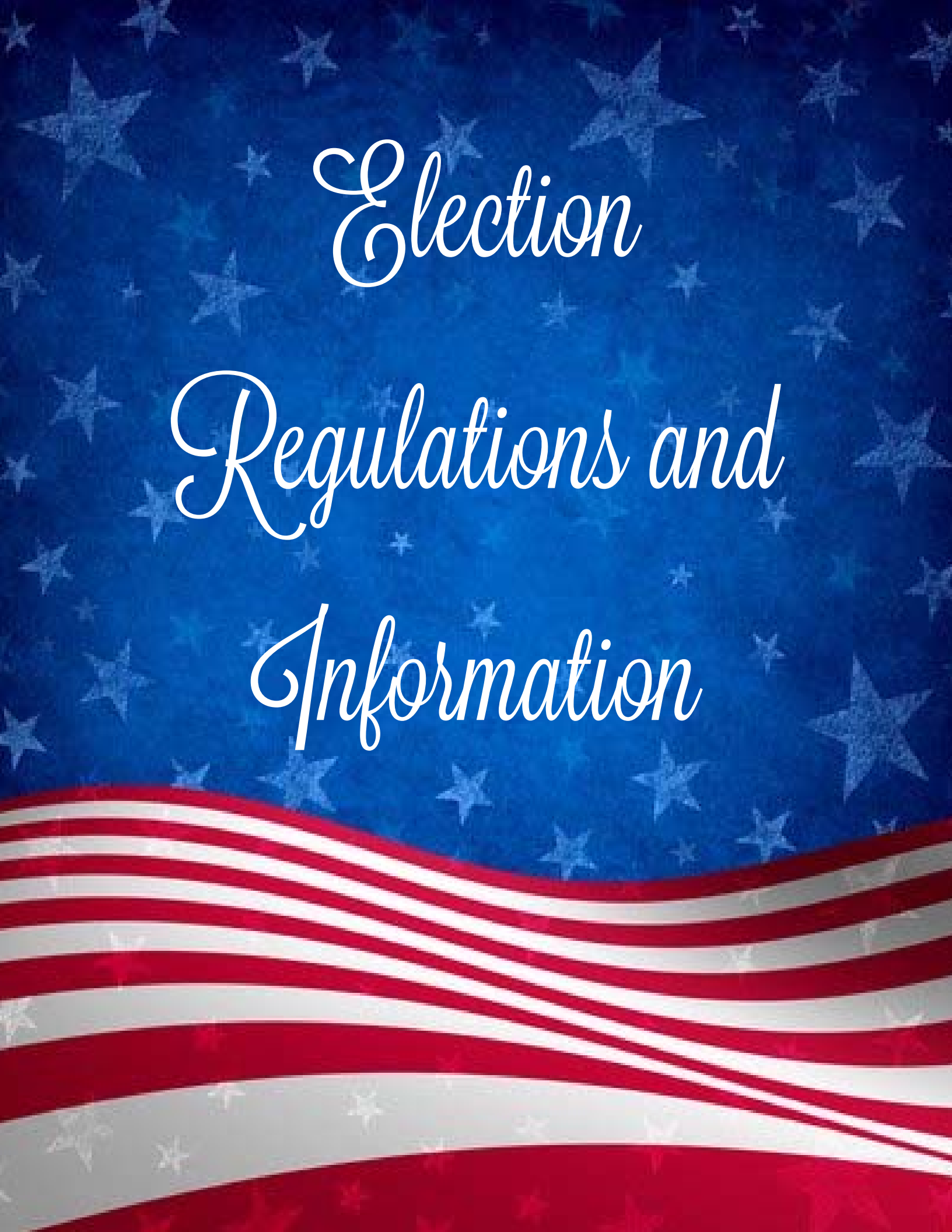
1. New section filed 1-14-98; operative 1-14-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 3).
2. Amendment of subsection (a), new subsection (d), and amendment of Note filed 12-21-2009; operative 12-21-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 52).

EXAMPLES OF BALLOT DESIGNATIONS

ACCEPTABLE:

- Mayor, City of Dana Point
- Investment Counselor
- Health Care Manager
- Appointed Incumbent
- Community Volunteer
- Businesswoman/Attorney/Councilwoman
- CPA/Parent
- Retired USAF Officer
- County of Orange Treasurer Tax-Collector
- City of Huntington Beach Councilmember/Educator
- Appointed Garden Grove City Councilman
- CEO/Businessman

UNACCEPTABLE:	**REASON:**
Incumbent Mayor/Engineer	"Incumbent" must be used as noun and alone
Prominent Businesswoman	Status
Businessman, Father	Slash marks must be used for punctuation
Nonprofit Organization Founder	Must be within past 12 months
Republican Legislative Assistant	No party affiliation can be mentioned
Community Volunteer/Parent	"Community Volunteer" must stand alone
Former City Councilmember	Can't use "former" or "ex"
Veteran	Status
Army General, Ret.	"Retired" must appear before other words and not be abbreviated


Election
Regulations and
Information

ORDINANCE NO. 657

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS ESTABLISHING A FILING FEE FOR CANDIDATES FOR ELECTIVE OFFICES IN THE CITY

WHEREAS, there are costs involved in processing a candidate's nomination papers for an elective office at municipal elections held in the City of Los Alamitos; and

WHEREAS, Section 10228 of the California Elections Code authorizes a City Council to impose a filing fee proportionate to the costs of processing a candidate's nomination papers, but not to exceed $25.00.

THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Los Alamitos finds that the above recitals are true and correct.

SECTION 2. Chapter 1.12, "Elections", of the Los Alamitos Municipal Code, is hereby amended to add the following Section:

Section 1.12.020, "Filing Fees"

A filing fee of $25.00 shall apply to defray the costs of processing candidate's nomination papers for elective offices at municipal elections held in the City of Los Alamitos. The filing fee shall be paid to the City Clerk by each candidate for an elective office at the time the candidate's nomination paper is filed with the City Clerk. The City Clerk shall pay to the City Treasurer all fees received and said fees shall be deposited into the General Fund.

SECTION 3. Upon the effective date of this Ordinance, the provisions hereof shall supersede any inconsistent or conflicting provisions of the Los Alamitos Municipal Code.

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have adopted this Chapter, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a

certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, and **ADOPTED** this 28th day of May, 2002.

Mayor of the City of Los Alamitos

ATTEST:

City Clerk

APPROVED AS TO FORM:

Interim City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LOS ALAMITOS)

I, C. Darleen Cordova, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. 657 was introduced on the 13th day of May, 2002 and was adopted on the 28th day of May, 2002, by the following roll call vote, to wit:

AYES:	COUNCILMEMBERS:	DeBolt, Poe, Parker, Bates and Jempsa
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

City Clerk of the City of Los Alamitos

RESOLUTION NO. 2016-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016

WHEREAS, §13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Los Alamitos on November 8, 2016 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. FOREIGN LANGUAGE POLICY.

A. Pursuant to the Federal Voting Rights Act, candidates statements will be translated into all languages required by the County of Orange. The County of Orange is required to translate candidates' statements into the following languages: Spanish, Vietnamese, Chinese, and Korean; and,

B. The County will print and mail sample ballots and candidates' statements to all voters in Spanish, Vietnamese, Chinese, and Korean, or the County will mail separate sample ballots and candidates' statements in Spanish, Vietnamese, Chinese, and Korean to only those voters who are on the county voter file as having requested a sample ballot in a particular language. The County will make the sample ballots and candidates' statements in the required languages available at all polling places, on the County's website, and in the Election Official's office.

SECTION 3. PAYMENT.

A. Translations. The candidate shall be required to pay for the cost of translating the candidate's statement into any foreign language that is not required as specified in (A) and/or (B) of Section 2 above, pursuant to Federal and/or State law, but is requested as an option by the candidate.

B. Printing. The candidate shall be required to pay for the cost of printing the candidate's statement in a foreign language required in (A) of Section 2 above, in the main voter pamphlet.

The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 4. MISCELLANEOUS. All translations shall be provided by professionally-certified translators. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

SECTION 5. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 6. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 7. That all previous resolutions establishing council policy on payment for candidates' statements are repealed.

SECTION 8. That this resolution shall apply only to the election to be held on November 8, 2016, and shall then be repealed.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 16th day of May, 2016.

Richard D. Murphy, Mayor

ATTEST:

Windmera Quintanar, CMC, City Clerk

APPROVED AS TO FORM:

Cary S. Reisman, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Windmera Quintanar, CMC, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 16th day of May, 2016, by the following vote to wit:

AYES:	COUNCILMEMBERS:	Edgar, Grose, Hasselbrink, Murphy
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Kusumoto
ABSTAIN:	COUNCILMEMBERS:	None

Windmera Quintanar, CMC, City Clerk

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

ELECTIONEERING

CALIFORNIA ELECTIONS CODE SECTION 18370-18371

SECTION 18370
No person, on election day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place, a satellite location under Section 3018, or an elections official's office:

(a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.

(b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.

(c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.

(d) Do any electioneering as defined by Section 319.5.

As used in this section, "100 feet of a polling place, a satellite location under Section 3018, or an elections official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor.
(Amended by Stats. 2009, Ch. 146, Sec. 2. Effective January 1, 2010.)

SECTION 18371
(a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of a vote by mail voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the vote by mail voter is voting.

(b) Any person who knowingly violates this section is guilty of a misdemeanor.

(c) This section shall not be construed to conflict with any provision of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by Section 18370, or by any other provision of law.
(Amended by Stats. 2007, Ch. 508, Sec. 113. Effective January 1, 2008.)

http://leginfo.legislature.ca.gov/faces/codes.xhtml (6/1/16)

ELECTION DAY - POLL WATCHING GUIDELINES

The election process is a public affair and anyone who wishes may observe. However, the vote of the individual citizen is secret, and no one may interfere with a voter's right to cast a secret ballot. Members of the precinct boards are sworn election officials of the County of Orange and have complete responsibility for conducting all phases of the election in their precinct. Certain standards are expected of observers:

- Poll watchers may not interfere in any way with the conduct of the election or with the vote count following the close of the polls. Any person who interferes with the election or with a voter is punishable by imprisonment in the state prison for 16 months or two or three years. **§ 18502**

- The election must be orderly. Do not talk in a loud voice, cause confusion, or congregate inside the polls. Do not ask to use the telephone or other facilities.

- The area between the official table and the voting booths is for voters only and may not be used as an observer post. **§ 14221**

- Poll watchers may not sit at the official table or handle any of the official voting equipment, supplies, or ballots. **§ 14223**

- Poll watchers may not wear candidate badges, discuss candidates, how a voter voted, or bring any campaign material into the polling place. This constitutes electioneering and is illegal. Electioneering may not be conducted within 100 feet of a polling place. The term "100 feet of a polling place" means a distance of 100 feet from the room or rooms in which voters are signing the Roster-Index and casting ballots. The blue "POLLING PLACE 100' " signs which are posted outside, indicate the 100 foot boundary for electioneering. Violation of this section is a misdemeanor. **§ 18370**

- No one may be within 100 feet of a polling place while wearing a firearm or a peace officer or security guard uniform except: (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his/her vote; (2) A peace officer who is conducting official business in the course of his/her public employment or who is at the polling place to cast his/her vote; (3) A private guard or security personnel hired or arranged for by a city or county elections official; (4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held. **§ 18544**

- The Precinct Board will attempt to respond to any reasonable, lawful requests from observers. The Registrar of Voters' office has instructed Precinct Officers to ask unruly poll watchers to leave, and to ask for assistance from the local law enforcement agency, if necessary.

ELECTION NIGHT RESULTS: Orange County uses a central location for tallying votes, in the Registrar of Voters' Tally Center, 1300 S. Grand Ave., Building C, Santa Ana.

The vote counting procedure is open to the public. Unofficial results are available throughout Election Night, beginning at approximately 8:05 p.m. and continuing until all precinct ballots have been tallied. Results may also be obtained by calling the Registrar of Voters' office at (714) 567-7600 or by visiting our website at ocvote.com.

LITERATURE REQUIREMENTS

§ 16, Elections Code

A copy of Section 84305 of the Government Code shall be provided by the elections official to each candidate or his or her agent at the time of filing the declaration of candidacy and to the proponents of a local initiative or referendum at the time of filing the petitions.

MASS MAILING REQUIREMENTS

§ 84305, Government Code

(a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6_point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.

(b If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

PENAL PROVISIONS - ELECTION CAMPAIGNS

§ 18303, Election Code

Every person who violates Section 84305 of the Government Code relating to mass mailing is subject to the penal provisions set forth in Chapter 11 (commencing with Section 91000) of Title 9 of the Government Code.

§ 91000, Government Code

(a) Any person who knowingly or willfully violates any provision of this title is guilty of a misdemeanor.
(b) In addition to other penalties provided by law, a fine of up to the greater of ten thousand dollars ($10,000) or three times the amount the person failed to report properly or unlawfully contributed, expended, gave or received may be imposed upon conviction for each violation.
(c) Prosecution for violation of this title must be commenced within four years after the date on which the violation occurred.

§ 91001, Government Code

(a) The Attorney General is responsible for enforcing the criminal provisions of this title with respect to state agencies, lobbyists and state elections. The district attorney of any county in which a violation occurs has concurrent powers and responsibilities with the Attorney General.

(b) The civil prosecutor is primarily responsible for enforcement of the civil penalties and remedies of this title. The civil prosecutor is the commission with respect to the state or any state agency, except itself. The Attorney General is the civil prosecutor with respect to the commission. The district attorneys are the civil prosecutors with respect to any other agency. The civil prosecutor may bring any civil action under this title which could be brought by a voter or resident of the jurisdiction. Upon written authorization from a district attorney, the commission may bring any civil action under this title which could be brought by a voter or resident of the jurisdiction. Under such circumstances, Section 91007 shall not apply to the commission.

(c) Whether or not a violation is inadvertent, negligent or deliberate, and the presence or absence of good faith shall be considered in applying the remedies and sanctions of this title.

DEFINITION OF MASS MAILING AND SENDER

§ 18435, California Code of Regulations

(a) A "mass mailing" has been made when over two hundred substantially similar pieces of mail have been sent within a calendar month.

(b) The sender, as used in Government Code Section 84305, is the candidate or committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable under Government Code Sections 84200-84217.

(c) For purposes of this section to "pay for" a share of the cost of a mass mailing means to make, to promise to make, or to incur an obligation to make, any payment:

(1) To any person for the design, printing, postage, materials or other costs (including salaries, fees, or commissions) of the mailing; or
(2) As a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(d) The identification required by Section 84305 shall be preceded by the words "Paid for by." These words shall be presented in the same size and color as the identification required by Section 84305, and shall be immediately adjacent to and above or immediately adjacent to and in front of the required identification.

(e) The requirements of Section 84305 to identify the name of the candidate or committee sending a mass mailing apply to over 200 substantially similar messages distributed to the public through electronic mail by a candidate or committee within a calendar month.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82041.5 and 84305, Government Code.

§ 18435.5, California Code of Regulations

(a) Section 84305.5 requires a slate mailer to identify the slate mailer organization or committee sending the slate mailer, and to designate by an asterisk (*) each candidate and each ballot measure supported or opposed in a slate mailer for which payment of $100 or more has been received by the organization or committee (either from the candidate, ballot measure committee, or from any other person "at the behest" of a candidate or ballot measure committee as defined in Regulation 18225.7).

(b) To ensure that it is easily legible, the Notice to Voters required by Section 84305.5 shall appear with a reasonable degree of color contrast between the background and the statement and must appear on a plain background, not superimposed over an illustration or a patterned background. Examples of a reasonable degree of color contrast that would meet the standard required by Section 84305.5 are when the disclaimer is printed in black text on a white background or a similar degree of color contrast between the background and the text of the disclaimer.

(c) Slate Mailers in Multiple Languages. The Notice to Voters in a slate mailer shall appear in English. In addition, if all or a significant portion of the slate mailer appears in a language other than English, the Notice to Voters must also appear in that language.

(d) In addition to applying to slate mailers sent by traditional mail, the slate mailer identification and disclaimer requirements of Section 84305.5 apply to slate mailers distributed electronically.

Note: Authority cited: Section 83112, Government Code. Reference: Section 84305.5, Government Code.

Political Advertising Disclaimers

1. Communications by Candidate Committees for their own Election

The disclaimer must include, unless otherwise noted: "Paid for by *committee name*."
Examples: "Paid for by Jones for Assembly 20XX"
"Paid for by Friends of Smith for Mayor 20XX"

Communication	Manner of Display
All mass mailings – more than 200 sent within a calendar month (including emails and faxes)	• Candidate's committee name/address (on file with Form 410) on outside of mailing (if no Form 410 on file, use candidate name/address) • Only committee name (no address) required on emails • "Paid for by" must be in the same color and font as the committee name/address and immediately in front of or above the name/address • If sent by more than one candidate/committee: ○ Also on at least one insert in the mailing • No less than 6-point type/contrasting print color • Return envelopes (if included in solicitation) – committee's name, address and ID number are recommended but not required
Telephone calls advocating candidate's own election (500 or more) - made by: • Vendors ("robo" calls) or • Paid individuals other than the candidate, campaign manager or volunteers	• Any time during the message • Must identify the candidate that paid for the call or an organization authorizing the call that files campaign reports • Must state that the call is "paid for by" or "authorized by" the identified candidate or organization ○ *Examples: This call was paid for by Senator Jones; This call was authorized by (name of committee)* • No ID required on telephone calls personally dialed by candidate, campaign manager or volunteers

Candidate Committee Communications

Communication	Manner of Display
The Political Reform Act (Act) does not require a specific disclaimer on the following communications paid for by a candidate's committee in support of his or her own campaign, although the FPPC recommends placing "paid for by *committee name*" and the committee ID number on all public campaign materials.	
Newspaper, radio and television ads	• Radio and television advertisements require "paid for by" or sponsor identification under Federal Communications Commission (FCC) rules • Check the Elections Code for newspaper ad requirements
Electronic Media (Websites, blogs, Twitter feeds, faxes, social media pages – e.g., Facebook)	• "Paid for by *committee name*" and committee ID number are recommended but not legally required
Billboards, yard signs, business cards, door hangers, flyers, and posters	• "Paid for by *committee name"* and committee ID number are recommended but not legally required

The information on this chart does not carry the force of law. If there are any discrepancies between the chart and the Act or its corresponding regulations and opinions, the Act and its regulations and opinions will control. Communications made by a candidate to support or oppose a ballot measure or other candidates are not addressed in this chart.

References: Government Code Sections: 84305, 84310.
Title 2 Regulations: 18435, 18440.

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

Los Alamitos Municipal Code
(http://qcode.us/codes/losalamitos/)

CHAPTER 17.28 SIGNS

17.28.110 Political signs.

A. Political signs, including their supporting structures shall be allowed in all zoning districts provided that:

1. Signs shall not be allowed on or to extend over any public property, public easement, public parkway, public utility property or in the public right-of-way. The city shall assess a charge against any person, candidate, entity, party or group posting or placing signs in violation of this section for the cost incurred in the removal.

2. Political signs shall not be posted in a manner that obstructs traffic or street signs or devices. In addition, political signs shall be posted in a manner which preserves the lines of sight as described in Section 17.16.140 (Sight safety triangle).

C. Political signs pertaining to a particular election shall be removed within ten (10) calendar days after the date of the election.

4. The candidate, committee, or other authorized person or group posting political signs shall include name, address, and telephone number on all signs posted.

B. If the director finds that any political sign has been posted or is being maintained in violation of the provisions of this section, the person(s) responsible for the sign(s) shall be given notice to remove the sign(s) within twenty-four (24) hours from the time of the notice. The notice shall include a brief statement of the reasons for requiring removal. If the person receiving the notification fails to correct the violation or remove the sign(s), the director may cause the sign(s) to be removed without further notice. If the owner of the sign cannot in good faith be located within a reasonable time, the sign shall be deemed abandoned. A political sign that remains posted for more than fourteen (14) calendar days after the election to which it pertains shall also be deemed abandoned. The director may cause the abandoned signs and signs which constitute an immediate peril to persons or property to be removed summarily and without prior notice. The city shall assess a charge against a person, candidate, entity, party or group posting or placing signs in violation of this section for the cost incurred in the removal. (Ord. 688 § 1, 2006)

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

CALIFORNIA GOVERNMENT CODE
Section 34501.5.

USE OF CITY SEAL



a) Any person who uses or allows to be used any reproduction or facsimile of the seal of the city in any campaign literature or mass mailing, as defined in Section 82041.5, with intent to deceive the voters, is guilty of a misdemeanor.

b) For purposes of this section, the use of a reproduction or facsimile of a seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by a public official is evidence of intent to deceive.

SERVICES TO CANDIDATES

MAPS

A set of precinct maps is located on our public counter. If you wish to purchase these maps, call our Map Unit at (714) 567-7586.

REGISTRATION FORMS

For candidates and committees wishing to conduct registration drives to register voters, registration forms are available at the Registrar of Voters' office from the Voter Registration Specialist. You may obtain the quantity of registration forms you deem necessary, upon availability. You will be asked to complete a Statement of Distribution form at the time the forms are issued to you. For further information, please call (714) 567-7569.

COMPUTER PRODUCTS

Registered Voter File: Candidates may purchase the registered voter file on CD-ROM. The file is in alphabetical sequence and can be ordered with the names of all voters in Orange County or just the voters in a particular city or district. Call (714) 567-7615 for more information or go to ocvote.com to make a purchase online. Click on "Data Central" under the "Research" column on a menu at the bottom of the page; then click on "Data" at the top of the page and click on "Order Voter Registration Data". The Registrar of Voters' office does not provide technical support.

INDICES (WALKING LISTS): All candidates are entitled to purchase indexes. These are printed lists of registered voters by precinct, listed by address with the street names arranged alphabetically and street numbers in numerical order for a given street name.

Each candidate may purchase up to two copies (sets) of indexes for his/her own use or the use of his/her committee. These may be a complete set, including all precincts within the district in which the candidate is running, or a partial set, including some of the precincts in the district. Indexes sell for 50 cents per thousand names or portion thereof. Indexes may be ordered by filling out the proper form at the Registrar of Voters' office or by writing a letter to the Registrar of Voters' office requesting indexes for a certain district. The cost of the product is payable in advance at the time the product is requested. For further information, please call (714) 567-7615.

The candidate must fill out a written request form containing a signed declaration that the data purchased will be used only for election purposes.

Products are usually available within 3-4 days of placing the order (depending on job scheduling). For further information, please call (714) 567-7615.

VOTE-BY-MAIL BALLOT APPLICATIONS

The Secretary of State shall prepare and distribute to appropriate elections officials a uniform application format for a vote-by-mail voter's ballot which conforms to the requirements of section 3006. All individuals, organizations and groups who distribute applications for a vote-by-mail voter's ballot shall follow this format. **§ 3007**

If you choose to distribute applications for vote-by-mail ballots, you will be asked to complete a Statement of Distribution Plans before receiving a camera-ready copy of the application. You will be given a list of the application requirements and the Elections Code sections covering penal provisions.

Political Signs

As a candidate or campaign worker for either office or a ballot measure, this reminder about State law governing campaign signs should be helpful to you.

Section 5405.3 of the State Outdoor Advertising Act (PDF) exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

1. Encourages a particular vote in a schedule election.
2. Is placed not sooner than 90 days prior to the schedule election and is removed within 10 days after that election.
3. Is no larger than 32 square feet.
4. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign.

A completed Statement of Responsibility (PDF) must be submitted to:

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001.

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet from the edge of the right-of-way of a classified "Landscaped freeway".

State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal.

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM

Dear Candidate or Committee Member:

As a candidate or campaign worker for either office or a ballot measure, this reminder about State law governing campaign signs should be helpful to you.

Section 5405.3 of the State Outdoor Advertising Act exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

A. Encourages a particular vote in a scheduled election.

B. Is placed no sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.

C. Is no larger than 32 square feet.

D. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign (Attached).

A completed Statement of Responsibility must be submitted to:

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet from the edge of the right-of-way of a classified "Landscaped freeway".

State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal. We are calling these provisions to your attention to avoid possible embarrassment or inconvenience to you and your supporters. Please share this information with those assisting in your campaign.

Should you have any questions, comments or need additional information, please call (916) 654-6473.

Enclosure

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM

STATEMENT OF RESPONSIBILITY FOR TEMPORARY POLITICAL SIGNS

Election Date: _____ June _____ November Other: _____

Candidate's Name: _____

Office sought or Proposition Number: _____

County where sign(s) will be placed: _____

Number of signs to be placed: _____

RESPONSIBLE PARTY:

Name: _____

Address: _____

_____

Phone Number (Include Area Code) _____

The undersigned hereby accepts responsibility for the removal of Temporary Political Signs placed pursuant to Section 5405.3 of the Outdoor Advertising Act for the above candidate or proposition.

It is understood and agreed that any Temporary Political Signs placed sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the Department and the responsible party will be billed for any associated removal costs.

_____ _____
SIGNATURE OF RESPONSIBLE PARTY DATE

Mail Statement of Responsibility to:

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001

Fair Political Practices Commission Regulations



Campaign Disclosure Filing Schedule (For Candidates Except Those Running for Federal and County Offices)

General Election
November 8, 2016

SEMI-ANNUAL
* - 6/30/16
**DUE: 7/31/16

1st PRE-ELECTION
7/1/16 - 9/24/16
DUE: 9/29/16

2nd PRE-ELECTION
9/25/16 – 10/22/16
DUE: 10/27/16
(Paper copies must be filed by personal delivery or guaranteed overnight service)

LATE CONTRIBUTIONS
8/10/16 – 11/8/16
WITHIN 24 HOURS OF RECEIPT OF $1,000

SEMI-ANNUAL
10/23/16 - 12/31/16
DUE: 1/31/17

*The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1 if no previous statement has been filed.

**If due date falls on a Saturday, Sunday, or holiday, use the next business day.

Political Reform Act



2016

Fair Political Practices Commission

The Commissioners
of the
California Fair Political Practices Commission

Commission Chair Jodi Remke was appointed by Governor Brown to the Fair Political Practices Commission in April 2014. The Commission is responsible for regulating statewide campaign finance, governmental ethics, and lobbying activity. As Chair, she provides overall policy direction and acts as the presiding officer of the Commission.

Prior to her appointment to the FPPC, Chair Remke was appointed by the California Supreme Court in 2006 to serve as Presiding Judge of the State Bar Court. California was the first state in the country to establish an independent court dedicated to ruling on attorney discipline cases. In that position, she sat on a three-judge panel that hears appeals in attorney disciplinary and regulatory cases. She was responsible for ensuring the prompt disposition of cases by all judges, overseeing the Court's budget, and acting as spokesperson for the Court to the Legislature and the Governor's Office. In 2010, she sponsored an extensive rules revision project to increase the Court's efficiency and improve public protection without sacrificing fundamental fairness. As a result of her efforts and supervision, the average time to resolve a case was reduced by more than 50% at both the trial and appellate levels.

Prior to her appointment as Presiding Judge, she was appointed by the Senate Rules Committee to serve as a trial judge on the State Bar Court from 2000-2006. As Supervising Judge (2004-2006), she participated in the creation and adoption of the Court's performance standards on timeliness and productivity. She also collaborated on development of the Alternative Discipline Program for attorneys with substance abuse or mental health problems with the primary goal to reduce recidivism, thereby decreasing client harm while saving judicial resources.

Prior to her judicial career, Chair Remke served as counsel to the California Senate Judiciary Committee, practiced real estate law with the firm of Miller, Starr and Regalia in Oakland, and was a Vista attorney in Montana representing clients in domestic violence cases and advocating on behalf of children with disabilities in a rural, underserved area. She has also served on the board of directors of Project Open Hand and Girls Inc.

Chair Remke received her Bachelor's degree in Political Science from the University of Illinois, and her J.D. from McGeorge School of Law. She has been a member of the California State Bar since 1992.

Commissioner Maria Audero Commissioner Maria Audero is a partner in the Employment Law practice at Paul Hastings and is co-chair of the Employment Law Department in the Los Angeles Office. Her practice emphasizes state and federal wage-and-hour nationwide class and collective actions, leave laws, discrimination, harassment, and retaliation claims. She has represented clients in a wide variety of industries, including financial services, entertainment, insurance, medical, restaurant and hospitality, education, automotive, aerospace, sports and consumer.

Commissioner Audero is on the Executive Committee of the California Bar Association's Labor and Employment Law Section. She is also a member of the American Bar Association's Family and Medical Leave Act Section. In 2013, the ACLU honored her with its Pro Bono Services Award for her work as its outside employment counsel. In addition, the United Way recognized Ms. Audero's commitment to community involvement by nominating her for its 2013 Outstanding Women Leaders Champion Award. A Republican, Commissioner Audero was appointed by Governor Brown to a four-year term ending January 31, 2019. Commissioner Audero earned her J.D. degree magna cum laude, from Southwestern University School of Law in Los Angeles, where she was also Associate Editor of the Southwestern Law Review.

Commissioner Eric S. Casher is currently an associate at Meyers Nave in Oakland, and his legal practice involves the areas of public law, public contracts and various forms of complex litigation. Commissioner Casher is currently a member of the Board of Directors of the California Bar Foundation, and a member of the Board of Directors and General Counsel for the Charles Houston Bar Association. In 2011, Commissioner Casher was recognized by the National Bar Association as one of its top "40 Under 40: Nations Best Advocates." Also in 2011, Commissioner Casher was recognized by the UC Hastings Black Law Student Association as the 2010-2011 Alumni of the Year. In 2010, the Bar Association of San Francisco recognized Commissioner Casher for his work with the Volunteer Legal Service Program's Federal Pro Bono Project, awarding him with the 2010 Volunteer in Public Service Award. In 2009, Commissioner Casher was selected as a grant recipient of the U.S. Speaker and Specialist Program of the U.S. State Department. As a U.S. Speaker Commissioner Casher toured the

countries of Namibia and Zambia conducting lectures and policy discussions on African American political progress and the importance of youth participation in electoral politics. Commissioner Casher later traveled to Sweden as a U.S. Speaker to lecture on youth participation in electoral politics and the importance of constituency group outreach. Commissioner Casher was appointed by California Attorney General Kamala D. Harris and his term expires on January 31, 2017.

Commissioner Gavin Hachiya Wasserman is managing partner of Wasserman & Wasserman, LLP, and general counsel for Hachitan Entertainment in Torrance. Commissioner Wasserman is a past president of the Barristers of the Los Angeles County Bar Association and a former member of the Board of Governors of the Japanese American Bar Association. He is a past member of the Los Angeles County Risk Management Advisory Committee, and both the Environmental Quality Commission and the Library Commission of the City of Torrance. Wasserman serves as pro bono general counsel for the Go For Broke National Education Center, which seeks to educate the public about the rights and challenges of American citizenship through the stories of the Japanese American soldiers of World War II. Commissioner Wasserman earned his J.D. from the University of Chicago Law School and his B.A. with honors in political science from the University of California, Berkeley. He served as a judicial extern to the Honorable Terry J. Hatter, Jr., United States District Court for the Central District of California. A Republican, Commissioner Wasserman was appointed by State Controller John Chiang to a four-year term ending January 31, 2017.

Commissioner Patricia Wynne is the former Deputy State Treasurer of the California State Treasurer's Office where she oversaw several state financing authorities including the California Health Financing Authority, California Educational Financing Authority, and California School Financing Authority, and chaired the Local Agency Investment Board and the Scholarshare Investment Board. Previously, Wynne served eight years as Special Assistant Attorney General in the California Attorney General's Office, working with California courts, regulatory bodies and public agencies in a variety of policy areas including consumer law and election law. She also worked for many years in senior staff positions in the California State Senate. Wynne earned a Bachelor of Arts degree from the University of California, Santa Barbara, then earned her Juris Doctorate from the University of San Diego School of Law. Commissioner Wynne was appointed by Secretary of State Debra Bowen to a four-year term ending January 31, 2017.

POLITICAL REFORM ACT — 2016

Introduction

This 2016 version of the Political Reform Act (the "Act") is not an official publication of the Government Code. It has been produced for use by the public and staff of the Fair Political Practices Commission. The boldface title before each Government Code Section and the histories following some sections have been added for clarity and are not part of the Act.

Proposition 34, which was passed by the voters on November 7, 2000, added new campaign finance provisions and made some changes to the disclosure and enforcement provisions of the Act. Proposition 34 took effect on January 1, 2001, except that Section 83 of the measure deferred to November 6, 2002, applicability of portions of Chapter 5 (commencing with Section 85100) of Title 9, to candidates for statewide elective office. Uncodified Sections 83-86 of Proposition 34 appear in Appendix I.

Commission regulations implementing the Act are contained in the California Code of Regulations, Title 2, Division 6 (Sections 18110-18997). References to applicable regulations and opinions follow each statute. These references were accurate as of January 1, 2016, but changes may have occurred since then. Thus, the references are provided for convenience only and should not be relied upon. Opinion summaries appear in Appendix II. In addition, Commission opinions and advice letters are available on Westlaw, Lexis-Nexis, and the FPPC's website. Appendix III contains Government Code Sections 1090 through 1097.5. AB 1090 (Fong), Chapter 650, Statutes of 2013, authorized the Commission to provide advice to public officials and enforce violations relating to Section 1090, which prohibits specified officials from being financially interested in a contract.

If you need more detailed information or have questions about the Political Reform Act, please call the Fair Political Practices Commission at 1-866-275-3772 or email your questions to advice@fppc.ca.gov. The Commission is located at 428 J Street, Ste. 620, Sacramento, CA 95814. Web site: *http://www.fppc.ca.gov*.

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Chapter 1. General. § 81000 - 81016

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§ 81000. Title.

This title shall be known and may be cited as the "Political Reform Act of 1974."

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18200

§ 81001. Findings and Declarations.

The people find and declare as follows:

(a) State and local government should serve the needs and respond to the wishes of all citizens equally, without regard to their wealth;

(b) Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them;

(c) Costs of conducting election campaigns have increased greatly in recent years, and candidates have been forced to finance their campaigns by seeking large contributions from lobbyists and organizations who thereby gain disproportionate influence over governmental decisions;

(d) The influence of large campaign contributors is increased because existing laws for disclosure of campaign receipts and expenditures have proved to be inadequate;

(e) Lobbyists often make their contributions to incumbents who cannot be effectively challenged because of election laws and abusive practices which give the incumbent an unfair advantage;

(f) The wealthy individuals and organizations which make large campaign contributions frequently extend their influence by employing lobbyists and spending large amounts to influence legislative and administrative actions;

(g) The influence of large campaign contributors in ballot measure elections is increased because the ballot pamphlet mailed to the voters by the state is difficult to read and almost impossible for a layman to understand; and

(h) Previous laws regulating political practices have suffered from inadequate enforcement by state and local authorities.

§ 81002. Purposes of Title.

The people enact this title to accomplish the following purposes:

(a) Receipts and expenditures in election campaigns should be fully and truthfully disclosed in order that the voters may be fully informed and improper practices may be inhibited.

(b) The activities of lobbyists should be regulated and their finances disclosed in order that

improper influences will not be directed at public officials.

(c) Assets and income of public officials which may be materially affected by their official actions should be disclosed and in appropriate circumstances the officials should be disqualified from acting in order that conflicts of interest may be avoided.

(d) The state ballot pamphlet should be converted into a useful document so that voters will not be entirely dependent on paid advertising for information regarding state measures.

(e) Laws and practices unfairly favoring incumbents should be abolished in order that elections may be conducted more fairly.

(f) Adequate enforcement mechanisms should be provided to public officials and private citizens in order that this title will be vigorously enforced.

History: Amended by Stats. 1980, Ch. 289.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18313.5
2 Cal. Code of Regs. Section 18313.6
2 Cal. Code of Regs. Section 18702
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18708

§ 81003. Construction of Title.

This title should be liberally construed to accomplish its purposes.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18702
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18708

§ 81004. Reports and Statements; Perjury; Verification.

(a) All reports and statements filed under this title shall be signed under penalty of perjury and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his knowledge it is true and complete.

(b) A report or statement filed by a committee which qualifies under subdivision (a) of Section 82013 shall be signed and verified by the treasurer, and a report or statement filed by any other person shall be signed and verified by the filer. If the filer is an entity other than an individual, the report or statement shall be signed and verified by a responsible officer of the entity or by an attorney or a certified public accountant acting as agent for the entity. Every person who signs and verifies any report or statement required to be filed under this title which contains material matter which he knows to be false is guilty of perjury.

History: Amended by Stats. 1985, Ch. 775.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18316.6
2 Cal. Code of Regs. Section 18426.1
2 Cal. Code of Regs. Section 18427
2 Cal. Code of Regs. Section 18539.2

Opinions: In re Layton (1975) 1 FPPC Ops. 113
In re Augustine (1975) 1 FPPC Ops. 69

§ 81004.5. Reports and Statements; Amendments.

Any report or statement filed pursuant to this title may be amended by the filer at any time. Amending an incorrect or incomplete report or statement may be considered as evidence of good faith.

History: Added by Stats. 1976, Ch. 1161.

§ 81005. Campaign Reports and Statements; Where to File. [Repealed]

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1976, Ch. 415, effective July 10, 1976; amended by Stats. 1977, Ch. 1193; repealed by Stats. 1980, Ch. 289. (Reenacted as amended and renumbered Section 84215.)

§ 81005.1. Lobbying Reports and Statements; Where to File. [Repealed]

History: Added by Stats. 1977, Ch. 1193; repealed by Stats. 1979, Ch. 592. (Reenacted as amended and renumbered Section 86111.)

§ 81005.2. Statements of Economic Interests; Where to File. [Repealed]

History: Added by Stats. 1977, Ch. 1193; repealed by Stats. 1979, Ch. 674. (Reenacted as amended and renumbered Section 87500.)

§ 81006. Filing Fees Prohibition.

Except as provided in this title, no fee or charge shall be collected by any officer for the filing of any report or statement or for the forms upon which reports or statements are to be prepared.

History: Amended by Stats. 1985, Ch. 1183, effective September 29, 1985.

§ 81007. Mailing of Report or Statement.

When a report or statement or copies thereof required to be filed with any officer under this title have been sent by first-class mail or by any other guaranteed overnight delivery service addressed to the officer, it shall for purposes of any deadline be deemed to have been received by him or her on the date of the deposit in the mail or of receipt by that delivery service. It shall be presumed until the contrary is established that any date stamped by the

post office on the envelope or contained on the delivery service receipt containing the report or statement is the date it was deposited in the mail or received by the delivery service. Mail which is not received by the filing officer shall be presumed not to have been sent unless the filer possesses a post office or delivery service receipt establishing the date of deposit and the name and address of the addressee.

History: Amended by Stats. 1976, Ch. 1106; amended by Stats. 1994, Ch. 638.

§ 81007.5. Faxing of Report or Statement.

(a) Any report or statement or copies thereof required to be filed with any official under Chapter 4 (commencing with Section 84100) or Chapter 7 (commencing with Section 87100) may be faxed by the applicable deadline, provided that the required originals or paper copies are sent by first-class mail or by any other personal delivery or guaranteed overnight delivery service within 24 hours of the applicable deadline and provided that the total number of pages of each report or statement faxed is no more than 30 pages.

(b) A faxed report or statement shall not be deemed filed if the faxed report or statement is not a true and correct copy of the original or copy of the report or statement personally delivered or sent by first-class mail or guaranteed overnight delivery service pursuant to subdivision (a).

(c) A filing officer who receives a faxed report or statement shall make the report or statement available to the public in the same manner as provided in Section 81008. If the faxed report or statement is requested prior to the receipt of the original or copy of the report or statement by the filing officer, the filing officer shall inform the requester that the faxed report or statement will not be considered a filed report or statement if the requirements of subdivision (b) have not been met by the filer.

History: Added by Stats. 1994, Ch. 638; amended by Stats. 1997, Ch. 394.

§ 81008. Public Records; Inspection; Reproduction; Time; Charges.

Every report and statement filed pursuant to this title is a public record open for public inspection and reproduction during regular business hours, commencing as soon as practicable, but in any event not later than the second business day following the day on which it was received. No conditions whatsoever shall be imposed upon persons desiring to inspect or reproduce reports and statements filed under this title, nor shall any information or identification be required from these persons. Copies shall be provided at a charge not to exceed ten cents ($0.10) per page. In addition, the filing officer may charge a retrieval fee not to exceed five dollars ($5) per request for copies of reports and statements which are five or more years old. A request for more than one report or statement or report and statement at the same time shall be considered a single request.

History: Amended by Stats. 1979, Ch. 531; amended by Stats. 1988, Ch. 1208; amended by Stats. 2004, Ch. 478, effective September 10, 2004; amended by Stats. 2013, Ch. 654.

§ 81009. Preservation of Reports and Statements.

(a) Statements of organization, registration statements, and original campaign statements of persons holding elective state office, candidates for any such office, committees supporting any such officeholder or candidate, and committees supporting or opposing statewide measures, shall be retained by filing officers indefinitely.

(b) Original campaign statements of mayors, city council members, county supervisors, candidates for any of these offices, and committees supporting any officeholder or candidate shall be retained indefinitely, except that original campaign statements of candidates not elected to these offices and of committees supporting candidates not elected to these offices shall be retained by filing officers for a period of not less than five years.

(c) Original campaign statements of all other persons shall be retained by filing officers for a period of not less than seven years.

(d) Original statements of economic interests of persons holding statewide elective office shall be retained by filing officers indefinitely.

(e) Original reports and statements not specified above in this section shall be retained by filing officers for a period of not less than seven years.

(f) Copies of reports or statements shall be retained by the officer with whom they are filed for a period of not less than four years, provided, however, that a filing officer is not required to retain more than one copy of a report or statement.

(g) After an original report or statement or a copy has been on file for at least two years, the officer with whom it is filed may comply with this section by retaining a copy on microfilm or other space-saving materials available for public inspection instead of the original report or statement or copy. Upon request, the officer shall provide copies of such statements pursuant to Section 81008.

History: Amended by Stats. 1976, Ch. 1106; amended by Stats. 1979, Ch. 531; amended by Stats. 1984, Ch. 390, effective July 11, 1984; amended by Stats. 1985; Ch. 1183, effective September 29, 1985.

§ 81009.5. Local Ordinances.

(a) Any local government agency which has enacted, enacts, amends, or repeals an ordinance or other provision of law affecting campaign contributions and expenditures shall file a copy of the action with the Commission.

(b) Notwithstanding Section 81013, no local government agency shall enact any ordinance imposing filing requirements additional to or different from those set forth in Chapter 4 (commencing with Section 84100) for elections held in its jurisdiction unless the additional or different filing requirements apply only to the candidates seeking election in that jurisdiction, their controlled committees or committees formed or existing primarily to support or oppose their candidacies, and to committees formed or existing primarily to support or oppose a candidate or to support or oppose the qualification of, or passage of, a local ballot measure which is being voted on only in that jurisdiction, and to city or county general purpose committees active only in that city or county, respectively.

History: Added by Stats. 1979, Ch. 531; amended by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 542; amended by Stats. 1991, Ch. 674.

References at the time of publication (see page 3):

Opinions: In re Olson (2001) 15 FPPC Ops. 13

§ 81010. Duties of the Filing Officer.

With respect to reports and statements filed with him pursuant to this title, the filing officer shall:

(a) Supply the necessary forms and manuals prescribed by the Commission;

(b) Determine whether required documents have been filed and, if so, whether they conform on their face with the requirements of this title;

(c) Notify promptly all persons and known committees who have failed to file a report or statement in the form and at the time required by this title;

(d) Report apparent violations of this title to the appropriate agencies; and

(e) Compile and maintain a current list of all reports and statements filed with this office.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18110
2 Cal. Code of Regs. Section 18115
2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18363
2 Cal. Code of Regs. Section 18732.5

Opinions: In re Rundstrom (1975) 1 FPPC Ops. 188
In re Layton (1975) 1 FPPC Ops. 113

§ 81011. Valuation of Goods, Services and Facilities; Fair Market Value. [Repealed]

History: Repealed by Stats. 1985, Ch. 775.

§ 81011.5. Information on Statewide Petitions.

Any provision of law to the contrary notwithstanding, the election precinct of a person signing a statewide petition shall not be required to appear on the petition when it is filed with the county clerk, nor any additional information regarding a signer other than the information required to be written by the signer.

History: Added by Stats. 1977, Ch. 1095; (Identical to former Section 85203, repealed by Stats. 1977, Ch. 1095).

§ 81012. Amendment or Repeal of Title.

This title may be amended or repealed by the procedures set forth in this section. If any portion of subdivision (a) is declared invalid, then subdivision (b) shall be the exclusive means of amending or repealing this title.

(a) This title may be amended to further its purposes by statute, passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring and signed by the Governor, if at least 12 days prior to passage in each house the bill in its final form has been delivered to the Commission for distribution to the news media and to every person who has requested the Commission to send copies of such bills to him or her.

(b) This title may be amended or repealed by a statute that becomes effective only when approved by the electors.

History: Amended by Stats. 1976, Ch. 883, effective September 13, 1976; amended by Stats. 1985, Ch. 1200.

§ 81013. Imposition of Additional Requirements.

Nothing in this title prevents the Legislature or any other state or local agency from imposing additional requirements on any person if the requirements do not prevent the person from complying with this title. If any act of the Legislature conflicts with the provisions of this title, this title shall prevail.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18312

Opinions: In re Alperin (1977) 3 FPPC Ops. 77
In re Miller (1976) 2 FPPC Ops. 91

§ 81014. Regulations.

Whenever any reference is made in this title to a federal or state statute and that statute has been or is subsequently repealed or amended, the Commission

may promulgate regulations to carry out the intent of this title as nearly as possible.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18312

§ 81015. Severability.

If any provision of this title, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this title to the extent it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this end the provisions of this title are severable.

§ 81016. Effective Date.

Chapter 8 of this title shall go into effect immediately. The Director of Finance shall make sufficient funds available to the Secretary of State out of the emergency fund or any other fund of the state for the immediate implementation of Chapter 8. The remainder of this title shall go into effect on January 7, 1975. Wherever reference is made in this title to the effective date of this title, the date referred to is January 7, 1975.

Chapter 2. Definitions. § 82000 - 82055

§ 82000. Interpretation of this Title.
§ 82001. Adjusting an Amount for Cost of Living Changes.
§ 82002. Administrative Action.
§ 82003. Agency.
§ 82004. Agency Official.
§ 82005. Business Entity.
§ 82006. Campaign Statement.
§ 82007. Candidate.
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§ 82009. Civil Service Employee.
§ 82009.5. Clerk.
§ 82010. Closing Date.
§ 82011. Code Reviewing Body.
§ 82012. Commission.
§ 82013. Committee.
§ 82014. Conflict of Interest Code.
§ 82015. Contribution.
§ 82016. Controlled Committee.
§ 82017. County.
§ 82018. Cumulative Amount.
§ 82019. Designated Employee.
§ 82020. Elected Officer.
§ 82021. Elected State Officer.
§ 82022. Election.
§ 82023. Elective Office.
§ 82024. Elective State Office.
§ 82025. Expenditure.
§ 82025.3. External Manager.
§ 82025.5. Fair Market Value.
§ 82026. Filer.
§ 82027. Filing Officer.
§ 82027.5. General Purpose Committee.
§ 82028. Gift.
§ 82029. Immediate Family.
§ 82030. Income.
§ 82030.5. Income; Earned.
§ 82031. Independent Expenditure.
§ 82031.5. Independent Expenditure. [Repealed]
§ 82032. Influencing Legislative or Administrative Action.
§ 82033. Interest in Real Property.
§ 82034. Investment.
§ 82035. Jurisdiction.
§ 82035.5. LAFCO Proposal.
§ 82036. Late Contribution.
§ 82036.5. Late Independent Expenditure.
§ 82037. Legislative Action.
§ 82038. Legislative Official.
§ 82038.5. Lobbying Firm.
§ 82039. Lobbyist.
§ 82039.5. Lobbyist Employer.
§ 82040. Lobbyist's Account. [Repealed]
§ 82041. Local Government Agency.
§ 82041.5. Mass Mailing.
§ 82042. Mayor.
§ 82043. Measure.
§ 82044. Payment.
§ 82045. Payment to Influence Legislative or Administrative Action.
§ 82046. Period Covered.
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§ 82047.3. Placement Agent.
§ 82047.5. Primarily Formed Committee.
§ 82047.6. Principal Officer.
§ 82047.7. Proponent of a State Ballot Measure.
§ 82048. Public Official.
§ 82048.3. Slate Mailer.
§ 82048.4. Slate Mailer Organization.
§ 82048.5. Special District.
§ 82048.7. Sponsored Committee.
§ 82049. State Agency.
§ 82050. State Candidate.
§ 82051. State Measure.
§ 82052. Statewide Candidate.
§ 82052.5. Statewide Election.
§ 82053. Statewide Elective Office.
§ 82054. Statewide Petition.
§ 82055. Voting Age Population. [Repealed]

§ 82000. Interpretation of this Title.

Unless the contrary is stated or clearly appears from the context, the definitions set forth in this chapter shall govern the interpretation of this title.

§ 82001. Adjusting an Amount for Cost of Living Changes.

"Adjusting an amount for cost-of-living changes" means adjusting the amount received the previous year by an amount determined at the beginning of each fiscal year by the Director of Finance corresponding to amounts authorized from the salary and price increase items as set forth in the Budget Act and other cost-of-living adjustments on the same basis as those applied routinely to other state agencies.

History: Amended by Stats. 1978, Ch. 199, effective June 6, 1978.

§ 82002. Administrative Action.

(a) "Administrative action" means either of the following:

(1) The proposal, drafting, development, consideration, amendment, enactment, or defeat by any state agency of any rule, regulation, or other action in any ratemaking proceeding or any quasi-legislative proceeding, which shall include any proceeding governed by Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(2) With regard only to placement agents, the decision by any state agency to enter into a contract to invest state public retirement system assets on behalf of a state public retirement system.

(b) "Ratemaking proceeding" means, for the purposes of a proceeding before the Public Utilities Commission, any proceeding in which it is reasonably foreseeable that a rate will be established, including, but not limited to, general rate cases, performance-based ratemaking, and other ratesetting mechanisms.

(c) "Quasi-legislative proceeding" means, for purposes of a proceeding before the Public Utilities Commission, any proceeding that involves consideration of the establishment of a policy that will apply generally to a group or class of persons, including, but not limited to, rulemakings and investigations that may establish rules affecting an entire industry.

History: Amended by Stats. 1991, Ch. 491; amended by Stats. 2001, Ch. 921; amended by Stats. 2010, Ch. 668.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18202

Opinions: In re Evans (1978) 4 FPPC Ops. 84
In re Leonard (1976) 2 FPPC Ops. 54
In re Nida (1976) 2 FPPC Ops. 1
In re Carson (1975) 1 FPPC Ops. 46

§ 82003. Agency.

"Agency" means any state agency or local government agency.

§ 82004. Agency Official.

"Agency official" means any member, officer, employee or consultant of any state agency who as part of his official responsibilities participates in any administrative action in other than a purely clerical, secretarial or ministerial capacity.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18249

Opinions: In re Morrissey (1976) 2 FPPC Ops. 120
In re Morrissey (1976) 2 FPPC Ops. 84
In re Wallace (1975) 1 FPPC Ops. 118

§ 82005. Business Entity.

"Business entity" means any organization or enterprise operated for profit, including but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.

§ 82006. Campaign Statement.

"Campaign statement" means an itemized report which is prepared on a form prescribed by the Commission and which provides the information required by Chapter 4 of this title.

References at the time of publication (see page 3):

Opinions: In re Layton (1975) 1 FPPC Ops. 113

§ 82007. Candidate.

"Candidate" means an individual who is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials, for nomination for or election to any elective office, or who receives a contribution or makes an expenditure or gives his or her consent for any other person to receive a contribution or make an expenditure with a view to bringing about his or her nomination or election to any elective office, whether or not the specific elective office for which he or she will seek nomination or election is known at the time the contribution is received or the expenditure is made and whether or not he or she has announced his or her candidacy or filed a declaration of candidacy at such time. "Candidate" also includes any officeholder who is the subject of a recall election. An individual who becomes a

candidate shall retain his or her status as a candidate until such time as that status is terminated pursuant to Section 84214. "Candidate" does not include any person within the meaning of Section 301(b) of the Federal Election Campaign Act of 1971.

History: Amended by Stats. 1980, Ch. 289.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18404
2 Cal. Code of Regs. Section 18531.5

Opinions: In re Johnson (1989) 12 FPPC Ops. 1
In re Lui (1987) 10 FPPC Ops. 10
In re Juvinall, Stull, Meyers, Republican Central Committee of Orange County, Tuteur (1976) 2 FPPC Ops. 110

§ 82008. City.

"City" means a general law or a chartered city.

§ 82009. Civil Service Employee.

"Civil service employee" means any state employee who is covered by the state civil service system or any employee of a local government agency who is covered by a similar personnel system.

§ 82009.5. Clerk.

"Clerk" refers to the city or county clerk unless the city council or board of supervisors has designated any other agency to perform the specified function.

§ 82010. Closing Date.

"Closing date" means the date through which any report or statement filed under this title is required to be complete.

§ 82011. Code Reviewing Body.

"Code reviewing body" means all of the following:

(a) The commission, with respect to the conflict-of-interest code of a state agency other than an agency in the judicial branch of government, or any local government agency with jurisdiction in more than one county.

(b) The board of supervisors, with respect to the conflict-of-interest code of any county agency other than the board of supervisors, or any agency of the judicial branch of government, and of any local government agency, other than a city agency, with jurisdiction wholly within the county.

(c) The city council, with respect to the conflict-of-interest code of any city agency other than the city council.

(d) The Attorney General, with respect to the conflict-of-interest code of the commission.

(e) The Chief Justice or his or her designee, with respect to the conflict-of-interest code of the members of the Judicial Council, Commission on Judicial Performance, and Board of Governors of the State Bar of California.

(f) The Board of Governors of the State Bar of California with respect to the conflict-of-interest code of the State Bar of California.

(g) The Chief Justice of California, the administrative presiding judges of the courts of appeal, and the presiding judges of superior and municipal courts, or their designees, with respect to the conflict-of-interest code of any agency of the judicial branch of government subject to the immediate administrative supervision of that court.

(h) The Judicial Council of California, with respect to the conflict-of-interest code of any state agency within the judicial branch of government not included under subdivisions (e), (f), and (g).

History: Amended by Stats. 1980, Ch. 779; amended by Stats. 1984, Ch. 727, operative July 1, 1985; amended by Stats. 1985; Ch. 775; amended by Stats. 1995, Ch. 587.

§ 82012. Commission.

"Commission" means the Fair Political Practices Commission.

§ 82013. Committee.

"Committee" means any person or combination of persons who directly or indirectly does any of the following:

(a) Receives contributions totaling two thousand dollars ($2,000) or more in a calendar year;

(b) Makes independent expenditures totaling one thousand dollars ($1,000) or more in a calendar year; or

(c) Makes contributions totaling ten thousand dollars ($10,000) or more in a calendar year to or at the behest of candidates or committees.

A person or combination of persons that becomes a committee shall retain its status as a committee until such time as that status is terminated pursuant to Section 84214.

History: Amended by Stats. 1977, Ch. 1213; amended by Stats. 1980, Ch. 289; amended by Stats. 1984, Ch. 670; amended by Stats. 1987, Ch. 632; amended by Stats. 2015, Ch. 364, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18404.2
2 Cal. Code of Regs. Section 18420.1
2 Cal. Code of Regs. Section 18521.5

Opinions: In re Johnson (1989) 12 FPPC Ops. 1
In re Welsh (1978) 4 FPPC Ops. 78
In re Kahn (1976) 2 FPPC Ops. 151
In re Lumsdon (1976) 2 FPPC Ops. 140
In re Cannon (1976) 2 FPPC Ops. 133

In re Masini (1976) 2 FPPC Ops. 38
In re Fontana (1976) 2 FPPC Ops. 25
In re Christiansen (1975) 1 FPPC Ops. 170
In re Augustine (1975) 1 FPPC Ops. 69

§ 82014. Conflict of Interest Code.

"Conflict of Interest Code" means a set of rules and regulations adopted by an agency pursuant to Chapter 7 of this title.

§ 82015. Contribution.

(a) "Contribution" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment except to the extent that full and adequate consideration is received, unless it is clear from the surrounding circumstances that it is not made for political purposes.

(b) (1) A payment made at the behest of a committee, as defined in subdivision (a) of Section 82013, is a contribution to the committee unless full and adequate consideration is received from the committee for making the payment.

(2) A payment made at the behest of a candidate is a contribution to the candidate unless the criteria in either subparagraph (A) or (B) are satisfied:

(A) Full and adequate consideration is received from the candidate.

(B) It is clear from the surrounding circumstances that the payment was made for purposes unrelated to his or her candidacy for elective office. The following types of payments are presumed to be for purposes unrelated to a candidate's candidacy for elective office:

(i) A payment made principally for personal purposes, in which case it may be considered a gift under the provisions of Section 82028. Payments that are otherwise subject to the limits of Section 86203 are presumed to be principally for personal purposes.

(ii) A payment made by a state, local, or federal governmental agency or by a nonprofit organization that is exempt from taxation under Section 501(c) (3) of the Internal Revenue Code. A payment by a state, local, or federal governmental agency that is made principally for legislative or governmental purposes is governed exclusively by this clause and, therefore, is not subject to the reporting requirement described in clause (iii).

(iii) A payment not covered by clause (i), made principally for legislative, governmental, or charitable purposes, in which case it is neither a gift nor a contribution. However, payments of this type that are made at the behest of a candidate who is an elected officer shall be reported within 30 days following the date on which the payment or payments equal or exceed five thousand dollars ($5,000) in the aggregate from the same source in the same calendar year in which they are made. The report shall be filed by the elected officer with the elected officer's agency and shall be a public record subject to inspection and copying pursuant to Section 81008. The report shall contain the following information: name of payor, address of payor, amount of the payment, date or dates the payment or payments were made, the name and address of the payee, a brief description of the goods or services provided or purchased, if any, and a description of the specific purpose or event for which the payment or payments were made. Once the five-thousand-dollar ($5,000) aggregate threshold from a single source has been reached for a calendar year, all payments for the calendar year made by that source shall be disclosed within 30 days after the date the threshold was reached or the payment was made, whichever occurs later. Within 30 days after receipt of the report, state agencies shall forward a copy of these reports to the Commission, and local agencies shall forward a copy of these reports to the officer with whom elected officers of that agency file their campaign statements.

(C) For purposes of subparagraph (B), a payment is made for purposes related to a candidate's candidacy for elective office if all or a portion of the payment is used for election-related activities. For purposes of this subparagraph, "election-related activities" shall include, but are not limited to, the following:

(i) Communications that contain express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

(ii) Communications that contain reference to the candidate's candidacy for elective office, the candidate's election campaign, or the candidate's or his or her opponent's qualifications for elective office.

(iii) Solicitation of contributions to the candidate or to third persons for use in support of the candidate or in opposition to his or her opponent.

(iv) Arranging, coordinating, developing, writing, distributing, preparing, or planning of any communication or activity described in clause (i), (ii), or (iii).

(v) Recruiting or coordinating campaign activities of campaign volunteers on behalf of the candidate.

(vi) Preparing campaign budgets.

(vii) Preparing campaign finance disclosure statements.

(viii) Communications directed to voters or potential voters as part of activities encouraging or assisting persons to vote if the communication contains express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

(D) A contribution made at the behest of a candidate for a different candidate or to a committee not controlled by the behesting candidate is not a contribution to the behesting candidate.

(3) A payment made at the behest of a member of the Public Utilities Commission, made principally for legislative, governmental, or charitable purposes, is not a contribution. However, payments of this type shall be reported within 30 days following the date on which the payment or payments equal or exceed five thousand dollars ($5,000) in the aggregate from the same source in the same calendar year in which they are made. The report shall be filed by the member with the Public Utilities Commission and shall be a public record subject to inspection and copying pursuant to Section 81008. The report shall contain the following information: name of payor, address of payor, amount of the payment, date or dates the payment or payments were made, the name and address of the payee, a brief description of the goods or services provided or purchased, if any, and a description of the specific purpose or event for which the payment or payments were made. Once the five-thousand-dollar ($5,000) aggregate threshold from a single source has been reached for a calendar year, all payments for the calendar year made by that source shall be disclosed within 30 days after the date the threshold was reached or the payment was made, whichever occurs later. Within 30 days after receipt of the report, the Public Utilities Commission shall forward a copy of these reports to the Fair Political Practices Commission.

(c) "Contribution" includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events; the candidate's own money or property used on behalf of his or her candidacy, other than personal funds of the candidate used to pay either a filing fee for a declaration of candidacy or a candidate statement prepared pursuant to Section 13307 of the Elections Code; the granting of discounts or rebates not extended to the public generally or the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; the payment of compensation by any person for the personal services or expenses of any other person if the services are rendered or expenses incurred on behalf of a candidate or committee without payment of full and adequate consideration.

(d) "Contribution" further includes any transfer of anything of value received by a committee from another committee, unless full and adequate consideration is received.

(e) "Contribution" does not include amounts received pursuant to an enforceable promise to the extent those amounts have been previously reported as a contribution. However, the fact that those amounts have been received shall be indicated in the appropriate campaign statement.

(f)(1) Except as provided in paragraph (2) or (3), "contribution" does not include a payment made by an occupant of a home or office for costs related to any meeting or fundraising event held in the occupant's home or office if the costs for the meeting or fundraising event are five hundred dollars ($500) or less.

(2) "Contribution" includes a payment made by a lobbyist or a cohabitant of a lobbyist for costs related to a fundraising event held at the home of the lobbyist, including the value of the use of the home as a fundraising event venue. A payment described in this paragraph shall be attributable to the lobbyist for purposes of Section 85702.

(3) "Contribution" includes a payment made by a lobbying firm for costs related to a fundraising event held at the office of the lobbying firm, including the value of the use of the office as a fundraising event venue.

(g) Notwithstanding the foregoing definition of "contribution," the term does not include volunteer personal services or payments made by any individual for his or her own travel expenses if the payments are made voluntarily without any understanding or agreement that they shall be, directly or indirectly, repaid to him or her.

(h) "Contribution" further includes the payment of public moneys by a state or local governmental agency for a communication to the public that satisfies both of the following:

(1) The communication expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage, or defeat of a clearly identified measure, or, taken as a whole and in context, unambiguously urges a particular result in an election.

(2) The communication is made at the behest of the affected candidate or committee.

(i) "Contribution" further includes a payment made by a person to a multipurpose organization as defined and described in Section 84222.

History: Amended by Stats. 1980, Ch. 289; amended by Stats. 1997, Ch. 450, effective September 24, 1997; amended by Stats. 2008, Ch. 418; amended by Stats. 2009, Ch. 363; amended by Stats. 2013, Ch. 16, effective July 1, 2014; amended by Stats. 2014, Ch. 882 and 930; amended by Stats. 2015, Ch. 756, effective October 10, 2015.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18215
2 Cal. Code of Regs. Section 18215.1
2 Cal. Code of Regs. Section 18215.2
2 Cal. Code of Regs. Section 18215.3
2 Cal. Code of Regs. Section 18216
2 Cal. Code of Regs. Section 18225.7
2 Cal. Code of Regs. Section 18420.1
2 Cal. Code of Regs. Section 18421.1
2 Cal. Code of Regs. Section 18421.31
2 Cal. Code of Regs. Section 18422
2 Cal. Code of Regs. Section 18423
2 Cal. Code of Regs. Section 18428
2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18530.3
2 Cal. Code of Regs. Section 18531.7
2 Cal. Code of Regs. Section 18540
2 Cal. Code of Regs. Section 18572
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.3

Opinions: In re Montoya (1989) 12 FPPC Ops. 7
In re Johnson (1989) 12 FPPC Ops. 1
In re Bell (1988) 11 FPPC Ops. 1
In re Nielsen (1979) 5 FPPC Ops. 18
In re Buchanan (1979) 5 FPPC Ops. 14
In re Reinhardt (1977) 3 FPPC Ops. 83
In re Cannon (1976) 2 FPPC Ops. 133
In re Willmarth (1976) 2 FPPC Ops. 130
In re Adams (1976) 2 FPPC Ops. 127
In re Dixon (1976) 2 FPPC Ops. 70
In re McCormick (1976) 2 FPPC Ops. 42
In re Burciaga (1976) 2 FPPC Ops. 17
In re Hayes (1975) 1 FPPC Ops. 210
In re Christiansen (1975) 1 FPPC Ops. 170
In re Cory (1975) 1 FPPC Ops. 137

§ 82016. Controlled Committee.

(a) "Controlled committee" means a committee that is controlled directly or indirectly by a candidate or state measure proponent or that acts jointly with a candidate, controlled committee, or state measure proponent in connection with the making of expenditures. A candidate or state measure proponent controls a committee if he or she, his or her agent, or any other committee he or she controls has a significant influence on the actions or decisions of the committee.

(b) Notwithstanding subdivision (a), a political party committee, as defined in Section 85205, is not a controlled committee.

History: Amended by Stats. 1983, Ch. 898; amended by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18217
2 Cal. Code of Regs. Section 18405
2. Cal Code of Regs. Section 18521
2 Cal. Code of Regs. Section 18521.5

§ 82017. County.

"County" includes a city and county.

§ 82018. Cumulative Amount.

(a) Except as provided in subdivisions (b), (c), and (d), "cumulative amount" means the amount of contributions received or expenditures made in the calendar year.

(b) For a filer required to file a campaign statement or independent expenditure report in one year in connection with an election to be held in another year, the period over which the cumulative amount is calculated shall end on the closing date of the first semiannual statement filed after the election.

(c) For a filer required to file a campaign statement in connection with the qualification of a measure which extends into two calendar years, the period over which the cumulative amount is calculated shall end on December 31 of the second calendar year.

(d) For a person filing a campaign statement with a period modified by the provisions of this section, the next period over which the cumulative amount is calculated shall begin on the day after the closing date of the statement.

History: Amended by Stats. 1976, Ch. 1106; repealed and reenacted as amended by Stats. 1980, Ch. 289; amended by Stats. 1985, Ch. 1456; amended by Stats. 1992, Ch. 405; amended by Stats. 1993, Ch. 769.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4

§ 82019. Designated Employee.

(a) "Designated employee" means any officer, employee, member, or consultant of any agency whose position with the agency:

(1) Is exempt from the state civil service system by virtue of subdivision (a), (c), (d), (e), (f), (g), or (m) of Section 4 of Article VII of the Constitution, unless the position is elective or solely secretarial, clerical, or manual.

(2) Is elective, other than an elective state office.

(3) Is designated in a Conflict of Interest Code because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest.

(4) Is involved as a state employee at other than a clerical or ministerial level in the functions of negotiating or signing any contract awarded through competitive bidding, in making decisions in conjunction with the competitive bidding process, or in negotiating, signing, or making decisions on contracts executed pursuant to Section 10122 of the Public Contract Code.

(b)(1) "Designated employee" does not include an elected state officer, any unsalaried member of any board or commission which serves a solely advisory function, any public official specified in Section 87200, and also does not include any unsalaried member of a nonregulatory committee, section, commission, or other such entity of the State Bar of California.

(2) "Designated employee" does not include a federal officer or employee serving in an official federal capacity on a state or local government agency. The state or local government agency shall annually obtain, and maintain in its files for public inspection, a copy of any public financial disclosure report filed by the federal officer or employee pursuant to federal law.

History: Amended by Stats. 1979, Ch. 674; amended by Stats. 1983, Ch. 1108; amended by Stats. 1984, Ch. 727, operative July 1, 1985; amended by Stats. 1985, Ch. 611; amended by Stats. 2004, Ch. 484.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18219
2 Cal. Code of Regs. Section 18700.3
2 Cal. Code of Regs. Section 18701

§ 82020. Elected Officer.

"Elected officer" means any person who holds an elective office or has been elected to an elective office but has not yet taken office. A person who is appointed to fill a vacant elective office is an elected officer.

§ 82021. Elected State Officer.

"Elected state officer" means any person who holds an elective state office or has been elected to an elective state office but has not yet taken office. A person who is appointed to fill a vacant elective state office is an elected state officer.

§ 82022. Election.

"Election" means any primary, general, special or recall election held in this state. The primary and general or special elections are separate elections for purposes of this title.

§ 82023. Elective Office.

"Elective office" means any state, regional, county, municipal, district or judicial office that is filled at an election. "Elective office" also includes membership on a county central committee of a qualified political party, and membership through election on the Board of Administration of the Public Employees' Retirement System or the Teachers' Retirement Board.

History: Amended by Stats. 1998, Ch. 923; amended by Stats. 2010, Ch. 633.

§ 82024. Elective State Office.

"Elective state office" means the office of Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, Member of the Legislature, member elected to the Board of Administration of the Public Employees' Retirement System, member elected to the Teachers' Retirement Board, and member of the State Board of Equalization.

History: Amended by Stats. 1991, Ch. 674; amended by Stats. 1998, Ch. 923; amended by Stats. 2010, Ch. 633.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18723

§ 82025. Expenditure.

"Expenditure" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for political purposes. "Expenditure" does not include a candidate's use of his or her own money to pay for either a filing fee for a declaration of candidacy or a candidate statement prepared pursuant to Section 13307 of the Elections Code. An expenditure is made on the date the payment is made or on the date consideration, if any, is received, whichever is earlier.

History: Amended by Stats. 1997, Ch. 394.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18215.2
2 Cal. Code of Regs. Section 18225
2 Cal. Code of Regs. Section 18225.4
2 Cal. Code of Regs. Section 18225.7
2 Cal. Code of Regs. Section 18421.1
2 Cal. Code of Regs. Section 18421.6
2 Cal. Code of Regs. Section 18423
2 Cal. Code of Regs. Section 18450.11
2 Cal. Code of Regs. Section 18530.3
2 Cal. Code of Regs. Section 18531.7

Opinions: In re Lui (1987) 10 FPPC Ops. 10
In re Buchanan (1979) 5 FPPC Ops. 14
In re Welsh (1978) 4 FPPC Ops. 78
In re Cannon (1976) 2 FPPC Ops. 133
In re Juvinall, Stull, Meyers, Republican Central Committee of Orange County, Tuteur (1976) 2 FPPC Ops. 110
In re Sobieski (1976) 2 FPPC Ops. 73
In re Hayes (1975) 1 FPPC Ops. 210
In re Christiansen (1975) 1 FPPC Ops. 170

In re Kelly, Masini (1975) 1 FPPC Ops. 162

§ 82025.3. External Manager.

(a) "External manager" means either of the following:

(1) A person who is seeking to be, or is, retained by a state public retirement system in California or an investment vehicle to manage a portfolio of securities or other assets for compensation.

(2) A person who manages an investment fund and who offers or sells, or has offered or sold, an ownership interest in the investment fund to a state public retirement system in California or an investment vehicle.

(b) For purposes of this section, "investment fund" has the same meaning as set forth in Section 7513.8.

(c) For purposes of this section, "investment vehicle" has the same meaning as set forth in Section 82047.3.

History: Added by Stats. 2010, Ch. 668; amended by Stats. 2011, Ch. 704, effective October 9, 2011.

§ 82025.5. Fair Market Value.

"Fair market value" means the estimated fair market value of goods, services, facilities or anything of value other than money. Whenever the amount of goods, services, facilities, or anything of value other than money is required to be reported under this title, the amount reported shall be the fair market value, and a description of the goods, services, facilities, or other thing of value shall be appended to the report or statement. "Full and adequate consideration" as used in this title means fair market value.

History: Added by Stats. 1985, Ch. 775.

References at the time of publication (see page 3):

Opinions: In re Hopkins (1977) 3 FPPC Ops. 107
In re Stone (1977) 3 FPPC Ops. 52
In re Thomas (1977) 3 FPPC Ops. 30
In re Cory (1975) 1 FPPC Ops. 153

§ 82026. Filer.

"Filer" means the person filing or required to file any statement or report under this title.

§ 82027. Filing Officer.

"Filing officer" means the office or officer with whom any statement or report is required to be filed under this title. If copies of a statement or report are required to be filed with more than one office or officer, the one first named is the filing officer, and the copy filed with him shall be signed in the original and shall be deemed the original copy.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18227

§ 82027.5. General Purpose Committee.

(a) "General purpose committee" means all committees pursuant to subdivision (b) or (c) of Section 82013, and any committee pursuant to subdivision (a) of Section 82013 which is formed or exists primarily to support or oppose more than one candidate or ballot measure, except as provided in Section 82047.5.

(b) A "state general purpose committee" is a political party committee, as defined in Section 85205, or a committee to support or oppose candidates or measures voted on in a state election, or in more than one county.

(c) A "county general purpose committee" is a committee to support or oppose candidates or measures voted on in only one county, or in more than one jurisdiction within one county.

(d) A "city general purpose committee" is a committee to support or oppose candidates or measures voted on in only one city.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 2004, Ch. 623, effective September 21, 2004.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.8
2 Cal. Code of Regs. Section 18521.5

§ 82028. Gift.

(a) "Gift" means, except as provided in subdivision (b), any payment that confers a personal benefit on the recipient, to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public without regard to official status. Any person, other than a defendant in a criminal action, who claims that a payment is not a gift by reason of receipt of consideration has the burden of proving that the consideration received is of equal or greater value.

(b) The term "gift" does not include:

(1) Informational material such as books, reports, pamphlets, calendars, or periodicals. No payment for travel or reimbursement for any expenses shall be deemed "informational material."

(2) Gifts which are not used and which, within 30 days after receipt, are either returned to the donor or delivered to a nonprofit entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code without being claimed as a charitable contribution for tax purposes.

(3) Gifts from an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew,

niece, aunt, uncle, or first cousin or the spouse of any such person; provided that a gift from any such person shall be considered a gift if the donor is acting as an agent or intermediary for any person not covered by this paragraph.

(4) Campaign contributions required to be reported under Chapter 4 of this title.

(5) Any devise or inheritance.

(6) Personalized plaques and trophies with an individual value of less than two hundred fifty dollars ($250).

History: Amended by Stats. 1978, Ch. 641; amended by Stats. 1986, Ch. 654; amended by Stats. 1997, Ch. 450, effective September 24, 1997.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229
2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18730.1
2 Cal. Code of Regs. Section 18932.4
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18940.1
2 Cal. Code of Regs. Section 18941
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18942.1
2 Cal. Code of Regs. Section 18942.2
2 Cal. Code of Regs. Section 18942.3
2 Cal. Code of Regs. Section 18943
2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18944.1
2 Cal. Code of Regs. Section 18944.2
2 Cal. Code of Regs. Section 18944.3
2 Cal. Code of Regs. Section 18944.4
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18945.2
2 Cal. Code of Regs. Section 18945.4
2 Cal. Code of Regs. Section 18946-18946.5
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1
2 Cal. Code of Regs. Section 18950.2
2 Cal. Code of Regs. Section 18950.3

Opinions: In re Roberts (2004) 17 FPPC Ops. 9
In re Hopkins (1977) 3 FPPC Ops. 107
In re Stone (1977) 3 FPPC Ops. 52
In re Gutierrez (1977) 3 FPPC Ops. 44
In re Thomas (1977) 3 FPPC Ops. 30
In re Nida (1977) 3 FPPC Ops. 1
In re Torres (1976) 2 FPPC Ops. 31
In re Brown (1975) 1 FPPC Ops. 677
In re Hayes (1975) 1 FPPC Ops. 210
In re Russel (1975) 1 FPPC Ops. 191
In re Cory (1975) 1 FPPC Ops. 153
In re Cory (1975) 1 FPPC Ops. 137
In re Cory (1976) 2 FPPC Ops. 48
In re Spellman (1975) 1 FPPC Ops. 16
In re Lunardi (1975) 1 FPPC Ops. 97

§ 82029. Immediate Family.

"Immediate family" means the spouse and dependent children.

History: Amended by Stats. 1980, Ch. 1000.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229
2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18234

Opinions: In re Roberts (2004) 17 FPPC Ops. 9

§ 82030. Income.

(a) "Income" means, except as provided in subdivision (b), a payment received, including but not limited to any salary, wage, advance, dividend, interest, rent, proceeds from any sale, gift, including any gift of food or beverage, loan, forgiveness or payment of indebtedness received by the filer, reimbursement for expenses, per diem, or contribution to an insurance or pension program paid by any person other than an employer, and including any community property interest in the income of a spouse. Income also includes an outstanding loan. Income of an individual also includes a pro rata share of any income of any business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially, a 10-percent interest or greater. "Income," other than a gift, does not include income received from any source outside the jurisdiction and not doing business within the jurisdiction, not planning to do business within the jurisdiction, or not having done business within the jurisdiction during the two years prior to the time any statement or other action is required under this title.

(b) "Income" also does not include:

(1) Campaign contributions required to be reported under Chapter 4 (commencing with Section 84100).

(2) Salary and reimbursement for expenses or per diem, and social security, disability, or other similar benefit payments received from a state, local, or federal government agency and reimbursement for travel expenses and per diem received from a bona fide nonprofit entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(3) Any devise or inheritance.

(4) Interest, dividends, or premiums on a time or demand deposit in a financial institution, shares in a credit union or any insurance policy, payments received under any insurance policy, or any bond or other debt instrument issued by any government or government agency.

(5) Dividends, interest, or any other return on a security which is registered with the Securities and Exchange Commission of the United States government or a commodity future registered with the Commodity Futures Trading Commission of the United States government, except proceeds from the sale of these securities and commodities futures.

(6) Redemption of a mutual fund.

(7) Alimony or child support payments.

(8) Any loan or loans from a commercial lending institution which are made in the lender's regular course of business on terms available to members of the public without regard to official status.

(9) Any loan from or payments received on a loan made to an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, uncle, aunt, or first cousin, or the spouse of any such person, provided that a loan or loan payment received from any such person shall be considered income if he or she is acting as an agent or intermediary for any person not covered by this paragraph.

(10) Any indebtedness created as part of a retail installment or credit card transaction if made in the lender's regular course of business on terms available to members of the public without regard to official status.

(11) Payments received under a defined benefit pension plan qualified under Internal Revenue Code Section 401(a).

(12) Proceeds from the sale of securities registered with the Securities and Exchange Commission of the United States government or from the sale of commodities futures registered with the Commodity Futures Trading Commission of the United States government if the filer sells the securities or the commodities futures on a stock or commodities exchange and does not know or have reason to know the identity of the purchaser.

History: Amended by Stats. 1976, Ch. 1161; amended by Stats. 1977, Ch. 230, effective July 7, 1977; amended by Stats. 1977, Ch. 344, effective August 20, 1977; amended by Stats. 1978, Ch. 641; amended by Stats. 1979, Ch. 686; amended by Stats. 1980, Ch. 183; amended by Stats. 1984, Ch. 931; amended by Stats. 1987, Ch. 936; amended by Stats. 1997, Ch. 455, effective September 24, 1997; amended by Stats. 2002, Ch. 172; amended by Stats. 2004, Ch. 484.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229
2 Cal. Code of Regs. Section 18230
2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18234
2 Cal. Code of Regs. Section 18235
2 Cal. Code of Regs. Section 18728.5
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18950.1
2 Cal. Code of Regs. Section 18950.2
2 Cal. Code of Regs. Section 18950.3

Opinions: In re Roberts (2004) 17 FPPC Ops. 9
In re Elmore (1978) 4 FPPC Ops. 8
In re Carey (1977) 3 FPPC Ops. 99
In re Moore (1977) 3 FPPC Ops. 33
In re Hayes (1975) 1 FPPC Ops. 210
In re Brown (1975) 1 FPPC Ops. 67

§ 82030.5. Income; Earned.

(a) For purposes of this title, "earned income" means, except as provided in subdivision (b), income from wages, salaries, professional fees, and other amounts received or promised to be received as compensation for personal services rendered.

(b) Income which is not "earned income" includes, but is not limited to, the following:

(1) Any income derived from stocks, bonds, property, or other investments, or from retail or wholesale sales.

(2) Any amount paid by, or on behalf of, an elected state officer to a tax-qualified pension, profit sharing, or stock bonus plan and received by the elected state officer from the plan.

(3) The community property interest in the income of a spouse.

History: Added by Stats. 1990, Ch. 1075.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229
2 Cal. Code of Regs. Section 18932

Opinions: In re Roberts (2004) 17 FPPC Ops. 9

§ 82031. Independent Expenditure.

"Independent expenditure" means an expenditure made by any person, including a payment of public moneys by a state or local government agency, in connection with a communication which expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage or defeat of a clearly identified measure, or taken as a whole and in context, unambiguously urges a particular result in an election but which is not made to or at the behest of the affected candidate or committee.

History: Formerly titled "Independent Committee." Repealed by Stats. 1979, Ch. 779. Added by Stats. 1980, Ch. 289. (Formerly Section 82031.5.) Amended by Stats. 2009, Ch. 363.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18225.7
2 Cal. Code of Regs. Section 18420.1
2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18530.3

§ 82031.5. Independent Expenditure. [Repealed]

History: Added by Stats. 1979, Ch. 779; repealed by Stats. 1980, Ch. 289. (Reenacted as amended and renumbered Section 82031.)

§ 82032. Influencing Legislative or Administrative Action.

"Influencing legislative or administrative action" means promoting, supporting, influencing, modifying, opposing or delaying any legislative or administrative action by any means, including but

not limited to the provision or use of information, statistics, studies or analyses.

References at the time of publication (see page 3):

Opinions: In re Evans (1978) 4 FPPC Ops. 54
In re Leonard (1976) 2 FPPC Ops. 54
In re Nida (1976) 2 FPPC Ops. 1

§ 82033. Interest in Real Property.

"Interest in real property" includes any leasehold, beneficial or ownership interest or an option to acquire such an interest in real property located in the jurisdiction owned directly, indirectly or beneficially by the public official, or other filer, or his or her immediate family if the fair market value of the interest is two thousand dollars ($2,000) or more. Interests in real property of an individual includes a pro rata share of interests in real property of any business entity or trust in which the individual or immediate family owns, directly, indirectly or beneficially, a 10-percent interest or greater.

History: Amended by Stats. 1978, Ch. 607; amended by Stats. 1980, Ch. 1000; amended by Stats. 1984, Ch. 931; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18233
2 Cal. Code of Regs. Section 18234
2 Cal. Code of Regs. Section 18235
2 Cal. Code of Regs. Section 18702.3
2 Cal. Code of Regs. Section 18729

Opinions: In re Overstreet (1981) 6 FPPC Ops. 12

§ 82034. Investment.

"Investment" means any financial interest in or security issued by a business entity, including, but not limited to, common stock, preferred stock, rights, warrants, options, debt instruments, and any partnership or other ownership interest owned directly, indirectly, or beneficially by the public official, or other filer, or his or her immediate family, if the business entity or any parent, subsidiary, or otherwise related business entity has an interest in real property in the jurisdiction, or does business or plans to do business in the jurisdiction, or has done business within the jurisdiction at any time during the two years prior to the time any statement or other action is required under this title. An asset shall not be deemed an investment unless its fair market value equals or exceeds two thousand dollars ($2,000). The term "investment" does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, interest in a diversified mutual fund registered with the Securities and Exchange Commission under the Investment Company Act of 1940 or in a common trust fund created pursuant to Section 1564 of the Financial Code, interest in a government defined-benefit pension plan, or any bond or other debt instrument issued by any government or government agency. Investments of an individual includes a pro rata share of investments of any business entity, mutual fund, or trust in which the individual or immediate family owns, directly, indirectly, or beneficially, a 10-percent interest or greater. The term "parent, subsidiary or otherwise related business entity" shall be specifically defined by regulations of the commission.

History: Amended by Stats. 1978, Ch. 607; amended by Stats. 1980, Ch. 1000; amended by Stats. 1984, Ch. 931; amended by Stats. 2000, Ch. 130; amended by Stats. 2007, Ch. 348.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18230
2 Cal. Code of Regs. Section 18234
2 Cal. Code of Regs. Section 18235
2 Cal. Code of Regs. Section 18237

Opinions: In re Nord (1983) 8 FPPC Ops. 6
In re Baty (1979) 5 FPPC Ops. 10
In re Elmore (1978) 4 FPPC Ops. 8

§ 82035. Jurisdiction.

"Jurisdiction" means the state with respect to a state agency and, with respect to a local government agency, the region, county, city, district or other geographical area in which it has jurisdiction. Real property shall be deemed to be "within the jurisdiction" with respect to a local government agency if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

History: Amended by Stats. 1975, Ch. 499, effective September 5, 1975; amended by Stats. 1993, Ch. 769.

§ 82035.5. LAFCO Proposal.

"LAFCO proposal" means a proposal, as defined in Section 56069, including a proceeding, as defined by Section 56067.

History: Added by Stats. 2008, Ch. 192; amended by Stats. 2009, Ch. 113.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18417

§ 82036. Late Contribution.

"Late contribution" means any of the following:

(a) A contribution, including a loan, that totals in the aggregate one thousand dollars ($1,000) or more and is made to or received by a candidate, a controlled committee, or a committee formed or existing primarily to support or oppose a candidate or measure during the 90-day period preceding the

date of the election, or on the date of the election, at which the candidate or measure is to be voted on. For purposes of the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board, "the date of the election" is the deadline to return ballots.

(b) A contribution, including a loan, that totals in the aggregate one thousand dollars ($1,000) or more and is made to or received by a political party committee, as defined in Section 85205, within 90 days before the date of a state election or on the date of the election.

History: Amended by Stats. 1977, Ch. 344, effective August 20, 1977; repealed and reenacted as amended by Stats. 1980, Ch. 289; amended by Stats. 2004, Ch. 623, effective September 21, 2004; amended by Stats. 2005, Ch. 22; amended by Stats. 2010, Ch. 633; amended by Stats. 2012, Ch. 496; amended by Stats. 2015, Ch. 364, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116
2 Cal. Code of Regs. Section 18425

§ 82036.5. Late Independent Expenditure.

"Late independent expenditure" means an independent expenditure that totals in the aggregate one thousand dollars ($1,000) or more and is made for or against a specific candidate or measure involved in an election during the 90-day period preceding the date of the election or on the date of the election. For purposes of the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board, "the date of the election" is the deadline to return ballots.

History: Added by Stats. 1980, Ch. 289; amended by Stats. 2010, Ch. 633; amended by Stats. 2012, Ch. 496; amended by Stats. 2015, Ch. 364, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116
2 Cal. Code of Regs. Section 18550

§ 82037. Legislative Action.

"Legislative action" means the drafting, introduction, consideration, modification, enactment or defeat of any bill, resolution, amendment, report, nomination or other matter by the Legislature or by either house or any committee, subcommittee, joint or select committee thereof, or by a member or employee of the Legislature acting in his official capacity. "Legislative action" also means the action of the Governor in approving or vetoing any bill.

References at the time of publication (see page 3):

Opinions: In re Cohen (1975) 1 FPPC Ops. 10

§ 82038. Legislative Official.

"Legislative official" means any employee or consultant of the Legislature whose duties are not solely secretarial, clerical or manual.

References at the time of publication (see page 3):

Opinions: In re Morrissey (1976) 2 FPPC Ops. 120

§ 82038.5. Lobbying Firm.

(a) "Lobbying firm" means any business entity, including an individual contract lobbyist, which meets either of the following criteria:

(1) The business entity receives or becomes entitled to receive any compensation, other than reimbursement for reasonable travel expenses, for the purpose of influencing legislative or administrative action on behalf of any other person, and any partner, owner, officer, or employee of the business entity is a lobbyist.

(2) The business entity receives or becomes entitled to receive any compensation, other than reimbursement for reasonable travel expenses, to communicate directly with any elective state official, agency official, or legislative official for the purpose of influencing legislative or administrative action on behalf of any other person, if a substantial or regular portion of the activities for which the business entity receives compensation is for the purpose of influencing legislative or administrative action.

(b) No business entity is a lobbying firm by reason of activities described in Section 86300.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985; amended by Stats. 1986, Ch. 905.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18238.5
2 Cal. Code of Regs. Section 18614

§ 82039. Lobbyist.

(a) "Lobbyist" means either of the following:

(1) Any individual who receives two thousand dollars ($2,000) or more in economic consideration in a calendar month, other than reimbursement for reasonable travel expenses, or whose principal duties as an employee are, to communicate directly or through his or her agents with any elective state official, agency official, or legislative official for the purpose of influencing legislative or administrative action.

(2) A placement agent, as defined in Section 82047.3.

(b) An individual is not a lobbyist by reason of activities described in Section 86300.

(c) For the purposes of subdivision (a), a proceeding before the Public Utilities Commission constitutes "administrative action" if it meets any of the definitions set forth in subdivision (b) or (c) of Section 82002. However, a communication made for the purpose of influencing this type of Public Utilities Commission proceeding is not within subdivision (a) if the communication is made at a public hearing,

public workshop, or other public forum that is part of the proceeding, or if the communication is included in the official record of the proceeding.

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1984, Ch. 161; amended by Proposition 208 of the November 1996 Statewide General Election; amended by Stats. 2001, Ch. 921; amended by Stats. 2010, Ch. 668.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18239
2 Cal. Code of Regs. Section 18601

Opinions: In re Evans (1978) 4 FPPC Ops. 54
In re Morrissey (1976) 2 FPPC Ops. 84
In re Leonard (1976) 2 FPPC Ops. 54
In re Zenz (1975) 1 FPPC Ops. 195
In re Hardie (1975) 1 FPPC Ops. 140
In re Stern (1975) 1 FPPC Ops. 59
In re McCarthy (1975) 1 FPPC Ops. 50
In re Carson (1975) 1 FPPC Ops. 46
In re California Labor Federation (1975) 1 FPPC Ops. 28
In re Cohen (1975) 1 FPPC Ops. 10

§ 82039.5. Lobbyist Employer.

"Lobbyist employer" means any person, other than a lobbying firm, who:

(a) Employs one or more lobbyists for economic consideration, other than reimbursement for reasonable travel expenses, for the purpose of influencing legislative or administrative action, or

(b) Contracts for the services of a lobbying firm for economic consideration, other than reimbursement for reasonable travel expense, for the purpose of influencing legislative or administrative action.

History: Added by Stats. 1985, Ch. 1183, Effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18239.5
2 Cal. Code or Regs. Section 18614

§ 82040. Lobbyist's Account. [Repealed]

History: Repealed by Stats. 1985, Ch. 1183, effective September 29, 1985.

§ 82041. Local Government Agency.

"Local government agency" means a county, city or district of any kind including school district, or any other local or regional political subdivision, or any department, division, bureau, office, board, commission or other agency of the foregoing.

History: Amended by Stats. 1984, Ch. 727, effective July 1, 1985.

References at the time of publication (see page 3):

Opinions: In re Rotman (1987) 10 FPPC Ops. 1
In re Leach (1978) 4 FPPC Ops. 48
In re Siegel (1977) 3 FPPC Ops. 62
In re Witt (1975) 1 FPPC Ops. 1

§ 82041.5. Mass Mailing.

"Mass mailing" means over two hundred substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry.

History: Amended by Proposition 73 on the June 1988 statewide primary ballot, effective June 8, 1988; amended by Stats. 1988, Ch. 1027.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18435
2 Cal. Code of Regs. Section 18901
2 Cal. Code of Regs. Section 18901.1

Opinions: In re Welsh (1978) 4 FPPC Ops. 78
In re Juvinall, Stull, Meyers, Republican Central Committee of Orange County, Tuteur (1976) 2 FPPC Ops. 110
In re Sobieski (1976) 2 FPPC Ops. 73
In re Valdez (1976) 2 FPPC Ops. 21

§ 82042. Mayor.

"Mayor" of a city includes mayor of a city and county.

§ 82043. Measure.

"Measure" means any constitutional amendment or other proposition which is submitted to a popular vote at an election by action of a legislative body, or which is submitted or is intended to be submitted to a popular vote at an election by initiative, referendum or recall procedure whether or not it qualifies for the ballot.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.5

Opinions: In re Fontana (1976) 2 FPPC Ops. 25

§ 82044. Payment.

"Payment" means a payment, distribution, transfer, loan, advance, deposit, gift or other rendering of money, property, services or anything else of value, whether tangible or intangible.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18950.1

Opinions: In re Johnson (1989) 12 FPPC Ops. 1
In re Gutierrez (1977) 3 FPPC Ops. 44
In re McCormick (1976) 2 FPPC Ops. 42
In re Burciaga (1976) 2 FPPC Ops. 17
In re Cory (1975) 1 FPPC Ops. 137

§ 82045. Payment to Influence Legislative or Administrative Action.

"Payment to influence legislative or administrative action" means any of the following types of payment:

(a) Direct or indirect payment to a lobbyist whether for salary, fee, compensation for expenses,

or any other purpose, by a person employing or contracting for the services of the lobbyist separately or jointly with other persons;

(b) Payment in support or assistance of a lobbyist or his activities, including but not limited to the direct payment of expenses incurred at the request or suggestion of the lobbyist;

(c) Payment which directly or indirectly benefits any elective state official, legislative official or agency official or a member of the immediate family of any such official;

(d) Payment, including compensation, payment or reimbursement for the services, time or expenses of an employee, for or in connection with direct communication with any elective state official, legislative official or agency official;

(e) Payment for or in connection with soliciting or urging other persons to enter into direct communication with any elective state official, legislative official or agency official.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1

Opinions: In re Kovall (1978) 4 FPPC Ops. 95
In re Nida (1977) 3 FPPC Ops. 1
In re Morrissey (1976) 2 FPPC Ops. 84
In re Naylor (1976) 2 FPPC Ops. 65
In re Leonard (1976) 2 FPPC Ops. 54
In re Gillies (1975) 1 FPPC Ops. 165
In re Morrissey (1975) 1 FPPC Ops. 130

§ 82046. Period Covered.

(a) "Period covered" by a statement or report required to be filed by this title, other than a campaign statement, means, unless a different period is specified, the period beginning with the day after the closing date of the most recent statement or report which was required to be filed, and ending with the closing date of the statement or report in question. If the person filing the statement or report has not previously filed a statement or report of the same type, the period covered begins on the day on which the first reportable transaction occurred. Nothing in this chapter shall be interpreted to exempt any person from disclosing transactions which occurred prior to the effective date of this title according to the laws then in effect.

(b) "Period covered" by a campaign statement required to be filed by this title means, unless a different period is specified, the period beginning the day after the closing date of the most recent campaign statement which was required to be filed and ending with the closing date of the statement in question. If a person has not previously filed a campaign statement, the period covered begins on January 1.

History: Amended by Stats. 1976, Ch. 1106; amended by Stats. 1980, Ch. 289.

References at the time of publication (see page 3):

Opinions: In re Welsh (1978) 4 FPPC Ops. 78
In re Juvinall, Stull, Meyers, Republican Central Committee of Orange County, Tuteur (1976) 2 FPPC Ops. 110
In re Sobieski (1976) 2 FPPC Ops. 73
In re Valdez (1976) 2 FPPC Ops. 21

§ 82047. Person.

"Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, and any other organization or group of persons acting in concert.

History: Amended by Stats. 1994, Ch. 1010.

References at the time of publication (see page 3):

Opinions: In re Lumsdon (1976) 2 FPPC Ops. 140
In re Witt (1975) 1 FPPC Ops. 1

§ 82047.3. Placement Agent.

(a) "Placement agent" means an individual directly or indirectly hired, engaged, or retained by, or serving for the benefit of or on behalf of, an external manager or an investment fund managed by an external manager, and who acts or has acted for compensation as a finder, solicitor, marketer, consultant, broker, or other intermediary in connection with the offer or sale to a state public retirement system in California or an investment vehicle either of the following:

(1) In the case of an external manager within the meaning of paragraph (1) of subdivision (a) of Section 82025.3, the investment management services of the external manager.

(2) In the a case of an external manager within the meaning of paragraph (2) of subdivision (a) of Section 82025.3, an ownership interest in an investment fund managed by the external manager.

(b) Notwithstanding subdivision (a), an individual who is an employee, officer, director, equityholder, partner, member, or trustee of an external manager and who spends one-third or more of his or her time, during a calendar year, managing the securities or assets owned, controlled, invested, or held by the external manager is not a placement agent.

(c) Notwithstanding subdivision (a), an employee, officer, or director of an external manager, or of an affiliate of an external manager, is not a placement agent with respect to an offer or sale of investment management services described in subdivision (a) if all of the following apply:

(1) The external manager is registered as an investment adviser or a broker-dealer with the Securities and Exchange Commission or, if exempt from or not subject to registration with the Securities

and Exchange Commission, any appropriate state securities regulator.

(2) The external manager is participating in a competitive bidding process, such as a request for proposals, subject to subdivision (a) of Section 22364 of the Education Code or subdivision (a) of Section 20153 of this code, as applicable, or has been selected through that process, and is providing services pursuant to a contract executed as a result of that competitive bidding process.

(3) The external manager, if selected through a competitive bidding process described in paragraph (2), has agreed to a fiduciary standard of care, as defined by the standards of conduct applicable to the retirement board of a public pension or retirement system and set forth in Section 17 of Article XVI of the California Constitution, when managing a portfolio of assets of a state public retirement system in California.

(d) For purposes of this section, "investment fund" has the same meaning as set forth in Section 7513.8.

(e) For purposes of this section, "investment vehicle" means a corporation, partnership, limited partnership, limited liability company, association, or other entity, either domestic or foreign, managed by an external manager in which a state public retirement system in California is the majority investor and that is organized in order to invest with, or retain the investment management services of, other external managers.

History: Added by Stats. 2010, Ch. 668; amended by Stats. 2011, Ch. 704, effective October 9, 2011.

§ 82047.5. Primarily Formed Committee.

"Primarily formed committee" means a committee pursuant to subdivision (a) of Section 82013 which is formed or exists primarily to support or oppose any of the following:

(a) A single candidate.

(b) A single measure.

(c) A group of specific candidates being voted upon in the same city, county, or multicounty election.

(d) Two or more measures being voted upon in the same city, county, multicounty, or state election.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 1990, Ch. 626; amended by Stats. 1991, Ch. 191; amended by Stats. 1995, Ch. 295.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18247.5
2 Cal. Code of Regs. Section 18421.8
2 Cal. Code of Regs. Section 18521.5

§ 82047.6. Principal Officer.

(a) "Principal officer" means the individual primarily responsible for approving the political activities of a committee, including, but not limited to, the following activities:

(1) Authorizing the content of communications made by the committee.

(2) Authorizing expenditures, including contributions, on behalf of the committee.

(3) Determining the committee's campaign strategy.

(b) If two or more individuals share the primary responsibility for approving the political activities of a committee, each individual is a principal officer.

History: Added by Stats. 2012, Ch. 496.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18402.1

§ 82047.7. Proponent of a State Ballot Measure.

"Proponent of a state ballot measure" means "proponent" as defined in Section 9002 of the Elections Code.

History: Added by Stats. 1988, Ch. 704; amended by Stats. 1994, Ch. 923; renumbered by Stats. 2012, Ch. 496. (Formerly Section 82047.6.)

§ 82048. Public Official.

(a) "Public official" means every member, officer, employee or consultant of a state or local government agency.

(b) Notwithstanding subdivision (a), "public official" does not include the following:

(1) A judge or court commissioner in the judicial branch of government.

(2) A member of the Board of Governors and designated employees of the State Bar of California.

(3) A member of the Judicial Council.

(4) A member of the Commission on Judicial Performance, provided that he or she is subject to the provisions of Article 2.5 (commencing with Section 6035) of Chapter 4 of Division 3 of the Business and Professions Code as provided in Section 6038 of that article.

(5) A federal officer or employee serving in an official federal capacity on a state or local government agency.

History: Amended by Stats. 1984, Ch. 727, operative July 1, 1985; amended by Stats. 2004, Ch. 484.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18700.3
2 Cal. Code of Regs. Section 18701
2 Cal. Code of Regs. Section 18940.1

Opinions: In re Rotman (1987) 10 FPPC Ops. 1
In re Maloney (1977) 3 FPPC Ops. 69
In re Siegel (1977) 3 FPPC Ops. 62

§ 82048.3. Slate Mailer.

"Slate mailer" means a mass mailing which supports or opposes a total of four or more candidates or ballot measures.

History: Added by Stats. 1987, Ch. 905.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401.1

§ 82048.4. Slate Mailer Organization.

(a) "Slate mailer organization" means, except as provided in subdivision (b), any person who, directly or indirectly, does all of the following:

(1) Is involved in the production of one or more slate mailers and exercises control over the selection of the candidates and measures to be supported or opposed in the slate mailers.

(2) Receives or is promised payments totaling five hundred dollars ($500) or more in a calendar year for the production of one or more slate mailers.

(b) Notwithstanding subdivision (a), a slate mailer organization shall not include any of the following:

(1) A candidate or officeholder or a candidate's or officeholder's controlled committee.

(2) An official committee of any political party.

(3) A legislative caucus committee.

(4) A committee primarily formed to support or oppose a candidate, officeholder, or ballot measure.

(c) The production and distribution of slate mailers by a slate mailer organization shall not be considered making contributions or expenditures for purposes of subdivision (b) or (c) of Section 82013. If a slate mailer organization makes contributions or expenditures other than by producing or distributing slate mailers, and it reports those contributions and expenditures pursuant to Sections 84218 and 84219, no additional campaign reports shall be required of the slate mailer organization pursuant to Section 84200 or 84200.5.

History: Added by Stats. 1987, Ch. 905; renumbered by Stats. 1988, Ch. 160.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401.1

§ 82048.5. Special District.

"Special district" means any agency of the state established for the local performance of governmental or proprietary functions within limited boundaries. "Special district" includes a county service area, a maintenance district or area, an improvement district or zone, an air pollution control district, or a redevelopment agency. "Special district" shall not include a city, county, city and county, or school district.

History: Added by Stats. 1994, Ch. 36.

§ 82048.7. Sponsored Committee.

(a) "Sponsored committee" means a committee, other than a candidate controlled committee, that has one or more sponsors. Any person, except a candidate or other individual, may sponsor a committee.

(b) A person sponsors a committee if any of the following apply:

(1) The committee receives 80 percent or more of its contributions from the person or its members, officers, employees, or shareholders.

(2) The person collects contributions for the committee by use of payroll deductions or dues from its members, officers, or employees.

(3) The person, alone or in combination with other organizations, provides all or nearly all of the administrative services for the committee.

(4) The person, alone or in combination with other organizations, sets the policies for soliciting contributions or making expenditures of committee funds.

(c) A sponsor that is a multipurpose organization, as defined in subdivision (a) of Section 84222, and that makes contributions or expenditures from its general treasury funds shall comply with Section 84222.

History: Added by Stats. 1985, Ch. 498; amended by Stats. 1988, Ch. 1155; amended by Stats. 1991, Ch. 130; amended by Stats. 2005, Ch. 200; amended by Stats. 2014, Ch. 16, effective July 1, 2014.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18419
2 Cal. Code of Regs. Section 18421.1

§ 82049. State Agency.

"State agency" means every state office, department, division, bureau, board and commission, and the Legislature.

History: Amended by Stats. 1984, Ch. 727, operative July 1, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18249

§ 82050. State Candidate.

"State candidate" means a candidate who seeks nomination or election to any elective state office.

§ 82051. State Measure.

"State measure" means any measure which is submitted or is intended to be submitted to the voters of the state.

§ 82052. Statewide Candidate.

"Statewide candidate" means a candidate who seeks election to any statewide elective office.

§ 82052.5. Statewide Election.

"Statewide election" means an election for statewide elective office.

§ 82053. Statewide Elective Office.

"Statewide elective office" means the office of Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction and member of the State Board of Equalization.

History: Amended by Stats. 1991, Ch. 674; amended by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 82054. Statewide Petition.

"Statewide petition" means a petition to qualify a proposed state measure.

§ 82055. Voting Age Population. [Repealed]

History: Repealed by Stats. 1979, Ch. 779.

Chapter 3. Fair Political Practices Commission. § 83100 - 83124

§ 83100. Establishment; Membership.
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§ 83123. Local Enforcement.
§ 83123.5. Enforcement of San Bernardino County Campaign Ordinance.
§ 83123.6. Enforcement of City of Stockton Campaign Ordinance.
§ 83124. Cost of Living Adjustment.

§ 83100. Establishment; Membership.

There is hereby established in state government the Fair Political Practices Commission. The Commission shall have five members, including the chairman. No more than three members of the Commission shall be members of the same political party.

§ 83101. Appointment by Governor.

The chairman and one additional member of the Commission shall be appointed by the Governor. The Governor's appointees shall not be members of the same political party.

§ 83102. Appointment by Attorney General, Secretary of State and Controller.

(a) The Attorney General, the Secretary of State and the Controller shall each appoint one member of the Commission.

(b) If the Attorney General, the Secretary of State and the Controller are all members of the same political party, the chairman of the state central committee of any other political party with a registration of more than five hundred thousand may submit to the Controller a list of not less than five persons who are qualified and willing to be members of the Commission. The list shall be submitted not less than ten days after the effective date of this chapter for the Controller's initial appointment, and not later than January 2 immediately prior to any subsequent appointment by the Controller. If the Controller receives one or more lists pursuant to this section, his appointment shall be made from one of such lists.

§ 83103. Terms of Office.

Members and the chairman of the Commission shall serve four-year terms beginning on February 1 and ending on January 31 or as soon thereafter as their successors are qualified, except that the initial appointees under Section 83102 shall serve six-year terms. No member or chairman who has been appointed at the beginning of a term is eligible for reappointment.

History: Amended by Stats. of 1987, Ch. 624.

§ 83104. Vacancies; Quorum.

Vacancies on the Commission shall be filled, within thirty days, by appointment of the same official who appointed the prior holder of the position. The provisions of Section 83102 (b) are not applicable to the filling of vacancies. Appointments to fill vacancies shall be for the unexpired term of the member or chairman whom the appointee succeeds. A vacancy or vacancies shall not impair the right of the remaining members to exercise all of the powers of the board. Three members shall constitute a quorum.

§ 83105. Qualifications; Removal.

Each member of the Commission shall be an elector. No member of the Commission, during his or her tenure, shall hold, any other public office, serve as an officer of any political party or partisan organization, participate in or contribute to an election campaign, or employ or be employed as a lobbyist nor, during his or her term of appointment, seek election to any other public office. Members of the Commission may be removed by the Governor, with concurrence of the Senate, for substantial neglect of duty, gross misconduct in office, inability to discharge the powers and duties of office or violation of this section, after written notice and opportunity for a reply.

History: Amended by Stats. 1986, Ch. 620.

§ 83106. Compensation; Expenses.

The chairman of the Commission shall be compensated at the same rate as the president of the Public Utilities Commission. Each remaining member shall be compensated at the rate of one hundred dollars ($100) for each day on which he engages in official duties. The members and chairman of the Commission shall be reimbursed for expenses incurred in performance of their official duties.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18307

§ 83107. Executive Officer; Staff; Staff Compensation.

The Commission shall appoint an executive director who shall act in accordance with Commission policies and regulations and with applicable law. The Commission shall appoint and discharge officers, counsel and employees, consistent with applicable civil service laws, and shall fix the compensation of employees and prescribe their duties.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18327

§ 83108. Delegation of Authority.

The Commission may delegate authority to the chairman or the executive director to act in the name of the Commission between meetings of the Commission.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18319
2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18361.9
2 Cal. Code of Regs. Section 18363

§ 83109. Civil Service Classification.

For purposes of Section 19818.6, a nonclerical position under the Commission shall not be included in the same class in the civil service classification plan with any position of any other department or agency.

History: Amended by Stats. 2013, Ch. 654.

§ 83110. Offices; Public Meetings.

The principal office of the Commission shall be in Sacramento but it may establish offices, meet, and exercise its powers at any other place in the state. Meetings of the Commission shall be public except that the Commission may provide otherwise for discussions of personnel and litigation.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18310
2 Cal. Code of Regs. Section 18327

§ 83111. Administration and Implementation of Title.

The Commission has primary responsibility for the impartial, effective administration and implementation of this title.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18200
2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18361.10

§ 83111.5. Actions to Implement Title.

The Commission shall take no action to implement this title that would abridge

constitutional guarantees of freedom of speech, that would deny any person of life, liberty, or property without due process of law, or that would deny any person the equal protection of the laws.

History: Added by Stats. 1999, Ch. 225, effective August 24, 1999.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18327

§ 83112. Rules and Regulations.

The Commission may adopt, amend and rescind rules and regulations to carry out the purposes and provisions of this title, and to govern procedures of the Commission. These rules and regulations shall be adopted in accordance with the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5, Sections 11371 et seq.) and shall be consistent with this title and other applicable law.

History: Fair Political Practices Commission v. Office of Administrative Law and Linda Stockdale Brewer, Sacramento County Superior Court, Case No. 512795 (affirmed by Court of Appeal, Third District (April 27, 1992), Case No. C010924).

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18200
2 Cal. Code of Regs. Section 18312
2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18539.2

§ 83113. Additional Duties.

The Commission shall, in addition to its other duties, do all of the following:

(a) Prescribe forms for reports, statements, notices and other documents required by this title.

(b) Prepare and publish manuals and instructions setting forth methods of bookkeeping and preservation of records to facilitate compliance with and enforcement of this title, and explaining the duties of persons and committees under this title.

(c) Provide assistance to agencies and public officials in administering the provisions of this title.

(d) Maintain a central file of local campaign contribution and expenditure ordinances forwarded to it by local government agencies.

(e) Annually publish a booklet not later than March 1 that sets forth the provisions of this title and includes other information the Commission deems pertinent to the interpretation and enforcement of this title. The Commission shall provide a reasonable number of copies of the booklet at no charge for the use of governmental agencies and subdivisions thereof that request copies of the booklet.

The Commission may charge a fee, not to exceed the prorated cost of producing the booklet, for providing copies of the booklet to other persons and organizations.

History: Amended by Stats. 1979, Ch. 531; amended by Stats. 1999, Ch. 855.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18313
2 Cal. Code of Regs. Section 18313.5
2 Cal. Code of Regs. Section 18313.6
2 Cal. Code of Regs. Section 18327

§ 83114. Requests For and Issuances of Opinions; Advice.

(a) Any person may request the Commission to issue an opinion with respect to his duties under this title. The Commission shall, within 14 days, either issue the opinion or advise the person who made the request whether an opinion will be issued. No person who acts in good faith on an opinion issued to him by the Commission shall be subject to criminal or civil penalties for so acting, provided that the material facts are as stated in the opinion request. The Commission's opinions shall be public records and may from time to time be published.

(b) Any person may request the Commission to provide written advice with respect to the person's duties under this title. Such advice shall be provided within 21 working days of the request, provided that the time may be extended for good cause. It shall be a complete defense in any enforcement proceeding initiated by the Commission, and evidence of good faith conduct in any other civil or criminal proceeding, if the requester, at least 21 working days prior to the alleged violation, requested written advice from the Commission in good faith, disclosed truthfully all the material facts, and committed the acts complained of either in reliance on the advice or because of the failure of the Commission to provide advice within 21 days of the request or such later extended time.

History: Amended by Stats. 1976, Ch. 1080.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18320
2 Cal. Code of Regs. Section 18321
2 Cal. Code of Regs. Section 18322
2 Cal. Code of Regs. Section 18324
2 Cal. Code of Regs. Section 18326
2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18329
2 Cal. Code of Regs. Section 18329.5

§ 83115. Investigations; Notice.

Upon the sworn complaint of any person or on its own initiative, the Commission shall investigate possible violations of this title relating to any agency, official, election, lobbyist or legislative or administrative action. Within 14 days after receipt of a complaint under this section, the Commission shall notify in writing the person who made the complaint of the action, if any, the Commission has taken or

plans to take on the complaint, together with the reasons for such action or nonaction. If no decision has been made within 14 days, the person who made the complaint shall be notified of the reasons for the delay and shall subsequently receive notification as provided above.

History: Amended by Stats. 1985, Ch. 775.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18360
2 Cal. Code of Regs. Section 18361
2 Cal. Code of Regs. Section 18361.1
2 Cal. Code of Regs. Section 18361.2
2 Cal. Code of Regs. Section 18361.3
2 Cal. Code of Regs. Section 18361.4
2 Cal. Code of Regs. Section 18361.5
2 Cal. Code of Regs. Section 18361.6
2 Cal. Code of Regs. Section 18361.7
2 Cal. Code of Regs. Section 18361.8
2 Cal. Code of Regs. Section 18362

§ 83115.5. Findings of Probable Cause; Requirements.

No finding of probable cause to believe this title has been violated shall be made by the Commission unless, at least 21 days prior to the Commission's consideration of the alleged violation, the person alleged to have violated this title is notified of the violation by service of process or registered mail with return receipt requested, provided with a summary of the evidence, and informed of his right to be present in person and represented by counsel at any proceeding of the Commission held for the purpose of considering whether probable cause exists for believing the person violated this title. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private unless the alleged violator files with the Commission a written request that the proceeding be public.

History: Added by Stats. 1976, Ch. 1080.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18361
2 Cal. Code of Regs. Section 18361.1
2 Cal. Code of Regs. Section 18361.2
2 Cal. Code of Regs. Section 18361.3
2 Cal. Code of Regs. Section 18361.4
2 Cal. Code of Regs. Section 18361.5
2 Cal. Code of Regs. Section 18361.6
2 Cal. Code of Regs. Section 18361.7
2 Cal. Code of Regs. Section 18361.8
2 Cal. Code of Regs. Section 18362

§ 83116. Violation of Title.

When the commission determines there is probable cause for believing this title has been violated, it may hold a hearing to determine if a violation has occurred. Notice shall be given and the hearing conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, Government Code). The commission shall have all the powers granted by that chapter. When the commission determines on the basis of the hearing that a violation has occurred, it shall issue an order that may require the violator to do all or any of the following:

(a) Cease and desist violation of this title.

(b) File any reports, statements, or other documents or information required by this title.

(c) Pay a monetary penalty of up to five thousand dollars ($5,000) per violation to the General Fund of the state. When the Commission determines that no violation has occurred, it shall publish a declaration so stating.

History: Amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18316.5
2 Cal. Code of Regs. Section 18316.6
2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18361
2 Cal. Code of Regs. Section 18361.1
2 Cal. Code of Regs. Section 18361.2
2 Cal. Code of Regs. Section 18361.3
2 Cal. Code of Regs. Section 18361.4
2 Cal. Code of Regs. Section 18361.5
2 Cal. Code of Regs. Section 18361.6
2 Cal. Code of Regs. Section 18361.7
2 Cal. Code of Regs. Section 18361.8
2 Cal. Code of Regs. Section 18361.9
2 Cal. Code of Regs. Section 18361.10
2 Cal. Code of Regs. Section 18361.11
2 Cal. Code of Regs. Section 18362

§ 83116.3. Administrative Law Judge; Rejection.

Whenever the Commission rejects the decision of an administrative law judge made pursuant to Section 11517, the Commission shall state the reasons in writing for rejecting the decision.

History: Added by Stats. 1999, Ch. 297.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18327

§ 83116.5. Liability for Violations; Administrative.

Any person who violates any provision of this title, who purposely or negligently causes any other person to violate any provision of this title, or who aids and abets any other person in the violation of any provision of this title, shall be liable under the provisions of this chapter. However, this section shall

apply only to persons who have filing or reporting obligations under this title, or who are compensated for services involving the planning, organizing, or directing any activity regulated or required by this title, and a violation of this section shall not constitute an additional violation under Chapter 11 (commencing with Section 91000).

History: Added by Stats. 1984, Ch. 670; amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18316.5
2 Cal. Code of Regs. Section 18316.6
2 Cal. Code of Regs. Section 18327

§ 83117. Authority of Commission.

The Commission may:

(a) Accept grants, contributions and appropriations;

(b) Contract for any services which cannot satisfactorily be performed by its employees;

(c) Employ legal counsel. Upon request of the Commission, the Attorney General shall provide legal advice and representation without charge to the Commission.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18327

§ 83117.5. Receipt of Gift.

It shall be unlawful for a member of the Commission to receive a gift of ten dollars ($10) or more per month.

"Gift" as used in this section means a gift made directly or indirectly by a state candidate, an elected state officer, a legislative official, an agency official, or a lobbyist or by any person listed in Section 87200.

History: Added by Stats. 1975, Ch. 797, effective September 16, 1975.

§ 83117.6. Financial Disclosure Statement: First Filing by Commission Members. [Repealed]

History: Added by Stats. 1975, Ch. 797, effective September 16, 1975; repealed by Stats. 1978, Ch. 566.

§ 83118. Subpoena Powers.

The Commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the Commission's duties or exercise of its powers.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18363

§ 83119. Self-Incrimination.

The Commission may refuse to excuse any person from testifying, or from producing books, records, correspondence, documents or other evidence in obedience to the subpoena of the Commission notwithstanding an objection that the testimony or evidence required of him may tend to incriminate him. No individual shall be prosecuted in any manner or subjected to any penalty or forfeiture whatever for or on account of any transaction, act, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that the individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. No immunity shall be granted to any witness under this section unless the Commission has notified the Attorney General of its intention to grant immunity to the witness at least thirty days in advance, or unless the Attorney General waives this requirement.

§ 83120. Judicial Review.

An interested person may seek judicial review of any action of the Commission.

§ 83121. Judicial Advancement of Action.

If judicial review is sought of any action of the Commission relating to a pending election, the matter shall be advanced on the docket of the court and put ahead of other actions. The court may, consistent with due process of law, shorten deadlines and take other steps necessary to permit a timely decision.

§ 83122. Fair Political Practices Commission; Appropriation.

There is hereby appropriated from the General Fund of the state to the Fair Political Practices Commission the sum of five hundred thousand dollars ($500,000) during the fiscal year of 1974-1975, and the sum of one million dollars ($1,000,000), adjusted for cost-of-living changes, during each fiscal year thereafter, for expenditure to support the operations of the Commission pursuant to this title. The expenditure of funds under this appropriation shall be subject to the normal administrative review given to other state appropriations. The Legislature shall appropriate such additional amounts to the Commission and

other agencies as may be necessary to carry out the provisions of this title.

The Department of Finance, in preparing the state budget and the Budget Bill submitted to the Legislature, shall include an item for the support of the Political Reform Act of 1974, which item shall indicate all of the following: (1) the amounts to be appropriated to other agencies to carry out their duties under this title, which amounts shall be in augmentation of the support items of such agencies; (2) the additional amounts required to be appropriated by the Legislature to the Commission to carry out the purposes of this title, as provided for in this section; and (3) in parentheses, for informational purposes, the continuing appropriation during each fiscal year of one million dollars ($1,000,000) adjusted for cost-of-living changes made to the Commission by this section.

The definition of "expenditure" in Section 82025 is not applicable to this section.

History: Amended by Stats. 1976, Ch. 1075, effective September 21, 1976.

§ 83123. Local Enforcement.

The Commission shall establish a division of local enforcement to administer, interpret, and enforce, in accordance with the findings, declarations, purposes, and provisions of this title, those provisions relating to local government agencies as defined in Section 82041.

History: Added by Stats. 1984, Ch. 1681, effective September 30, 1984.

§ 83123.5. Enforcement of San Bernardino County Campaign Ordinance.

(a) Upon mutual agreement between the Commission and the Board of Supervisors of the County of San Bernardino, the Commission is authorized to assume primary responsibility for the impartial, effective administration, implementation, and enforcement of a local campaign finance reform ordinance passed by the Board of Supervisors of the County of San Bernardino. The Commission is authorized to be the civil prosecutor responsible for the civil enforcement of that local campaign finance reform ordinance in accordance with this title. As the civil prosecutor of the County of San Bernardino's local campaign finance reform ordinance, the Commission may do both of the following:

(1) Investigate possible violations of the local campaign finance reform ordinance.

(2) Bring administrative actions in accordance with this title and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2.

(b) Any local campaign finance reform ordinance of the County of San Bernardino enforced by the Commission pursuant to this section shall comply with this title.

(c) The Board of Supervisors of the County of San Bernardino shall consult with the Commission prior to adopting and amending any local campaign finance reform ordinance that is subsequently enforced by the Commission pursuant to this section.

(d)(1) The Board of Supervisors of the County of San Bernardino and the Commission may enter into any agreements necessary and appropriate to carry out the provisions of this section, including agreements pertaining to any necessary reimbursement of state costs with county funds for costs incurred by the Commission in administering, implementing, or enforcing a local campaign finance reform ordinance pursuant to this section.

(2) An agreement entered into pursuant to this subdivision shall not contain any form of a cancellation fee, a liquidated damages provision, or other financial disincentive to the exercise of the right to terminate the agreement pursuant to subdivision (e), except that the Commission may require the Board of Supervisors of the County of San Bernardino to pay the Commission for services rendered and any other expenditures reasonably made by the Commission in anticipation of services to be rendered pursuant to the agreement in the event that the Board of Supervisors of the County of San Bernardino terminates the agreement.

(e) The Board of Supervisors of the County of San Bernardino or the Commission may, at any time, by ordinance or resolution, terminate any agreement made pursuant to this section for the Commission to administer, implement, or enforce a local campaign finance reform ordinance or any provision thereof.

(f) If an agreement is entered into pursuant to this section, the Commission shall report to the Legislature regarding the performance of that agreement on or before January 1, 2017, and shall submit that report in compliance with Section 9795. The Commission shall develop the report in consultation with the County of San Bernardino. The report shall include, but not be limited to, all of the following:

(1) The status of the agreement.

(2) The estimated annual cost savings, if any, for the County of San Bernardino.

(3) A summary of relevant annual performance metrics, including measures of utilization,

enforcement, and customer satisfaction.

(4) Any public comments submitted to the Commission or the County of San Bernardino relative to the operation of the agreement.

(5) Any legislative recommendations.

(g) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

History: Added by Stats. 2012, Ch. 169.

§ 83123.6. Enforcement of City of Stockton Campaign Ordinance.

(a) Upon mutual agreement between the Commission and the City Council of the City of Stockton, the Commission is authorized to assume primary responsibility for the impartial, effective administration, implementation, and enforcement of a local campaign finance reform ordinance passed by the City Council of the City of Stockton. The Commission is authorized to be the civil prosecutor responsible for the civil enforcement of that local campaign finance reform ordinance in accordance with this title. As the civil prosecutor of the City of Stockton's local campaign finance reform ordinance, the Commission may do both of the following:

(1) Investigate possible violations of the local campaign finance reform ordinance.

(2) Bring administrative actions in accordance with this title and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2.

(b) Any local campaign finance reform ordinance of the City of Stockton enforced by the Commission pursuant to this section shall comply with this title.

(c) The City Council of the City of Stockton shall consult with the Commission before adopting and amending any local campaign finance reform ordinance that is subsequently enforced by the Commission pursuant to this section.

(d) (1) The City Council of the City of Stockton and the Commission may enter into any agreements necessary and appropriate to carry out the provisions of this section, including agreements pertaining to any necessary reimbursement of state costs with city funds for costs incurred by the Commission in administering, implementing, or enforcing a local campaign finance reform ordinance pursuant to this section.

(2) An agreement entered into pursuant to this subdivision shall not contain any form of a cancellation fee, a liquidated damages provision, or other financial disincentive to the exercise of the right to terminate the agreement pursuant to subdivision (e), except that the Commission may require the City Council of the City of Stockton to pay the Commission for services rendered and any other expenditures reasonably made by the Commission in anticipation of services to be rendered pursuant to the agreement if the City Council of the City of Stockton terminates the agreement.

(e) The City Council of the City of Stockton or the Commission may, at any time, by ordinance or resolution, terminate any agreement made pursuant to this section for the Commission to administer, implement, or enforce a local campaign finance reform ordinance or any provision thereof.

(f) If an agreement is entered into pursuant to this section, the Commission shall report to the Legislature regarding the performance of that agreement on or before January 1, 2019, and shall submit that report in compliance with Section 9795. The Commission shall develop the report in consultation with the City Council of the City of Stockton. The report shall include, but not be limited to, all of the following:

(1) The status of the agreement.

(2) The estimated annual cost savings, if any, for the City of Stockton.

(3) A summary of relevant annual performance metrics, including measures of utilization, enforcement, and customer satisfaction.

(4) Public comments submitted to the Commission or the City of Stockton relative to the operation of the agreement.

(5) Legislative recommendations.

(g) This section shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

History: Added by Stats. 2015, Ch. 186, effective January 1, 2016.

§ 83124. Cost of Living Adjustment.

The commission shall adjust the contribution limitations and voluntary expenditure limitations provisions in Sections 85301, 85302, 85303, and 85400 in January of every odd-numbered year to reflect any increase or decrease in the Consumer Price Index. Those adjustments shall be rounded to the nearest one hundred dollars ($100) for limitations on contributions and one thousand dollars ($1,000) for limitations on expenditures.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18544
2 Cal. Code of Regs. Section 18545

Chapter 4. Campaign Disclosure. § 84100 - 84511

Article 1. Organization of Committees. § 84100 - 84108
2. Filing of Campaign Statements. § 84200 - 84225
3. Prohibitions. § 84300 - 84310
4. Exemptions. § 84400
5. Advertisements. § 84501 – 84511

Article 1. Organization of Committees. § 84100 - 84108

§ 84100. Treasurer.
§ 84101. Statement of Organization; Filing.
§ 84101.5. Annual Fees.
§ 84102. Statement of Organization; Contents.
§ 84103. Statement of Organization; Amendment.
§ 84104. Recordkeeping.
§ 84105. Notification to Contributors.
§ 84106. Sponsored Committee; Identification.
§ 84107. Ballot Measure Committee; Identification.
§ 84108. Slate Mailer Organization; Statement of Organization.

§ 84100. Treasurer.

Every committee shall have a treasurer. No expenditure shall be made by or on behalf of a committee without the authorization of the treasurer or that of his or her designated agents. No contribution or expenditure shall be accepted or made by or on behalf of a committee at a time when there is a vacancy in the office of treasurer.

History: Repealed and reenacted as amended by Stats. 1979, Ch. 779.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18316.6
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18404
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18426.1
2 Cal. Code of Regs. Section 18427
2 Cal. Code of Regs. Section 18700.1
Opinions: In re Augustine (1975) 1 FPPC Ops. 69

§ 84101. Statement of Organization; Filing.

(a) A committee that is a committee by virtue of subdivision (a) of Section 82013 shall file a statement of organization. The committee shall file the original of the statement of organization with the Secretary of State and shall also file a copy of the statement of organization with the local filing officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215. The original and copy of the statement of organization shall be filed within 10 days after the committee has qualified as a committee. The Secretary of State shall assign a number to each committee that files a statement of organization and shall notify the committee of the number. The Secretary of State shall send a copy of statements filed pursuant to this section to the county elections official of each county that he or she deems appropriate. A county elections official who receives a copy of a statement of organization from the Secretary of State pursuant to this section shall send a copy of the statement to the clerk of each city in the county that he or she deems appropriate.

(b) In addition to filing the statement of organization as required by subdivision (a), if a committee qualifies as a committee under subdivision (a) of Section 82013 before the date of an election in connection with which the committee is required to file preelection statements, but after the closing date of the last campaign statement required to be filed before the election pursuant to Section 84200.8 or 84200.9, the committee shall file, by facsimile transmission, online transmission, guaranteed overnight delivery, or personal delivery within 24 hours of qualifying as a committee, the information required to be reported in the statement of organization. The information required by this subdivision shall be filed with the filing officer with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215.

(c) If an independent expenditure committee qualifies as a committee pursuant to subdivision (a) of Section 82013 during the time period described in Section 82036.5 and makes independent expenditures of one thousand dollars ($1,000) or more to support or oppose a candidate or candidates for office, the committee shall file, by facsimile transmission, online transmission, guaranteed overnight delivery, or personal delivery within 24 hours of qualifying as a committee, the information required to be reported in the statement of organization. The information required by this section shall be filed with the filing officer with whom the committee is required to file the original of its campaign reports pursuant to Section 84215, and shall be filed at all locations required for the

candidate or candidates supported or opposed by the independent expenditures. The filings required by this section are in addition to filings that may be required by Section 84204.

(d) For purposes of this section, in calculating whether two thousand dollars ($2,000) in contributions has been received, payments for a filing fee or for a statement of qualifications to appear in a sample ballot shall not be included if these payments have been made from the candidate's personal funds.

History: Amended by Stats. 1978, Ch. 551; amended by Stats. 1979, Ch. 531; amended by Stats. 1986, Ch. 544; amended by Stats. 1992, Ch. 405; amended by Stats. 2001, Ch. 901; amended by Stats. 2004, Ch. 478, effective September 10, 2004; amended by Stats. 2010, Ch. 633; amended by Stats. 2015, Ch. 364, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18402.1
2 Cal. Code of Regs. Section 18404
2 Cal. Code of Regs. Section 18410
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18421.8
2 Cal. Code of Regs. Section 18503
2 Cal. Code of Regs. Section 18520
2 Cal. Code of Regs. Section 18521

§ 84101.5. Annual Fees.

(a) Notwithstanding Section 81006, the Secretary of State shall charge each committee that is required to file a statement of organization pursuant to subdivision (a) of Section 84101, and each committee that is required to file a statement of organization pursuant to subdivision (a) of Section 84101 shall pay, a fee of fifty dollars ($50) per year until the committee is terminated pursuant to Section 84214.

(b) A committee shall pay the fee prescribed in subdivision (a) no later than 15 days after filing its statement of organization.

(c)(1) A committee annually shall pay the fee prescribed in subdivision (a) no later than January 15 of each year.

(2) A committee that is created and pays the initial fee pursuant to subdivision (b) in the final three months of a calendar year is not subject to the annual fee pursuant to paragraph (1) for the following calendar year.

(3) A committee that existed prior to January 1, 2013, shall pay the fee prescribed in subdivision (a) no later than February 15, 2013, and in accordance with paragraph (1) in each year thereafter. A committee that terminates pursuant to Section 84214 prior to January 31, 2013, is not required to pay a fee pursuant to this paragraph.

(d)(1) A committee that fails to timely pay a fee required by this section is subject to a penalty equal to three times the amount of the fee.

(2) The Commission shall enforce the requirements of this section.

History: Added by Stats. 2012, Ch. 506.

§ 84102. Statement of Organization; Contents.

The statement of organization required by Section 84101 shall include all of the following:

(a) The name, street address, and telephone number, if any, of the committee. In the case of a sponsored committee, the name of the committee shall include the name of its sponsor. If a committee has more than one sponsor, and the sponsors are members of an industry or other identifiable group, a term identifying that industry or group shall be included in the name of the committee.

(b) In the case of a sponsored committee, the name, street address, and telephone number of each sponsor.

(c) The full name, street address, and telephone number, if any, of the treasurer and any other principal officers.

(1) A committee with more than one principal officer shall identify its principal officers as follows:

(A) A committee with three or fewer principal officers shall identify all principal officers.

(B) A committee with more than three principal officers shall identify no fewer than three principal officers.

(2) If no individual other than the treasurer is a principal officer, the treasurer shall be identified as both the treasurer and the principal officer.

(d) The full name and office sought by a candidate, and the title and ballot number, if any, of any measure, that the committee supports or opposes as its primary activity. A committee that does not support or oppose one or more candidates or ballot measures as its primary activity shall provide a brief description of its political activities, including whether it supports or opposes candidates or measures and whether such candidates or measures have common characteristics, such as a political party preference.

(e) A statement whether the committee is independent or controlled and, if it is controlled, the name of each candidate or state measure proponent by which it is controlled, or the name of any controlled committee with which it acts jointly. If a committee is controlled by a candidate for partisan or voter-nominated office, the controlled committee shall indicate the political party, if any, for which the candidate has disclosed a preference.

(f) For a committee that is a committee by virtue of subdivision (a) or (b) of Section 82013, the name and address of the financial institution in which the committee has established an account and the account number.

(g) Other information as shall be required by the rules or regulations of the Commission consistent with the purposes and provisions of this chapter.

History: Amended by Stats. 1977, Ch. 1095; amended by Stats. 1985, Ch. 498; amended by Stats. 1986, Ch. 546; amended by Stats. 1990, Ch. 655; amended by Stats. 1992, Ch. 223; amended by Stats. 2000, Ch. 853; amended by Stats. 2012, Ch. 496; amended by Stats. 2013, Ch. 654.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18402
2 Cal. Code of Regs. Section 18402.1
2 Cal. Code of Regs. Section 18404.1
2 Cal. Code of Regs. Section 18410
2 Cal. Code of Regs. Section 18419
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18421.8
2 Cal. Code of Regs. Section 18430
2 Cal. Code of Regs. Section 18503
2 Cal. Code of Regs. Section 18521.5

Opinions: In re Petris (1975) 1 FPPC Ops. 20

§ 84103. Statement of Organization; Amendment.

(a) If there is a change in any of the information contained in a statement of organization, an amendment shall be filed within 10 days to reflect the change. The committee shall file the original of the amendment with the Secretary of State and shall also file a copy of the amendment with the local filing officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215.

(b) In addition to filing an amendment to a statement of organization as required by subdivision (a), a committee as defined in subdivision (a) of Section 82013 shall, by facsimile transmission, online transmission, guaranteed overnight delivery, or personal delivery within 24 hours, notify the filing officer with whom it is required to file the originals of its campaign reports pursuant to Section 84215 if the change requiring the amendment occurs before the date of the election in connection with which the committee is required to file a preelection statement, but after the closing date of the last preelection statement required to be filed for the election pursuant to Section 84200.8, if any of the following information is changed:

(1) The name of the committee.

(2) The name of the treasurer or other principal officers.

(3) The name of any candidate or committee by which the committee is controlled or with which it acts jointly.

The notification shall include the changed information, the date of the change, the name of the person providing the notification, and the committee's name and identification number.

A committee may file a notification online only if the appropriate filing officer is capable of receiving the notification in that manner.

History: Amended by Stats. 1986, Ch. 544; amended by Stats. 1987, Ch. 479; amended by Stats. 2000, Ch. 853; amended by Stats. 2004, Ch. 478, effective September 10, 2004; amended by Stats. 2015, Ch. 364, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18402.1
2 Cal. Code of Regs. Section 18404.1
2 Cal. Code of Regs. Section 18410
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18503
2 Cal. Code of Regs. Section 18521.5

§ 84104. Recordkeeping.

It shall be the duty of each candidate, treasurer, principal officer, and elected officer to maintain detailed accounts, records, bills, and receipts necessary to prepare campaign statements, to establish that campaign statements were properly filed, and to otherwise comply with the provisions of this chapter. The detailed accounts, records, bills, and receipts shall be retained by the filer for a period specified by the Commission. However, the Commission shall not require retention of records for a period longer than the statute of limitations specified in Section 91000.5 or two years after the adoption of an audit report pursuant to Chapter 10 (commencing with Section 90000), whichever is less.

History: Added by Stats. 1979, Ch. 779; amended by Stats. 2004, Ch. 483; amended by Stats. 2012, Ch. 496.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18421.31
2 Cal. Code of Regs. Section 18426.1
2 Cal. Code of Regs. Section 18531.62

§ 84105. Notification to Contributors.

A candidate or committee that receives contributions of five thousand dollars ($5,000) or more from any person shall inform the contributor within two weeks of receipt of the contributions that he or she may be required to file campaign reports, and shall include a reference to the filing requirements for multipurpose organizations under Section 84222. However, a candidate or committee

that receives a contribution of ten thousand dollars ($10,000) or more from any person during any period in which late contribution reports are required to be filed pursuant to Section 84203 shall provide the information to the contributor within one week. The notification required by this section is not required to be sent to any contributor who has an identification number assigned by the Secretary of State issued pursuant to Section 84101.

History: Added by Stats. 1984, Ch. 670; amended by Stats. 2014, Ch. 16, effective July 1, 2014.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18427.1

§ 84106. Sponsored Committee; Identification.

(a) Whenever identification of a sponsored committee is required by this title, the identification shall include the full name of the committee as required in its statement of organization.

(b) A sponsored committee shall use only one name in its statement of organization.

History: Added by Stats. 1985, Ch. 498; amended by Stats. 1986, Ch. 546; amended by Stats. 2004, Ch. 484.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18419
2 Cal. Code of Regs. Section 18421.2

§ 84107. Ballot Measure Committee; Identification.

Within 30 days of the designation of the numerical order of propositions appearing on the ballot, any committee which is primarily formed to support or oppose a ballot measure, shall, if supporting the measure, include the statement, "a committee for Proposition___," or, if opposing the measure, include the statement, "a committee against Proposition ___," in any reference to the committee required by law.

History: Added by Stats. 1985, Ch. 498; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18531.5

§ 84108. Slate Mailer Organization; Statement of Organization.

(a) Every slate mailer organization shall comply with the requirements of Sections 84100, 84101, 84103, and 84104.

(b) The statement of organization of a slate mailer organization shall include:

(1) The name, street address, and telephone number of the organization. In the case of an individual or business entity that qualifies as a slate mailer organization, the name of the slate mailer organization shall include the name by which the individual or entity is identified for legal purposes. Whenever identification of a slate mailer organization is required by this title, the identification shall include the full name of the slate mailer organization as contained in its statement of organization.

(2) The full name, street address, and telephone number of the treasurer and other principal officers.

(3) The full name, street address, and telephone number of each person with final decisionmaking authority as to which candidates or measures will be supported or opposed in the organization's slate mailers.

(c) The statement of organization shall be filed with the Secretary of State within 10 days after the slate mailer organization receives or is promised five hundred dollars ($500) or more for producing one or more slate mailers. However, if an entity qualifies as a slate mailer organization before the date of an election in which it is required to file preelection statements, but after the closing date of the last campaign statement required to be filed before the election pursuant to Section 84218, the slate mailer organization shall file with the Secretary of State, by facsimile transmission, guaranteed overnight delivery, or personal delivery within 24 hours of qualifying as a slate mailer organization, the information required to be reported in the statement of organization.

History: Added by Stats. 1987, Ch. 905; amended by Stats. 1996, Ch. 892; amended by Stats. 2004, Ch. 478, effective September 10, 2004.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18402.1
2 Cal. Code of Regs. Section 18421.2

Article 2. Filing of Campaign Statements. § 84200 - 84225

§ 84200. Semi-Annual Statements.
§ 84200.3. Odd-Year Reports in Connection with a Statewide Direct Primary Election Held in March of an Even-Numbered Year. [Repealed]
§ 84200.4. Time for Filing Reports Required Pursuant to § 84200.3. [Repealed]
§ 84200.5. Preelection Statements.
§ 84200.6. Special Campaign Statements and Reports.
§ 84200.7. Time for Filing Preelection Statements for Elections Held in

June or November of an Even-Numbered Year. [Repealed]
§ 84200.8. Timing for Filing Preelection Statements.
§ 84200.9. Time for Filing Preelection Statements for Candidates for the Board of Administration of the Public Employees' Retirement System and Teachers' Retirement Board.
§ 84201. Combination of Statements. [Repealed]
§ 84202. Closing Dates. [Repealed]
§ 84202.3. Campaign Statements; Ballot Measure Committees.
§ 84202.5. Supplemental Preelection Statement. [Repealed]
§ 84202.7. Time for Filing by Committees of Odd-Numbered Year Reports.
§ 84203. Late Contribution; Reports.
§ 84203.3. Late In-Kind Contributions.
§ 84203.5. Supplemental Independent Expenditure Report. [Repealed]
§ 84204. Late Independent Expenditures; Reports.
§ 84204.1. Election Statements; Exemption from Filing; Abbreviated Statements. [Repealed]
§ 84204.2. Preelection Statements; Final. [Repealed]
§ 84204.5. Ballot Measure Contributions and Expenditures; Reports
§ 84205. Combination of Statements.
§ 84206. Candidates Who Receive or Spend Less than $2,000.
§ 84207. County Central Committee Candidates Who Receive or Spend Less Than $2,000.
§ 84207.5. Appointments to Office; Filing Requirements. [Repealed]
§ 84208. Independent Expenditures; Reports. [Repealed]
§ 84209. Consolidated Statements.
§ 84210. Special Election Reports. [Repealed]
§ 84211. Contents of Campaign Statement.
§ 84212. Forms; Loans.
§ 84213. Verification.
§ 84214. Termination.
§ 84215. Campaign Reports and Statements; Where to File.
§ 84216. Loans.
§ 84216.5. Loans Made by a Candidate or Committee.
§ 84217. Federal Office Candidates; Places Filed.
§ 84218. Slate Mailer Organization; Campaign Statements.
§ 84219. Slate Mailer Organization; Semi-Annual Statements; Contents.
§ 84220. Slate Mailer Organization; Late Payments.
§ 84221. Slate Mailer Organization; Termination.
§ 84222. Multipurpose Organizations.
§ 84223. Top Ten Contributor Lists.
§ 84224. Blank.
§ 84225. Public Employees' Retirement Board and Teachers' Retirement Board Candidates.

§ 84200. Semi-Annual Statements.

(a) Except as provided in paragraphs (1), (2), and (3), elected officers, candidates, and committees pursuant to subdivision (a) of Section 82013 shall file semiannual statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.

(1) A candidate who, during the past six months has filed a declaration pursuant to Section 84206 shall not be required to file a semiannual statement for that six-month period.

(2) Elected officers whose salaries are less than two hundred dollars ($200) a month, judges, judicial candidates, and their controlled committees shall not file semiannual statements pursuant to this subdivision for any six-month period in which they have not made or received any contributions or made any expenditures.

(3) A judge who is not listed on the ballot for reelection to, or recall from, any elective office during a calendar year shall not file semiannual statements pursuant to this subdivision for any six-month period in that year if both of the following apply:

(A) The judge has not received any contributions.

(B) The only expenditures made by the judge during the calendar year are contributions from the judge's personal funds to other candidates or committees totaling less than one thousand dollars ($1,000).

(b) All committees pursuant to subdivision (b) or (c) of Section 82013 shall file campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31, if they have made contributions or independent expenditures,

including payments to a slate mailer organization, during the six-month period before the closing date of the statements.

History: Amended by Stats. 1977, Ch. 1193; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Time for Filing Campaign Statements in Connection with Elections Held at Times Other Than the State Direct Primary or the State General Election.") Amended by Stats. 1981, Ch. 78; amended by Stats. 1982, Ch. 1069; amended by Stats. 1983, Ch. 898; amended by Stats. 1984, Ch. 1368; repealed and reenacted as amended by Stats. 1985, Ch. 1456; amended by Stats. 1988, Ch. 708; amended by Stats. 1990, Ch. 581; amended by Stats. 1994, Ch. 1129; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18405
2 Cal. Code of Regs. Section 18420
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18426

Opinions: In re Lui (1987) 10 FPPC Ops. 10
In re Sampson (1975) 1 FPPC Ops. 183
In re Kelly, Masini (1975) 1 FPPC Ops. 162
In re Goodwin (1975) 1 FPPC Ops. 24

§ 84200.3. Odd-Year Reports in Connection with a Statewide Direct Primary Election Held in March of an Even-Numbered Year. [Repealed]

History: Added by Stats. 1999, Ch. 158, effective July 23, 1999; amended by Stats. 1999, Ch. 433, effective September 16, 1999; repealed by Stats. 2005, Ch. 200.

§ 84200.4. Time for Filing Reports Required Pursuant to § 84200.3. [Repealed]

History: Added and repealed by Stats. 1995, Ch. 470. (Formerly titled "Campaign Statements. (March 26, 1996.);" added by Stats. 1999, Ch. 158, effective July 23, 1999; repealed by Stats. 2005, Ch.200.

§ 84200.5. Preelection Statements.

In addition to the campaign statements required by Section 84200, elected officers, candidates, and committees shall file preelection statements as follows:

(a) All candidates appearing on the ballot to be voted on at the next election, their controlled committees, and committees primarily formed to support or oppose an elected officer, candidate, or a measure appearing on the ballot to be voted on at the next election shall file the applicable preelection statements specified in Section 84200.8.

(b) All elected state officers and candidates for elective state office who are not appearing on the ballot at the next statewide primary or general election, and who, during the preelection reporting periods covered by Section 84200.8, contribute to any committee required to report receipts, expenditures, or contributions pursuant to this title, or make an independent expenditure of five hundred dollars ($500) or more in connection with the statewide primary or general election, shall file the applicable preelection statements specified in Section 84200.8.

(c) A state or county general purpose committee formed pursuant to subdivision (a) of Section 82013, other than a political party committee as defined in Section 85205, shall file the applicable preelection statements specified in Section 84200.8 if it makes contributions or independent expenditures totaling five hundred dollars ($500) or more in connection with the statewide primary or general election during the period covered by the preelection statements. However, a state or county general purpose committee formed pursuant to subdivision (b) or (c) of Section 82013 is not required to file the preelection statements specified in Section 84200.8.

(d) A political party committee as defined in Section 85205 shall file the applicable preelection statements specified in Section 84200.8 in connection with a state election if the committee receives contributions totaling one thousand dollars ($1,000) or more, or if it makes contributions or independent expenditures totaling five hundred dollars ($500) or more, in connection with the election during the period covered by the preelection statement.

(e) A city general purpose committee formed pursuant to subdivision (a) of Section 82013 shall file the applicable preelection statements specified in Section 84200.8 if it makes contributions or independent expenditures totaling five hundred dollars ($500) or more in connection with a city election in the committee's jurisdiction during the period covered by the preelection statements. However, a city general purpose committee formed pursuant to subdivision (b) or (c) of Section 82013 is not required to file the preelection statements specified in Section 84200.8.

(f) During an election period for the Board of Administration of the Public Employees' Retirement System or the Teachers' Retirement Board:

(1) All candidates for these boards, their controlled committees, and committees primarily formed to support or oppose the candidates shall file the preelection statements specified in Section 84200.9.

(2) A state or county general purpose committee formed pursuant to subdivision (a) of Section 82013 shall file the preelection statements specified in Section 84200.9 if it makes contributions or independent expenditures totaling five hundred dollars ($500) or more during the period covered by the preelection statement to support or oppose a candidate, or a committee primarily formed to

support or oppose a candidate on the ballot for the Board of Administration of the Public Employees' Retirement System or the Teachers' Retirement Board.

(3) However, a general purpose committee formed pursuant to subdivision (b) or (c) of Section 82013 is not required to file the statements specified in Section 84200.9.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 542; amended by Stats. 1988, Ch. 1281 effective September 26, 1988; amended by Stats. 1991, Ch. 505; amended by Stats. 1991, Ch. 1077; amended by Stats. 1993, Ch. 769; amended by Stats. 1999, Ch. 158, effective July 23, 1999; amended by Stats. 1999, Ch. 855; amended by Stats. 2004, Ch. 623, effective September 21, 2004; amended by Stats. 2010, Ch. 633; repealed and adopted by Stats. 2015, Ch. 364, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18405
2 Cal. Code of Regs. Section 18421.2

§ 84200.6. Special Campaign Statements and Reports.

In addition to the campaign statements required by Sections 84200 and 84200.5, all candidates and committees shall file the following special statements and reports:

(a) Late contribution reports when required by Section 84203.

(b) Late independent expenditure reports when required by Section 84204.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 2015, Ch. 364, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84200.7. Time for Filing Preelection Statements for Elections Held in June or November of an Even-Numbered Year. [Repealed]

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 984; amended by Stats. 1994, Ch. 923; repealed by Stats. 2015, Ch. 364, effective January 1, 2016.

§ 84200.8. Timing for Filing Preelection Statements.

Preelection statements shall be filed under this section as follows:

(a) For the period ending 45 days before the election, the statement shall be filed no later than 40 days before the election.

(b) For the period ending 17 days before the election, the statement shall be filed no later than 12 days before the election. All candidates being voted upon in the election in connection with which the statement is filed, their controlled committees, and committees formed primarily to support or oppose a candidate or measure being voted upon in that election shall file this statement by guaranteed overnight delivery service or by personal delivery.

(c) For runoff elections held within 60 days of the qualifying election, an additional preelection statement for the period ending 17 days before the runoff election shall be filed no later than 12 days before the election. All candidates being voted upon in the election in connection with which the statement is filed, their controlled committees, and committees formed primarily to support or oppose a candidate or measure being voted upon in that election shall file this statement by guaranteed overnight delivery service or by personal delivery.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 984.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18405
2 Cal. Code of Regs. Section 18421.2

§ 84200.9. Time for Filing Preelection Statements for Candidates for the Board of Administration of the Public Employees' Retirement System and Teachers' Retirement Board.

Preelection statements for an election period for the Board of Administration of the Public Employees' Retirement System or the Teachers' Retirement Board shall be filed as follows:

(a) For the period ending five days before the beginning of the ballot period, as determined by the relevant board, a statement shall be filed no later than two days before the beginning of the ballot period.

(b) For the period ending five days before the deadline to return ballots, as determined by the relevant board, a statement shall be filed no later than two days before the deadline to return ballots.

(c) In the case of a runoff election, for the period ending five days before the deadline to return runoff ballots, as determined by the relevant board, a statement shall be filed no later than two days before the deadline to return runoff ballots.

(d) All candidates being voted upon, their controlled committees, and committees primarily formed to support or oppose a candidate being voted upon in that election shall file the statements specified in subdivisions (b) and (c) by guaranteed overnight delivery service or by personal delivery.

History: Added by Stats. 2010, Ch. 633.

§ 84201. Combination of Statements. [Repealed]

History: Added by Stats. 1977, Ch. 1193; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Time for Filing Campaign Statements in Connection with Elections Held on the State Direct Primary or State General Election Dates"); repealed by Stats. 1985, Ch. 1456. Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Contents of Campaign Statements; Reporting Threshold"); repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 84202. Closing Dates. [Repealed]

History: Added by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1976, Ch. 1106; amended and renumbered by Stats. 1977, Ch. 1193. (Formerly Section 84200.5.) Repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Time for Filing Central Committee Candidate Campaign Statements"); Repealed by Stats. 1985, Ch. 1456.

§ 84202.3. Campaign Statements; Ballot Measure Committees.

(a) In addition to the campaign statements required by Section 84200, committees pursuant to subdivision (a) of Section 82013 that are primarily formed to support or oppose the qualification, passage, or defeat of a measure and proponents of a state ballot measure who control a committee formed or existing primarily to support the qualification, passage, or defeat of a state ballot measure, shall file campaign statements on the following dates:

(1) No later than April 30 for the period January 1 through March 31.

(2) No later than October 31 for the period July 1 through September 30.

(b) This section shall not apply to a committee during any semiannual period in which the committee is required to file preelection statements pursuant to subdivision (a), (b), or (c) of Section 84200.5.

(c) This section shall not apply to a committee following the election at which the measure is voted upon unless the committee makes contributions or expenditures to support or oppose the qualification or passage of another ballot measure.

History: Added by Stats. 1991, Ch. 696; amended by Stats. 1993, Ch. 769.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84202.5. Supplemental Preelection Statement. [Repealed]

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 984; amended by Stats. 1992, Ch. 89; amended by Stats. 2000, Ch. 130; amended by Stats. 2004, Ch. 484; repealed by Stats. 2015, Ch. 364, effective January 1, 2016.

§ 84202.7. Time for Filing by Committees of Odd-Numbered Year Reports.

(a) Except as provided in subdivision (b), during an odd-numbered year, any committee by virtue of Section 82013 that makes contributions totaling ten thousand dollars ($10,000) or more to elected state officers, their controlled committees, or committees primarily formed to support or oppose any elected state officer during a period specified below shall file campaign statements on the following dates:

(1) No later than April 30 for the period of January 1 through March 31.

(2) No later than October 31 for the period of July 1 through September 30.

(b) If a committee makes contributions totaling ten thousand dollars ($10,000) or more to elected state officers, their controlled committees, or committees primarily formed to support or oppose any elected state officer during a period specified in subdivision (a), and all of those contributions are reported pursuant to Section 84202.5 on or before the time specified in subdivision (a), the committee shall not be required to file additional statements for that period pursuant to this section.

History: Added by Stats. 1986, Ch. 984; amended by Stats. 1993, Ch. 218; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84203. Late Contribution; Reports.

(a) Each candidate or committee that makes or receives a late contribution, as defined in Section 82036, shall report the late contribution to each office with which the candidate or committee is required to file its next campaign statement pursuant to Section 84215. The candidate or committee that makes the late contribution shall report his or her full name and street address and the full name and street address of the person to whom the late contribution has been made, the office sought if the recipient is a candidate, or the ballot measure number or letter if the recipient is a committee primarily formed to support or oppose a ballot measure, and the date and amount of the late contribution. The recipient of the late contribution shall report his or her full name and street address, the date and amount of the late contribution, and whether the contribution was made in the form of a loan. The recipient shall also report the full name of the contributor, his or her street address, occupation,

and the name of his or her employer, or if self-employed, the name of the business.

(b) A late contribution shall be reported by facsimile transmission, guaranteed overnight delivery, or personal delivery within 24 hours of the time it is made in the case of the candidate or committee that makes the contribution and within 24 hours of the time it is received in the case of the recipient. If a late contribution is required to be reported to the Secretary of State, the report to the Secretary of State shall be by online or electronic transmission only. A late contribution shall be reported on subsequent campaign statements without regard to reports filed pursuant to this section.

(c) A late contribution need not be reported nor shall it be deemed accepted if it is not cashed, negotiated, or deposited and is returned to the contributor within 24 hours of its receipt.

(d) A report filed pursuant to this section shall be in addition to any other campaign statement required to be filed by this chapter.

(e) The report required pursuant to this section is not required to be filed by a candidate or committee that has disclosed the late contribution pursuant to subdivision (a) or (b) of Section 85309.

History: Amended and renumbered by Stats. 1977, Ch. 1193. (Formerly Section 84201.) (Former Section 84203, titled "Measure; Committee; Time for Filing Campaign Statement," repealed by Stats. 1977, Ch. 1193.) Repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Time for Filing When a Special, General or Runoff Election is Held Less than 60 Days Following the Primary Election.") Repealed and reenacted as amended by Stats. 1985, Ch. 1456. (Formerly titled "Designation of Final Committee Preelection Statement."); amended by Stats. 1992, Ch. 89; amended by Stats. 2002, Ch. 211; amended by Stats. 2004, Ch. 478, effective September 10, 2004; amended by Stats. 2005, Ch. 200; amended by Stats. 2010, Ch. 18.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116
2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.1
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18425

§ 84203.3. Late In-Kind Contributions.

(a) Any candidate or committee that makes a late contribution that is an in-kind contribution shall notify the recipient in writing of the value of the in-kind contribution. The notice shall be received by the recipient within 24 hours of the time the contribution is made.

(b) Nothing in this section shall relieve a candidate or committee that makes a late in-kind contribution or the recipient of a late in-kind contribution from the requirement to file late contribution reports pursuant to Section 84203. However, a report filed by the recipient of a late in-kind contribution shall be deemed timely filed if it is received by the filing officer within 48 hours of the time the contribution is received.

History: Added by Stats. 1995, Ch. 77.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116
2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18425

§ 84203.5. Supplemental Independent Expenditure Report. [Repealed]

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 2000, Ch. 130; amended by Stats. 2004, Ch. 483; repealed by Stats. 2015, Ch. 364, effective January 1, 2016.

§ 84204. Late Independent Expenditures; Reports.

(a) A committee that makes a late independent expenditure, as defined in Section 82036.5, shall report the late independent expenditure by facsimile transmission, guaranteed overnight delivery, or personal delivery within 24 hours of the time it is made. If a late independent expenditure is required to be reported to the Secretary of State, the report to the Secretary of State shall be by online or electronic transmission only. A late independent expenditure shall be reported on subsequent campaign statements without regard to reports filed pursuant to this section.

(b) A committee that makes a late independent expenditure shall report its full name and street address, as well as the name, office, and district of the candidate if the report is related to a candidate, or if the report is related to a measure, the number or letter of the measure, the jurisdiction in which the measure is to be voted upon, and the amount and the date, as well as a description of goods or services for which the late independent expenditure was made. In addition to the information required by this subdivision, a committee that makes a late independent expenditure shall include with its late independent expenditure report the information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211, covering the period from the day after the closing date of the last campaign report filed to the date of the late independent expenditure, or if the committee has not previously filed a campaign statement, covering the period from the previous January 1 to the date of the late independent expenditure. No information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211 that

is required to be reported with a late independent expenditure report by this subdivision is required to be reported on more than one late independent expenditure report.

(c) A committee that makes a late independent expenditure shall file a late independent expenditure report in the places where it would be required to file campaign statements under this article as if it were formed or existing primarily to support or oppose the candidate or measure for or against which it is making the late independent expenditure.

(d) A report filed pursuant to this section shall be in addition to any other campaign statement required to be filed by this article.

(e) Expenditures that have been disclosed by candidates and committees pursuant to Section 85500 are not required to be disclosed pursuant to this section.

History: Former Section 84204, titled "Support of Both Candidates and Measures; Filing Requirements," repealed by Stats. 1977, Ch. 1193; former Section 84202 amended by Stats. 1976, Ch. 1106; renumbered to 84204 by Stats. 1977, Ch. 1193; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Time for Filing; Committees Supporting or Opposing the Qualification of a Measure and Proponents of State Measures"); repealed and reenacted as amended by Stats. 1985, Ch. 1456. (Formerly titled "Designation of Final Candidate Preelection Statement"); amended by Stats. 1992, Ch. 89; amended by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001; amended by Stats. 2004, Ch. 478, effective September 10, 2004; amended by Stats. 2005, Ch. 200; amended by Stats. 2010, Ch. 18.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116
2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18550

§ 84204.1. Election Statements; Exemption from Filing; Abbreviated Statements. [Repealed]

History: Added by Stats. 1976, Ch. 1106; repealed by Stats. 1980, Ch. 289.

§ 84204.2. Preelection Statements; Final. [Repealed]

History: Added by Stats. 1976, Ch. 1105; amended by Stats. 1978, Ch. 1408, effective October 1, 1978; repealed by Stats. 1980, Ch. 289.

§ 84204.5. Ballot Measure Contributions and Expenditures; Reports.

(a) In addition to any other report required by this title, a committee pursuant to subdivision (a) of Section 82013 that is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State each time it makes contributions totaling five thousand dollars ($5,000) or more or each time it makes independent expenditures totaling five thousand dollars ($5,000) or more to support or oppose the qualification or passage of a single state ballot measure. The report shall be filed within 10 business days of making the contributions or independent expenditures and shall contain all of the following:

(1) The full name, street address, and identification number of the committee.

(2) The number or letter of the measure if the measure has qualified for the ballot and has been assigned a number or letter; the title of the measure if the measure has not been assigned a number or letter but has been issued a title by the Attorney General; or the subject of the measure if the measure has not been assigned a number or letter and has not been issued a title by the Attorney General.

(3) In the case of a contribution, the date and amount of the contribution and the name, address, and identification number of the committee to whom the contribution was made. In addition, the report shall include the information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211, regarding contributions or loans received from a person described in that subdivision, covering the period from the day after the closing date of the last campaign report filed to the date of the contribution requiring a report under this section, or if the committee has not previously filed a campaign statement, covering the period from the previous January 1 to the date of the contribution requiring a report under this section. No information described in paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211 that is required to be reported pursuant to this subdivision is required to be reported in more than one report provided for in this subdivision for each contribution or loan received from a person described in subdivision (f) of Section 84211.

(4) In the case of an independent expenditure, the date, amount, and a description of the goods or services for which the expenditure was made. In addition, the report shall include the information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211 regarding contributions or loans received from a person described in that subdivision, covering the period from the day after the closing date of the last campaign report filed to the date of the expenditure, or if the committee has not previously filed a campaign statement, covering the period from the previous January 1 to the date of the expenditure. No information described in paragraphs (1) to (5),

inclusive, of subdivision (f) of Section 84211 that is required to be reported pursuant to this subdivision is required to be reported in more than one report provided for in this subdivision for each contribution or loan received from a person described in subdivision (f) of Section 84211.

(b) Reports required by this section are not required to be filed by a committee primarily formed to support or oppose the qualification or passage of a state ballot measure for expenditures made on behalf of the ballot measure or measures for which it is formed.

(c) Independent expenditures that have been disclosed by a committee pursuant to Section 84204 or 85500 are not required to be disclosed pursuant to this section.

History: Added by Stats. 2006, Ch. 438.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18466

§ 84205. Combination of Statements.

The Commission may by regulation or written advice permit candidates and committees to file campaign statements combining statements and reports required to be filed by this title.

History: Amended by Stats. 1977, Ch. 1193; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Closing Dates"); amended by Stats. 1981, Ch. 78; repealed and reenacted by Stats. 1985, Ch. 1456. (Formerly titled "Candidates Who Receive or Spend Less than $500.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84206. Candidates Who Receive or Spend Less Than $2,000.

(a) The commission shall provide by regulation for a short form for filing reports required by this article for candidates or officeholders who receive contributions of less than two thousand dollars ($2,000), and who make expenditures of less than two thousand dollars ($2,000), in a calendar year.

(b) For the purposes of this section, in calculating whether two thousand dollars ($2,000) in expenditures have been made, payments for a filing fee or for a statement of qualification shall not be included if these payments have been made from the candidate's personal funds.

(c) Every candidate or officeholder who has filed a short form pursuant to subdivision (a), and who thereafter receives contributions or makes expenditures totaling two thousand dollars ($2,000) or more in a calendar year, shall send written notification to the Secretary of State, the local filing officer, and each candidate contending for the same office within 48 hours of receiving or expending a total of two thousand dollars ($2,000). The written notification shall revoke the previously filed short form statement.

History: Repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Semi-Annual Campaign Statements"); repealed and reenacted as amended by Stats. 1985, Ch. 1456. (Formerly titled "Late Contributions; Reports"); amended by Stats. 1987, Ch. 632; amended by Stats. 1993, Ch. 391; amended by Stats. 2015, Ch. 364, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18406
2 Cal. Code of Regs. Section 18421.2

Opinions: In re Lui (1987) 10 FPPC Ops. 10

§ 84207. County Central Committee Candidates Who Receive or Spend Less Than $2,000.

(a) An elected member of, or a candidate for election to, a county central committee of a qualified political party who receives contributions of less than two thousand dollars ($2,000) and who makes expenditures of less than two thousand dollars ($2,000) in a calendar year shall not be required to file any campaign statements required by this title.

(b) Notwithstanding Sections 81009.5 and 81013, a local government agency shall not impose any filing requirements on an elected member of, or a candidate for election to, a county central committee of a qualified political party who receives contributions of less than two thousand dollars ($2,000) and who makes expenditures of less than two thousand dollars ($2,000) in a calendar year.

History: Amended by Stats. 1977, Ch. 1193, effective January 1, 1978; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Candidate for Reelection to Judicial Office"); repealed by Stats. 1985, Ch. 1456; reenacted as amended by Stats. 2012, Ch. 502. (Formerly titled "Late Independent Expenditures; Reports."); amended by Stats. 2015, Ch. 364, effective January 1, 2016.

§ 84207.5. Appointments to Office; Filing Requirements. [Repealed]

History: Added by Stats. 1976, Ch. 1106; repealed by Stats. 1980, Ch. 289.

§ 84208. Independent Expenditures; Reports. [Repealed]

History: Added by Stats. 1980, Ch. 289; repealed by Stats. 1985, Ch. 1456.

§ 84209. Consolidated Statements.

A candidate or state measure proponent and any committee or committees which the candidate or a state measure proponent controls may file consolidated campaign statements under this chapter. Such consolidated statements shall be filed in each place each of the committees and the candidate or state measure proponent would be required to file campaign statements if separate statements were filed.

History: Added by Stats. 1980, Ch. 289.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§84210. Special Election Reports. [Repealed]

History: Amended by Stats. 1978, Ch. 650; repealed and reenacted as amended by Stats. 1980, Ch. 289; (Formerly titled "Contents of Campaign Statement."); repealed by Stats. 1985, Ch. 1456.

§ 84211. Contents of Campaign Statement.

Each campaign statement required by this article shall contain all of the following information:

(a) The total amount of contributions received during the period covered by the campaign statement and the total cumulative amount of contributions received.

(b) The total amount of expenditures made during the period covered by the campaign statement and the total cumulative amount of expenditures made.

(c) The total amount of contributions received during the period covered by the campaign statement from persons who have given a cumulative amount of one hundred dollars ($100) or more.

(d) The total amount of contributions received during the period covered by the campaign statement from persons who have given a cumulative amount of less than one hundred dollars ($100).

(e) The balance of cash and cash equivalents on hand at the beginning and the end of the period covered by the campaign statement.

(f) If the cumulative amount of contributions (including loans) received from a person is one hundred dollars ($100) or more and a contribution or loan has been received from that person during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) His or her occupation.

(4) The name of his or her employer, or if self-employed, the name of the business.

(5) The date and amount received for each contribution received during the period covered by the campaign statement and if the contribution is a loan, the interest rate for the loan.

(6) The cumulative amount of contributions.

(g) If the cumulative amount of loans received from or made to a person is one hundred dollars ($100) or more, and a loan has been received from or made to a person during the period covered by the campaign statement, or is outstanding during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) His or her occupation.

(4) The name of his or her employer, or if self-employed, the name of the business.

(5) The original date and amount of each loan.

(6) The due date and interest rate of the loan.

(7) The cumulative payment made or received to date at the end of the reporting period.

(8) The balance outstanding at the end of the reporting period.

(9) The cumulative amount of contributions.

(h) For each person, other than the filer, who is directly, indirectly, or contingently liable for repayment of a loan received or outstanding during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) His or her occupation.

(4) The name of his or her employer, or if self-employed, the name of the business.

(5) The amount of his or her maximum liability outstanding.

(i) The total amount of expenditures made during the period covered by the campaign statement to persons who have received one hundred dollars ($100) or more.

(j) The total amount of expenditures made during the period covered by the campaign statement to persons who have received less than one hundred dollars ($100).

(k) For each person to whom an expenditure of one hundred dollars ($100) or more has been made during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) The amount of each expenditure.

(4) A brief description of the consideration for which each expenditure was made.

(5) In the case of an expenditure which is a contribution to a candidate, elected officer, or committee or an independent expenditure to support or oppose a candidate or measure, in addition to the information required in paragraphs (1) to (4) above, the date of the contribution or independent expenditure, the cumulative amount of contributions made to a candidate, elected officer, or committee, or the cumulative amount of independent expenditures made relative to a candidate or measure; the full name of the candidate, and the office and district for which he or she seeks nomination or election, or the number or letter of the measure; and the jurisdiction in which the measure or candidate is voted upon.

(6) The information required in paragraphs (1) to (4), inclusive, for each person, if different from the payee, who has provided consideration for an expenditure of five hundred dollars ($500) or more during the period covered by the campaign statement.

For purposes of subdivisions (i), (j), and (k) only, the terms "expenditure" or "expenditures" mean any individual payment or accrued expense, unless it is clear from surrounding circumstances that a series of payments or accrued expenses are for a single service or product.

(l) In the case of a controlled committee, an official committee of a political party, or an organization formed or existing primarily for political purposes, the amount and source of any miscellaneous receipt.

(m) If a committee is listed pursuant to subdivision (f), (g), (h), (k), (l), or (q), the number assigned to the committee by the Secretary of State shall be listed, or if no number has been assigned, the full name and street address of the treasurer of the committee.

(n) In a campaign statement filed by a candidate who is a candidate in both a state primary and general election, his or her controlled committee, or a committee primarily formed to support or oppose such a candidate, the total amount of contributions received and the total amount of expenditures made for the period January 1 through June 30 and the total amount of contributions received and expenditures made for the period July 1 through December 31.

(o) The full name, residential or business address, and telephone number of the filer, or in the case of a campaign statement filed by a committee defined by subdivision (a) of Section 82013, the name, street address, and telephone number of the committee and of the committee treasurer. In the case of a committee defined by subdivision (b) or (c) of Section 82013, the name that the filer uses on campaign statements shall be the name by which the filer is identified for other legal purposes or any name by which the filer is commonly known to the public.

(p) If the campaign statement is filed by a candidate, the name, street address, and treasurer of any committee of which he or she has knowledge which has received contributions or made expenditures on behalf of his or her candidacy and whether the committee is controlled by the candidate.

(q) A contribution need not be reported nor shall it be deemed accepted if it is not cashed, negotiated, or deposited and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported.

(r) If a committee primarily formed for the qualification or support of, or opposition to, an initiative or ballot measure is required to report an expenditure to a business entity pursuant to subdivision (k) and 50 percent or more of the business entity is owned by a candidate or person controlling the committee, by an officer or employee of the committee, or by a spouse of any of these individuals, the committee's campaign statement shall also contain, in addition to the information required by subdivision (k), that person's name, the relationship of that person to the committee, and a description of that person's ownership interest or position with the business entity.

(s) If a committee primarily formed for the qualification or support of, or opposition to, an initiative or ballot measure is required to report an expenditure to a business entity pursuant to subdivision (k), and a candidate or person controlling the committee, an officer or employee of the committee, or a spouse of any of these individuals is an officer, partner, consultant, or employee of the business entity, the committee's campaign statement shall also contain, in addition to the information required by subdivision (k), that person's name, the relationship of that person to the committee, and a description of that person's ownership interest or position with the business entity.

(t) If the campaign statement is filed by a committee, as defined in subdivision (b) or (c) of

Section 82013, information sufficient to identify the nature and interests of the filer, including:

(1) If the filer is an individual, the name and address of the filer's employer, if any, or his or her principal place of business if the filer is self-employed, and a description of the business activity in which the filer or his or her employer is engaged.

(2) If the filer is a business entity, a description of the business activity in which it is engaged.

(3) If the filer is an industry, trade, or professional association, a description of the industry, trade, or profession which it represents, including a specific description of any portion or faction of the industry, trade, or profession which the association exclusively or primarily represents.

(4) If the filer is not an individual, business entity, or industry, trade, or professional association, a statement of the person's nature and purposes, including a description of any industry, trade, profession, or other group with a common economic interest which the person principally represents or from which its membership or financial support is principally derived.

History: Amended by Stats. 1978, Ch. 650; repealed and reenacted as amended by Stats. 1980, Ch. 289; (Formerly titled "Consideration of Cumulative Amount"); amended by Stats. 1982, Ch. 377; amended by Stats. 1985, Ch. 899; amended by Stats. 1988, Ch. 704; amended by Stats. 1989, Ch. 1452; amended by Stats. 1990, Ch. 581; amended by Stats. 1991, Ch. 674; amended by Stats. 1993, Ch. 1140; amended by Stats. 2000, Ch. 161; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229
2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421
2 Cal. Code of Regs. Section 18421.1
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18421.3
2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18421.5
2 Cal. Code of Regs. Section 18421.6
2 Cal. Code of Regs. Section 18421.7
2 Cal. Code of Regs. Section 18421.8
2 Cal. Code of Regs. Section 18421.9
2 Cal. Code of Regs. Section 18423
2 Cal. Code of Regs. Section 18428
2 Cal. Code of Regs. Section 18430
2 Cal. Code of Regs. Section 18431
2 Cal. Code of Regs. Section 18531.5
2 Cal. Code of Regs. Section 18537

Opinions: In re Roberts (2004) 17 FPPC Ops. 9
In re Nielsen (1979) 5 FPPC Ops. 18
In re Buchanan (1979) 5 FPPC Ops. 14
In re Kahn (1976) 2 FPPC Ops. 151
In re Lumsdon (1976) 2 FPPC Ops. 140
In re McCormick (1976) 2 FPPC Ops. 42
In re Burciaga (1976) 2 FPPC Ops. 17
In re Hayes (1975) 1 FPPC Ops. 210
In re Cory (1975) 1 FPPC Ops. 137

§ 84212. Forms; Loans.

The forms promulgated by the Commission for disclosure of the information required by this chapter shall provide for the reporting of loans and similar transactions in a manner that does not result in substantial overstatement or understatement of total contributions and expenditures.

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Candidates Who Receive and Spend $200 or Less."); amended by Stats. 1985, Ch. 1456.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18404.2
2 Cal. Code of Regs. Section 18421.2

§ 84213. Verification.

(a) A candidate and state measure proponent shall verify his or her campaign statement and the campaign statement of each committee subject to his or her control. The verification shall be in accordance with the provisions of Section 81004 except that it shall state that to the best of his or her knowledge the treasurer of each controlled committee used all reasonable diligence in the preparation of the committee's statement. This section does not relieve the treasurer of any committee from the obligation to verify each campaign statement filed by the committee pursuant to Section 81004.

(b) If a committee is required to file a campaign statement or report disclosing an independent expenditure pursuant to this title, a principal officer of the committee or, in the case of a controlled committee, the candidate or state measure proponent or opponent who controls the committee shall sign a verification on a report prescribed by the Commission. Notwithstanding any other provision of this title, the report containing the verification required by this subdivision shall be filed only with the Commission. The verification shall read as follows:

I have not received any unreported contributions or reimbursements to make these independent expenditures. I have not coordinated any expenditure made during this reporting period with the candidate or the opponent of the candidate who is the subject of the expenditure, with the proponent or the opponent of the state measure that is the subject of the expenditure, or with the agents of the candidate or the opponent of the candidate or the state measure proponent or opponent.

History: Former Section 84213, titled "Consolidated Statements; Candidates and Committees," amended by Stats. 1976, Ch. 1106; repealed by Stats. 1980, Ch. 289. Former

Section 84209 amended and renumbered Section 84216.5 by Stats. 1979; Section 842165.5 renumbered Section 84213 by Stats. 1980, Ch. 289; amended by Stats. 1983, Ch. 898; amended by Stats. 2012, Ch. 496.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18427
2 Cal. Code of Regs. Section 18430
2 Cal. Code of Regs. Section 18465.1
2 Cal. Code of Regs. Section 18570

§ 84214. Termination.

Committees and candidates shall terminate their filing obligation pursuant to regulations adopted by the Commission which insure that a committee or candidate will have no activity which must be disclosed pursuant to this chapter subsequent to the termination. Such regulations shall not require the filing of any campaign statements other than those required by this chapter. In no case shall a committee which qualifies solely under subdivision (b) or (c) of Section 82013 be required to file any notice of its termination.

History: Repealed and reenacted as amended by Stats. 1977, Ch. 344, effective August 20, 1977; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Late Contributions; Reports.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18404
2 Cal. Code of Regs. Section 18404.1
2 Cal. Code of Regs. Section 18404.2
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18537.1

§ 84215. Campaign Reports and Statements; Where to File.

All candidates and elected officers and their controlled committees, except as provided in subdivisions (d) and (e), shall file one copy of the campaign statements required by Section 84200 with the elections official of the county in which the candidate or elected official is domiciled, as defined in subdivision (b) of Section 349 of the Elections Code. In addition, campaign statements shall be filed at the following places:

(a) Statewide elected officers, including members of the State Board of Equalization; Members of the Legislature; Supreme Court justices, court of appeal justices, and superior court judges; candidates for those offices and their controlled committees; committees formed or existing primarily to support or oppose these candidates, elected officers, justices and judges, or statewide measures, or the qualification of state ballot measures; and all state general purpose committees and filers not specified in subdivisions (b) to (e), inclusive, shall file a campaign statement by online or electronic means, as specified in Section 84605, and shall file the original and one copy of the campaign statement in paper format with the Secretary of State.

(b) Elected officers in jurisdictions other than legislative districts, State Board of Equalization districts, or appellate court districts that contain parts of two or more counties, candidates for these offices, their controlled committees, and committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in one of these jurisdictions shall file the original and one copy with the elections official of the county with the largest number of registered voters in the jurisdiction.

(c) County elected officers, candidates for these offices, their controlled committees, committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in any number of jurisdictions within one county, other than those specified in subdivision (d), and county general purpose committees shall file the original and one copy with the elections official of the county.

(d) City elected officers, candidates for city office, their controlled committees, committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in one city, and city general purpose committees shall file the original and one copy with the clerk of the city and are not required to file with the local elections official of the county in which they are domiciled.

(e) Elected members of the Board of Administration of the Public Employees' Retirement System, elected members of the Teachers' Retirement Board, candidates for these offices, their controlled committees, and committees formed or existing primarily to support or oppose these candidates or elected members shall file the original and one copy with the Secretary of State, and a copy shall be filed at the relevant board's office in Sacramento. These elected officers, candidates, and committees need not file with the elections official of the county in which they are domiciled.

(f) Notwithstanding any other provision of this section, a committee, candidate, or elected officer is not required to file more than the original and one copy, or one copy, of a campaign statement with any one county elections official or city clerk or with the Secretary of State.

(g) If a committee is required to file campaign statements required by Section 84200 or 84200.5 in places designated in subdivisions (a) to (d), inclusive, it shall continue to file these statements in those places, in addition to any other places required by this title, until the end of the calendar year.

History: Added by Stats. 1978, Ch. 1408, effective October 1, 1978; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Combination of Pre-election and Semiannual Statements"); amended by Stats. 1982, Ch. 1060; amended by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 490; amended by Stats. 1990, Ch. 581; amended by Stats. 2001, Ch. 241, effective September 4, 2001; amended by Stats. 2007, Ch. 54; amended by Stats. 2010; Ch.18, amended by Stats. 2010, Ch. 633.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18227
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18404.1
2 Cal. Code of Regs. Section 18405
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18451

§ 84216. Loans.

(a) Notwithstanding Section 82015, a loan received by a candidate or committee is a contribution unless the loan is received from a commercial lending institution in the ordinary course of business, or it is clear from the surrounding circumstances that it is not made for political purposes.

(b) A loan, whether or not there is a written contract for the loan, shall be reported as provided in Section 84211 when any of the following apply:

(1) The loan is a contribution.

(2) The loan is received by a committee.

(3) The loan is received by a candidate and is used for political purposes.

History: Added by Stats. 1977, Ch. 1119; amended by Stats. 1980, Ch. 289; amended by Stats. 1982, Ch. 29; repealed and reenacted as amended by Stats. 1985, Ch. 899; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84216.5. Loans Made by a Candidate or Committee.

A loan of campaign funds, whether or not there is a written contract for the loan, made by a candidate or committee shall be reported as provided in Section 84211.

History: Former Section 84216.5 renumbered 84213 by Stats. 1980, Ch. 289; new section added by Stats. 1985, Ch. 899; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84217. Federal Office Candidates; Places Filed.

When the Secretary of State receives any campaign statement filed pursuant to the Federal Election Campaign Act, (2 U.S.C.A. Section 431 et seq.) the Secretary of State shall send a copy of the statement to the following officers:

(a) Statements of candidates for President, Vice President or United States Senator and committees supporting such candidates - one copy with the Registrar-Recorder of Los Angeles County and one copy with the Registrar of Voters of the City and County of San Francisco;

(b) Statements of candidates for United States Representative in Congress and committees supporting such candidates - one copy with the clerk of the county which contains the largest percentage of the registered voters in the election district which the candidate or any of the candidates seek nomination or election and one copy with the clerk of the county within which the candidate resides or in which the committee is domiciled, provided that if the committee is not domiciled in California the statement shall be sent to the Registrar-Recorder of Los Angeles County. No more than one copy of each statement need be filed with the clerk of any county.

History: Amended by Stats. 1977, Ch. 1095; amended and renumbered Section 84226 by Stats. 1979, Ch. 779. (Formerly Section 84208); amended and renumbered by Stats. 1980, Ch. 289. (Formerly Section 84226.)

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

Opinions: In re Dennis-Strathmeyer (1976) 2 FPPC Ops. 61

§ 84218. Slate Mailer Organization; Campaign Statements.

(a) A slate mailer organization shall file semiannual campaign statements no later than July 31 for the period ending June 30, and no later than January 31, for the period ending December 31.

(b) In addition to the semiannual statements required by subdivision (a), a slate mailer organizations which produces a slate mailer supporting or opposing candidates or measures being voted on in an election shall file the statements specified in Section 84200.8 if, during the period covered by the preelection statement, the slate mailer organization received payments totaling five hundred dollars (500) or more from any person for the support of or opposition to candidates or ballot measures in one or more slate mailers, or

expends five hundred dollars (500) or more to produce one or more slate mailers.

(c) A slate mailer organization shall file two copies of its campaign reports with the clerk of the county in which it is domiciled. A slate mailer organization is domiciled at the address listed on its statement of organization unless it is domiciled outside California, in which case its domicile shall be deemed to be Los Angeles County for purposes of this section.

In addition, slate mailer organizations shall file campaign reports as follows:

(1) A slate mailer organization which produces one or more slate mailers supporting or opposing candidates or measures voted on in a state election, or in more than one county, shall file campaign reports in the same manner as state general purpose committees pursuant to subdivision (a) of Section 84215.

(2) A slate mailer organization which produces one or more slate mailers supporting or opposing candidates or measures voted on in only one county, or in more than one jurisdiction within one county, shall file campaign reports in the same manner as county general purpose committees pursuant to subdivision (c) of Section 84215.

(3) A slate mailer organization which produces one or more slate mailers supporting or opposing candidates or measures voted on in only one city shall file campaign reports in the same manner as city general purpose committees pursuant to subdivision (d) of Section 84215.

(4) Notwithstanding the above, no slate mailer organization shall be required to file more than the original and one copy, or two copies, of a campaign report with any one county or city clerk or with the Secretary of State.

History: Added by Stats. 1987, Ch. 905; amended by Stats. 2010, Ch. 18; amended by Stats. 2010, Ch. 77; amended by Stats. 2015, Ch. 364, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18401.1
2 Cal. Code of Regs. Section 18421.2

§ 84219. Slate Mailer Organization; Semi-Annual Statements; Contents.

Whenever a slate mailer organization is required to file campaign reports pursuant to Section 84218, the campaign report shall include the following information:

(a) The total amount of receipts during the period covered by the campaign statement and the total cumulative amount of receipts. For purposes of this section only, "receipts" means payments received by a slate mailer organization for production and distribution of slate mailers.

(b) The total amount of disbursements made during the period covered by the campaign statement and the total cumulative amount of disbursements. For purposes of this section only, "disbursements" means payment made by a slate mailer organization for the production or distribution of slate mailers.

(c) For each candidate or committee that is a source of receipts totaling one hundred dollars ($100) or more during the period covered by the campaign statement:

(1) The name of the candidate or committee, identification of the jurisdiction and the office sought or ballot measure number or letter, and if the source is a committee, the committee's identification number, street address, and the name of the candidate or measure on whose behalf or in opposition to which the payment is made.

(2) The date and amount received for each receipt totaling one hundred dollars ($100) or more during the period covered by the campaign statement.

(3) The cumulative amount of receipts on behalf of or in opposition to the candidate or measure.

(d) For each person other than a candidate or committee who is a source of receipts totaling one hundred dollars ($100) or more during the period covered by the campaign statement:

(1) Identification of the jurisdiction, office or ballot measure, and name of the candidate or measure on whose behalf or in opposition to which the payment was made.

(2) Full name, street address, name of employer, or, if self-employed, name of business of the source of receipts.

(3) The date and amount received for each receipt totaling one hundred dollars ($100) or more during the period covered by the campaign statement.

(4) The cumulative amount of receipts on behalf of or in opposition to the candidate or measure.

(e) For each candidate or ballot measure not reported pursuant to subdivision (c) or (d), but who was supported or opposed in a slate mailer sent by the slate mailer organization during the period covered by the report, identification of jurisdiction, office or ballot measure, and name of the candidate or measure who was supported or opposed.

(f) The total amount of disbursements made during the period covered by the campaign statement to persons who have received one hundred dollars ($100) or more.

(g) The total amount of disbursements made during the period covered by the campaign statement

to persons who have received less than one hundred dollars ($100).

(h) For each person to whom a disbursement of one hundred dollars ($100) or more has been made during the period covered by the campaign statement:

(1) His or her full name.

(2) His or her street address.

(3) The amount of each disbursement.

(4) A brief description of the consideration for which each disbursement was made.

(5) The information required in paragraphs (1) to (4), inclusive, for each person, if different from the payee, who has provided consideration for a disbursement of five hundred dollars ($500) or more during the period covered by the campaign statement.

(i) Cumulative disbursements, totaling one thousand dollars ($1,000) or more, made directly or indirectly to any person listed in the slate mailer organization's statement of organization. For purposes of this subdivision, a disbursement is made indirectly to a person if it is intended for the benefit of or use by that person or a member of the person's immediate family, or if it is made to a business entity in which the person or member of the person's immediate family is a partner, shareholder, owner, director, trustee, officer, employee, consultant, or holds any position of management or in which the person or member of the person's immediate family has an investment of one thousand dollars ($1,000) or more. This subdivision shall not apply to any disbursement made to a business entity whose securities are publicly traded.

(j) The full name, street address, and telephone number of the slate mailer organization and of the treasurer.

(k) Whenever a slate mailer organization also qualifies as a general purpose committee pursuant to Section 82027.5, the campaign report shall include, in addition to the information required by this section, the information required by Section 84211.

History: Added by Stats. 1987, Ch. 905; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18401.1
2 Cal. Code of Regs. Section 18421.2

§ 84220. Slate Mailer Organization; Late Payments.

If a slate mailer organization receives a payment of two thousand five hundred dollars ($2,500) or more for purposes of supporting or opposing any candidate or ballot measure in a slate mailer, and the payment is received at a time when, if the payment were a contribution it would be considered a late contribution, then the slate mailer organization shall report the payment in the manner set forth in Section 84203 for candidates and committees when reporting late contributions received. The slate mailer organization shall, in addition to reporting the information required by Section 84203, identify the candidates or measures whose support or opposition is being paid for, in whole or in part, by each late payment.

History: Added by Stats. 1987, Ch. 905.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18401.1
2 Cal. Code of Regs. Section 18421.2

§ 84221. Slate Mailer Organization; Termination.

Slate mailer organizations shall terminate their filing obligations in the same manner as applies to committees qualifying under subdivision (a) of Section 82013.

History: Added by Stats. 1987, Ch. 905.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84222. Multipurpose Organizations.

(a) For purposes of this title, "multipurpose organization" means an organization described in Sections 501(c)(3) to 501(c)(10), inclusive, of the Internal Revenue Code and that is exempt from taxation under Section 501(a) of the Internal Revenue Code, a federal or out-of-state political organization, a trade association, a professional association, a civic organization, a religious organization, a fraternal society, an educational institution, or any other association or group of persons acting in concert, that is operating for purposes other than making contributions or expenditures. "Multipurpose organization" does not include a business entity, an individual, or a federal candidate's authorized committee, as defined in Section 431 of Title 2 of the United States Code, that is registered and filing reports pursuant to the Federal Election Campaign Act of 1971 (Public Law 92-225).

(b) A multipurpose organization that makes expenditures or contributions and does not qualify as a committee pursuant to subdivision (c) may qualify as an independent expenditure committee or major donor committee if the multipurpose organization satisfies subdivision (b) or (c) of Section 82013.

(c) Except as provided in subparagraph (A) of paragraph (5), a multipurpose organization is a recipient committee within the meaning of

subdivision (a) of Section 82013 only under one or more of the following circumstances:

(1) The multipurpose organization is a political committee registered with the Federal Election Commission, except as provided in subdivision (a) of this section, or a political committee registered with another state, and the multipurpose organization makes contributions or expenditures in this state in an amount equal to or greater than the amount identified in subdivision (a) of Section 82013.

(2) The multipurpose organization solicits and receives payments from donors in an amount equal to or greater than the amount identified in subdivision (a) of Section 82013 for the purpose of making contributions or expenditures.

(3) The multipurpose organization accepts payments from donors in an amount equal to or greater than the amount identified in subdivision (a) of Section 82013 subject to a condition, agreement, or understanding with the donor that all or a portion of the payments may be used for making contributions or expenditures.

(4) The multipurpose organization has existing funds from a donor and a subsequent agreement or understanding is reached with the donor that all or a portion of the funds may be used for making contributions or expenditures in an amount equal to or greater than the amount identified in subdivision (a) of Section 82013. The date of the subsequent agreement or understanding is deemed to be the date of receipt of the payment.

(5) The multipurpose organization makes contributions or expenditures totaling more than fifty thousand dollars ($50,000) in a period of 12 months or more than one hundred thousand dollars ($100,000) in a period of four consecutive calendar years.

(A) A multipurpose organization shall not qualify as a committee within the meaning of subdivision (a) of Section 82013 pursuant to this paragraph if the multipurpose organization makes contributions or expenditures using only available nondonor funds. A multipurpose organization that makes contributions or expenditures with nondonor funds shall briefly describe the source of the funds used on its major donor or independent expenditure report.

(B) For purposes of this paragraph, "nondonor funds" means investment income, including capital gains, or income earned from providing goods, services, or facilities, whether related or unrelated to the multipurpose organization's program, sale of assets, or other receipts that are not donations.

(d) A multipurpose organization that is a committee pursuant to paragraph (1) of subdivision (c) shall comply with the registration and reporting requirements of this chapter, subject to the following:

(1) The multipurpose organization is not required to comply with subdivision (k) of Section 84211 for contributions and expenditures made to influence federal or out-of-state elections, which shall instead be reported as a single expenditure and be described as such on the campaign statement.

(2) A multipurpose organization registered with the Federal Election Commission is not subject to subdivisions (d) and (f) of Section 84211 but shall disclose the total amount of contributions received pursuant to subdivision (a) of Section 84211, and shall disclose the multipurpose organization's name and identification number registered with the Federal Election Commission on the campaign statement.

(e) (1) A multipurpose organization that is a committee pursuant to paragraph (2), (3), (4), or (5) of subdivision (c) shall comply with the registration and reporting requirements of this chapter, subject to the following, except that if the multipurpose organization is the sponsor of a committee as described in subdivision (f) it may report required information on its sponsored committee statement pursuant to subdivision (f):

(A) The multipurpose organization shall register in the calendar year in which it satisfies any of the criteria in subdivision (c). The statement of organization filed pursuant to Section 84101 shall indicate that the organization is filing pursuant to this section as a multipurpose organization and state the organization's nonprofit tax exempt status, if any. The statement of organization shall also describe the organization's mission or most significant activities, and describe the organization's political activities. A multipurpose organization may comply with the requirement to describe the mission or significant activities and political activities by referencing where the organization's Internal Revenue Service Return of Organization Exempt From Income Tax form may be accessed.

(B) Except as provided in this subparagraph, the registration of a multipurpose organization that meets the criteria of paragraph (5) of subdivision (c) shall terminate automatically on December 31 of the calendar year in which the multipurpose organization is registered. The multipurpose organization shall not be required to file a semiannual statement pursuant to subdivision (b) of Section 84200, unless the multipurpose organization

has undisclosed contributions or expenditures to report, in which case termination shall occur automatically upon filing the semiannual statement that is due no later than January 31. After the multipurpose organization's registration has terminated, the multipurpose organization's reporting obligations are complete, unless the organization qualifies as a committee for purposes of subdivision (a) of Section 82013 again in the following calendar year pursuant to subdivision (c) of this section. Notwithstanding this subdivision, a multipurpose organization may elect to remain registered as a committee by submitting written notification to the Secretary of State prior to the end of the calendar year.

(C) A multipurpose organization shall report all contributions received that satisfy the criteria of paragraph (2), (3), or (4) of subdivision (c) of this section in the manner required by subdivision (f) of Section 84211, and for the balance of its contributions or expenditures shall further report contributors based on a last in, first out accounting method.

(2) A multipurpose organization reporting pursuant to this subdivision shall disclose total contributions received in an amount equal to the multipurpose organization's total contributions and expenditures made in the reporting period. When a multipurpose organization reports donors based on the last in, first out accounting method, it shall attribute to and include the information required by subdivision (f) of Section 84211 for any donor who donates one thousand dollars ($1,000) or more in a calendar year, except for the following:

(A) A donor who designates or restricts the donation for purposes other than contributions or expenditures.

(B) A donor who prohibits the multipurpose organization's use of its donation for contributions or expenditures.

(C) A private foundation, as defined by subdivision (a) of Section 509 of the Internal Revenue Code, that provides a grant that does not constitute a taxable expenditure for purposes of paragraph (1) or (2) of subdivision (d) of Section 4945 of the Internal Revenue Code.

(3) A multipurpose organization that qualifies as a committee pursuant to paragraph (5) of subdivision (c) shall not be required to include contributions or expenditures made in a prior calendar year on the reports filed for the calendar year in which the multipurpose organization qualifies as a committee.

(4) If a multipurpose organization qualifies as a committee solely pursuant to paragraph (5) of subdivision (c) and the committee is required to report donors based on a last in, first out accounting method pursuant to paragraph (1), the multipurpose organization shall not be required to disclose donor information for a donation received by the multipurpose organization prior to July 1, 2014. This paragraph shall not apply with respect to a donation made by a donor who knew that the multipurpose organization would use the donation to support or oppose a candidate or ballot measure in the state by requesting that the donation be used for that purpose or by making the donation in response to a message or solicitation indicating the multipurpose organization's intent to use the donation for that purpose.

(5) A contributor identified and reported in the manner provided in subparagraph (C) of paragraph (1) that is a multipurpose organization and receives contributions that satisfy the criteria in subdivision (c) shall be subject to the requirements of this subdivision.

(6) The commission shall adopt regulations establishing notice requirements and reasonable filing deadlines for donors reported as contributors based on the last in, first out accounting method.

(f) A multipurpose organization that is the sponsor of a committee as defined in Section 82048.7, that is a membership organization, that makes all of its contributions and expenditures from funds derived from dues, assessments, fees, and similar payments that do not exceed ten thousand dollars ($10,000) per calendar year from a single source, and that elects to report its contributions and expenditures on its sponsored committee's campaign statement pursuant to paragraph (1) of subdivision (e) shall report as follows:

(1) The sponsored committee shall report all contributions and expenditures made from the sponsor's treasury funds on statements and reports filed by the committee. The sponsor shall use a last in, first out accounting method and disclose the information required by subdivision (f) of Section 84211 for any person who pays dues, assessments, fees, or similar payments of one thousand dollars ($1,000) or more to the sponsor's treasury funds in a calendar year and shall disclose all contributions and expenditures made, as required by subdivision (k) of Section 84211, on the sponsored committee's campaign statements.

(2) The sponsored committee shall report all other contributions and expenditures in support of the committee by the sponsor, its intermediate units,

and the members of those entities. A sponsoring organization makes contributions and expenditures in support of its sponsored committee when it provides the committee with money from its treasury funds, with the exception of establishment or administrative costs. With respect to dues, assessments, fees, and similar payments channeled through the sponsor or an intermediate unit to a sponsored committee, the original source of the dues, assessments, fees, and similar payments is the contributor.

(3) A responsible officer of the sponsor, as well as the treasurer of the sponsored committee, shall verify the committee's campaign statement pursuant to Section 81004.

(g) For purposes of this section, "last in, first out accounting method" means an accounting method by which contributions and expenditures are attributed to the multipurpose organization's contributors in reverse chronological order beginning with the most recent of its contributors or, if there are any prior contributions or expenditures, beginning with the most recent contributor for which unattributed contributions remain.

History: Added by Stats of 2014, Ch. 16, effective July 1, 2014.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18422
2 Cal. Code of Regs. Section 18427.1

§ 84223. Top Ten Contributor Lists.

(a) A committee primarily formed to support or oppose a state ballot measure or state candidate that raises one million dollars ($1,000,000) or more for an election shall maintain an accurate list of the committee's top 10 contributors, as specified by Commission regulations. A current list of the top 10 contributors shall be provided to the Commission for disclosure on the Commission's Internet Web site, as provided in subdivision (c).

(b) (1) Except as provided in paragraph (4), the list of top 10 contributors shall identify the names of the 10 persons who have made the largest cumulative contributions to the committee, the total amount of each person's contributions, the city and state of the person, the person's committee identification number, if any, and any other information deemed necessary by the Commission. If any of the top 10 contributors identified on the list are committees pursuant to subdivision (a) of Section 82013, the Commission may require, by regulation, that the list also identify the top 10 contributors to those contributing committees.

(2)(A) A committee primarily formed to support or oppose a state ballot measure shall count the cumulative amount of contributions received by the committee from a person for the period beginning 12 months prior to the date the committee made its first expenditure to qualify, support, or oppose the measure and ending with the current date.

(B) A committee primarily formed to support or oppose a state candidate shall count the cumulative amount of contributions received by the committee from a person for the primary and general elections combined.

(3) The aggregation rules of Section 85311 and any implementing regulations adopted by the Commission shall apply in identifying the persons who have made the top 10 cumulative contributions to a committee.

(4) A person who makes contributions to a committee in a cumulative amount of less than ten thousand dollars ($10,000) shall not be identified or disclosed as a top 10 contributor to a committee pursuant to this section.

(c)(1) The Commission shall adopt regulations to govern the manner in which the Commission shall display top 10 contributor lists provided by a committee that is subject to this section, and the Commission shall post the top 10 contributor lists on its Internet Web site in the manner prescribed by those regulations. The Commission shall provide the top 10 contributor lists to the Secretary of State, upon the request of the Secretary of State, for the purpose of additionally posting the contributor lists on the Secretary of State's Internet Web site.

(2) A committee shall provide an updated top 10 contributor list to the Commission when any of the following occurs:

(A) A new person qualifies as a top 10 contributor to the committee.

(B) A person who is an existing top 10 contributor makes additional contributions to the committee.

(C) A change occurs that alters the relative ranking order of the top 10 contributors.

(3) The 10 persons who have made the largest cumulative contributions to a committee shall be listed in order from largest contribution amount to smallest amount. If two or more contributors of identical amounts meet the threshold for inclusion in the list of top 10 contributors, the order of disclosure shall be made beginning with the most recent contributor of that amount.

(4) The Commission shall post or update a top 10 contributor list within five business days or, during the 16 days before the election, within 48 hours of a contributor qualifying for the list or of any change to the list.

(d) In listing the top 10 contributors, a committee shall use reasonable efforts to identify and state the actual individuals or corporations that are the true sources of the contributions made to the committee from other persons or committees.

(e) In addition to any other lists that the Commission is required to post on its Internet Web site, the Commission shall compile, maintain, and display on its Internet Web site a current list of the top 10 contributors supporting and opposing each state ballot measure, as prescribed by Commission regulations.

History: Added by Stats. of 2014, Ch. 16, effective July 1, 2014.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18422
2 Cal. Code of Regs. Section 18422.5

§ 84224. Blank.

§ 84225. Public Employees' Retirement Board and Teachers' Retirement Board Candidates.

The provisions of this title apply to candidates for election to the Board of Administration of the Public Employees' Retirement System or the Teachers' Retirement Board, and to committees formed or existing primarily to support or oppose those candidates. The Commission may adopt regulations to tailor the reporting and disclosure requirements for these candidates and committees consistent with the purposes and provisions of this title.

History: Added by Stats. 1998, Ch. 923; amended by Stats. 2010; Ch.18, repealed and added by Stats. 2010, Ch. 633.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

Article 2.5. Campaign Reporting Requirements LAFCO Proposals. § 84250 - 84252

§ 84250. Applicability to LAFCO Proposals.
§ 84251. Payment for Political Purposes.
§ 84252. Campaign Reporting.

§ 84250. Applicability to LAFCO Proposals.

All requirements of this title applicable to a measure, as defined in Section 82043, also apply to a LAFCO proposal, as defined in Section 82035.5, except as set forth in Section 84252.

History: Added by Stats. 2008, Ch. 192.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18417

§ 84251. Payment for Political Purposes.

A payment made for "political purposes," as that term is used in Sections 82015 and 82025, includes a payment made for the purpose of influencing or attempting to influence the actions of voters or a local agency formation commission for or against the qualification, adoption, or passage of a LAFCO proposal.

History: Added by Stats. 2008, Ch. 192.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18417

§ 84252. Campaign Reporting.

(a) A committee primarily formed to support or oppose a LAFCO proposal shall file all statements required under this chapter except that, in lieu of the statements required by Sections 84200 and 84202.3, the committee shall file monthly campaign statements from the time circulation of a petition begins until a measure is placed on the ballot or, if a measure is not placed on the ballot, until the committee is terminated pursuant to Section 84214. The committee shall file an original and one copy of each statement on the 15th day of each calendar month, covering the prior calendar month, with the clerk of the county in which the measure may be voted on. If the petition results in a measure that is placed on the ballot, the committee thereafter shall file campaign statements required by this chapter.

(b) In addition to any other statements required by this chapter, a committee that makes independent expenditures in connection with a LAFCO proposal shall file statements pursuant to Section 84203.5.

History: Added by Stats. 2008, Ch. 192.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18417

Article 3. Prohibitions. § 84300 - 84309

§ 84300. Cash and In-Kind Contributions; Cash Expenditures.
§ 84301. Contributions Made Under Legal Name.
§ 84302. Contributions by Intermediary or Agent.
§ 84303. Expenditure by Agent or Independent Contractor.
§ 84304. Anonymous Contributions; Prohibition.
§ 84305. Requirements for Mass Mailing.
§ 84305.5. Slate Mailer Identification and Disclaimer Requirements.
§ 84305.6. Slate Mailer Disclosure Requirements; Official Political Party Position. [Repealed]

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§ 84308. Contributions to Officers; Disqualification.
§ 84309. Transmittal of Campaign Contributions in State Office Buildings; Prohibition.
§ 84310. Identification Requirements for Telephone Calls.

§ 84300. Cash and In-Kind Contributions; Cash Expenditures.

(a) No contribution of one hundred dollars ($100) or more shall be made or received in cash.

A cash contribution shall not be deemed received if it is not negotiated or deposited and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported. If a cash contribution, other than a late contribution, as defined in Section 82036, is negotiated or deposited, it shall not be deemed received if it is refunded within 72 hours of receipt. In the case of a late contribution, as defined in Section 82036, it shall not be deemed received if it is returned to the contributor within 48 hours of receipt.

(b) No expenditure of one hundred dollars ($100) or more shall be made in cash.

(c) No contribution of one hundred dollars ($100) or more other than an in-kind contribution shall be made unless in the form of a written instrument containing the name of the donor and the name of the payee and drawn from the account of the donor or the intermediary, as defined in Section 84302.

(d) The value of all in-kind contributions of one hundred dollars ($100) or more shall be reported in writing to the recipient upon the request in writing of the recipient.

History: Amended by Stats. 1977, Ch. 1213; amended by Stats. 1978, Ch. 650; repealed and reenacted as amended by Stats. 1979, Ch. 779; amended by Stats. 1980, Ch. 759; amended by Stats. 1996, Ch. 898.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84301. Contributions Made Under Legal Name.

No contribution shall be made, directly or indirectly, by any person in a name other than the name by which such person is identified for legal purposes.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84302. Contributions by Intermediary or Agent.

No person shall make a contribution on behalf of another, or while acting as the intermediary or agent of another, without disclosing to the recipient of the contribution both his own full name and street address, occupation, and the name of his employer, if any, or his principal place of business if he is self-employed, and the full name and street address, occupation, and the name of employer, if any, or principal place of business if self-employed, of the other person. The recipient of the contribution shall include in his campaign statement the full name and street address, occupation, and the name of the employer, if any, or the principal place of business if self-employed, of both the intermediary and the contributor.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18432.5

§ 84303. Expenditure by Agent or Independent Contractor.

(a) An expenditure of five hundred dollars ($500) or more shall not be made, other than for overhead or normal operating expenses, by an agent or independent contractor, including, but not limited to, an advertising agency, on behalf of or for the benefit of a candidate or committee unless it is reported by the candidate or committee as if the expenditure were made directly by the candidate or committee.

(b) A subagent or subcontractor who provides goods or services to or for the benefit of a candidate or committee shall make known to the agent or independent contractor all of the information required to be reported by this section, and the agent or independent contractor shall then make known to the candidate or committee all of the information required to be reported by this section no later than three working days prior to the time the campaign statement reporting the expenditure is required to be filed, except that an expenditure that is required to be reported by Section 84203 or 84204 shall be reported to the candidate or committee within 24 hours of the time that it is made.

History: Amended by Stats. 1984, Ch. 161; amended by Stats. 2000, Ch. 853; amended by Stats. 2013, Ch. 9, effective July 1, 2014.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18421.5
2 Cal. Code of Regs. Section 18421.7
2 Cal. Code of Regs. Section 18421.8
2 Cal. Code of Regs. Section 18421.9
2 Cal. Code of Regs. Section 18431

§ 84304. Anonymous Contributions; Prohibition.

No person shall make an anonymous contribution or contributions to a candidate, committee or any other person totaling one hundred dollars ($100) or more in a calendar year. An anonymous contribution of one hundred dollars ($100) or more shall not be kept by the intended recipient but instead shall be promptly paid to the Secretary of State for deposit in the General Fund of the state.

History: Amended by Stats. 1978, Ch. 650.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84305. Requirements for Mass Mailing.

(a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.

(b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1976, Ch. 1106; amended by Stats. 1977, Ch. 230, effective July 7, 1977; amended by Stats. 1978, Ch. 1408, effective October 1, 1978; amended by Stats. 1984, Ch. 1368; amended by Stats. 1989, Ch. 764.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18435

Opinions: In re Juvinall, Stull, Republican Central Committee of Orange County, Tuteur (1976) 2 FPPC Ops. 110
In re Sobieski (1976) 2 FPPC Ops. 73
In re Valdez (1976) 2 FPPC Ops. 21

§ 84305.5. Slate Mailer Identification and Disclaimer Requirements.

(a) No slate mailer organization or committee primarily formed to support or oppose one or more ballot measures shall send a slate mailer unless:

(1) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures are shown on the outside of each piece of slate mail and on at least one of the inserts included with each piece of slate mail in no less than 8-point roman type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the street address of the slate mailer organization or the committee primarily formed to support or oppose one or more ballot measure is a matter of public record with the Secretary of State's Political Reform Division.

(2) At the top or bottom of the front side or surface of at least one insert or at the top or bottom of one side or surface of a postcard or other self-mailer, there is a notice in at least 8-point roman boldface type, which shall be in a color or print which contrasts with the background so as to be easily legible, and in a printed or drawn box and set apart from any other printed matter. The notice shall consist of the following statement:

NOTICE TO VOTERS

THIS DOCUMENT WAS PREPARED BY (name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), NOT AN OFFICIAL POLITICAL PARTY ORGANIZATION. Appearance in this mailer does not necessarily imply endorsement of others appearing in this mailer, nor does it imply endorsement of, or opposition to, any issues set forth in this mailer. Appearance is paid for and authorized by each candidate and ballot measure which is designated by an *.

(3) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures as required by paragraph (1) and the notice required by paragraph (2) may appear on the same side or surface of an insert.

(4) Each candidate and each ballot measure that has paid to appear in the slate mailer is designated by an ***** . Any candidate or ballot measure that has not paid to appear in the slate mailer is not designated by an ***** .

The ***** required by this subdivision shall be of the same type size, type style, color or contrast, and legibility as is used for the name of the candidate or the ballot measure name or number and position advocated to which the ***** designation applies except that in no case shall the ***** be required to be larger than 10-point boldface type. The designation shall immediately follow the name of the candidate, or the name or number and position advocated on the ballot measure where the designation appears in the slate of candidates and measures. If there is no slate listing, the designation shall appear at least once in at least 8-point boldface type, immediately following the name of the candidate, or the name or number and position advocated on the ballot measure.

(5) The name of any candidate appearing in the slate mailer who is a member of a political party differing from the political party which the mailer appears by representation or indicia to represent is accompanied, immediately below the name, by the party designation of the candidate, in no less than 9-point roman type which shall be in a color or print that contrasts with the background so as to be easily legible. The designation shall not be required in the case of candidates for nonpartisan office.

(b) For purposes of the designations required by paragraph (4) of subdivision (a), the payment of any sum made reportable by subdivision (c) of Section 84219 by or at the behest of a candidate or committee, whose name or position appears in the mailer, to the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures, shall constitute a payment to appear, requiring the ***** designation. The payment shall also be deemed to constitute authorization to appear in the mailer.

History: Added by Stats. 1987, Ch. 905; amended by Stats. 1991, Ch. 403; amended by Stats. 1992, Ch. 1143; amended by Stats. 1993, Ch. 472; amended by Stats. 1994, Ch. 923; amended by Stats. 1996, Ch. 893; amended by Proposition 208 of the November 1996 Statewide General Election; Proposition 208 version preliminarily enjoined January 6, 1998; Proposition 208 version permanently enjoined March 1, 2001; pre-Proposition 208 version revived by operation of law; On September 20, 2002, the Federal District Court for the Eastern District of California issued a preliminary injunction prohibiting the FPPC from enforcing this subdivision against the slate mail organizations which had sought the injunction; repealed and new section added by Stats. 2004, Ch. 478, effective September 10, 2004.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18401.1
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18435.5

§ 84305.6. Slate Mailer Disclosure Requirements; Official Political Party Position. [Repealed]

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; On September 20, 2002, the Federal District Court for the Eastern District of California issued a preliminary injunction prohibiting the FPPC from enforcing this provision against the slate mail organizations which had sought the injunction; repealed by Stats. 2004, Ch. 478, effective September 10, 2004.

§ 84305.7. Slate Mailer Requirements; Use of Logos or "Public Safety" Names.

(a) If a slate mailer organization sends a slate mailer or other mass mailing that displays a logo, insignia, emblem, or trademark that is identical or substantially similar to the logo, insignia, emblem, or trademark of a governmental agency, and that would reasonably be understood to imply the participation or endorsement of that governmental agency, the slate mailer organization shall obtain the express written consent of the governmental agency associated with the logo, insignia, emblem, or trademark prior to using the logo, insignia, emblem, or trademark in the slate mailer or other mass mailing.

(b) If a slate mailer organization sends a slate mailer or other mass mailing that displays a logo, insignia, emblem, or trademark that is identical or substantially similar to the logo, insignia, emblem, or trademark of a nongovernmental organization that represents law enforcement, firefighting, emergency medical, or other public safety personnel, and that would reasonably be understood to imply the participation or endorsement of that nongovernmental organization, the slate mailer organization shall obtain the express written consent of the nongovernmental organization associated with the logo, insignia, emblem, or trademark prior to using the logo, insignia, emblem, or trademark in the slate mailer or other mass mailing.

(c) If a slate mailer organization sends a slate mailer or other mass mailing that identifies itself or its source material as representing a nongovernmental organization with a name that includes the term "peace officer," "reserve officer," "deputy," "deputy sheriff," "sheriff," "police," "highway patrol," "California Highway Patrol," "law enforcement," "firefighter," "fire marshal," "paramedic," "emergency medical technician," "public safety," or any other term that would reasonably be understood to imply that the organization is composed of, or affiliated with, law

enforcement, firefighting, emergency medical, or other public safety personnel, the slate mailer or mass mailing shall disclose on the outside of each piece of mail and on at least one of the inserts included with each piece of mail in no less than 12-point roman type, which shall be in a color or print that contrasts with the background so as to be easily legible, the total number of members in the organization identified in the slate mailer or mass mailing.

History: Added by Stats. 2012, Ch. 865.

§ 84306. Contributions Received by Agents of Candidates or Committees.

All contributions received by a person acting as an agent of a candidate shall be reported promptly to the candidate or any of his or her designated agents. All contributions received by a person acting as an agent of a committee shall be reported promptly to the committee's treasurer or any of his or her designated agents. "Promptly" as used in this section means not later than the closing date of any campaign statement the committee or candidate for whom the contribution is intended is required to file.

History: Added by Stats. 1979, Ch. 779.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.1
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18421.3
2 Cal. Code of Regs. Section 18421.31

§ 84307. Commingling with Personal Funds.

No contribution shall be commingled with the personal funds of the recipient or any other person.

History: Added by Stats. 1979, Ch. 779.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

§ 84307.5. Payments Made to a Spouse or Domestic Partner.

A spouse or domestic partner of an elected officer or a candidate for elective office shall not receive, in exchange for services rendered, compensation from campaign funds held by a controlled committee of the elected officer or candidate for elective office.

History: Added by Stats. 2009, Ch. 360; amended by Stats. 2014, Ch. 902.

§ 84308. Contributions to Officers; Disqualification.

(a) The definitions set forth in this subdivision shall govern the interpretation of this section.

(1) "Party" means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.

(2) "Participant" means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7. A person actively supports or opposes a particular decision in a proceeding if he or she lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.

(3) "Agency" means an agency as defined in Section 82003 except that it does not include the courts or any agency in the judicial branch of government, local governmental agencies whose members are directly elected by the voters, the Legislature, the Board of Equalization, or constitutional officers. However, this section applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.

(4) "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency.

(5) "License, permit, or other entitlement for use" means all business, professional, trade and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.

(6) "Contribution" includes contributions to candidates and committees in federal, state, or local elections.

(b) No officer of an agency shall accept, solicit, or direct a contribution of more than two hundred fifty dollars ($250) from any party, or his or her agent, or from any participant, or his or her agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for three months following the date a final decision is rendered in the proceeding if the officer knows or has reason to know that the participant has a financial interest, as that term is used in Article 1 (commencing with Section 87100) of Chapter 7. This prohibition shall apply regardless of whether the officer accepts, solicits, or directs the contribution for himself or herself, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.

(c) Prior to rendering any decision in a proceeding involving a license, permit or other

entitlement for use pending before an agency, each officer of the agency who received a contribution within the preceding 12 months in an amount of more than two hundred fifty dollars ($250) from a party or from any participant shall disclose that fact on the record of the proceeding. No officer of an agency shall make, participate in making, or in any way attempt to use his or her official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution in an amount of more than two hundred fifty dollars ($250) within the preceding 12 months from a party or his or her agent, or from any participant, or his or her agent if the officer knows or has reason to know that the participant has a financial interest in the decision, as that term is described with respect to public officials in Article 1 (commencing with Section 87100) of Chapter 7.

If an officer receives a contribution which would otherwise require disqualification under this section, returns the contribution within 30 days from the time he or she knows, or should have known, about the contribution and the proceeding involving a license, permit, or other entitlement for use, he or she shall be permitted to participate in the proceeding.

(d) A party to a proceeding before an agency involving a license, permit, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than two hundred fifty dollars ($250) made within the preceding 12 months by the party, or his or her agent, to any officer of the agency. No party, or his or her agent, to a proceeding involving a license, permit, or other entitlement for use pending before any agency and no participant, or his or her agent, in the proceeding shall make a contribution of more than two hundred fifty dollars ($250) to any officer of that agency during the proceeding and for three months following the date a final decision is rendered by the agency in the proceeding. When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending before an agency, the majority shareholder is subject to the disclosure and prohibition requirements specified in subdivisions (b), (c), and this subdivision.

(e) Nothing in this section shall be construed to imply that any contribution subject to being reported under this title shall not be so reported.

History: Added by Stats. 1982, Ch. 1049; amended by Stats. 1984, Ch. 1681, effective September 30, 1984; amended by Stats. 1989, Ch. 764.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18438.1
2 Cal. Code of Regs. Section 18438.2
2 Cal. Code of Regs. Section 18438.3
2 Cal. Code of Regs. Section 18438.4
2 Cal. Code of Regs. Section 18438.5
2 Cal. Code of Regs. Section 18438.6
2 Cal. Code of Regs. Section 18438.7
2 Cal. Code of Regs. Section 18438.8

Opinions: In re Curiel (1983) 8 FPPC Ops. 1

§ 84309. Transmittal of Campaign Contributions in State Office Buildings; Prohibition.

(a) No person shall receive or personally deliver or attempt to deliver a contribution in the State Capitol, in any state office building, or in any office for which the state pays the majority of the rent other than a legislative district office.

(b) For purposes of this section:

(1) "Personally deliver" means delivery of a contribution in person or causing a contribution to be delivered in person by an agent or intermediary.

(2) "Receive" includes the receipt of a campaign contribution delivered in person.

History: Added by Stats. 1982, Ch. 920.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18439

§ 84310. Identification Requirements for Telephone Calls.

(a) A candidate, committee, or slate mailer organization may not expend campaign funds, directly or indirectly, to pay for telephone calls that are similar in nature and aggregate 500 or more in number, made by an individual, or individuals, or by electronic means and that advocate support of, or opposition to, a candidate, ballot measure, or both, unless during the course of each call the name of the organization that authorized or paid for the call is disclosed to the recipient of the call. Unless the organization that authorized the call and in whose name it is placed has filing obligations under this title, and the name announced in the call either is the full name by which the organization or individual is identified in any statement or report required to be filed under this title or is the name by which the organization or individual is commonly known, the candidate, committee, or slate mailer organization that paid for the call shall be disclosed. This section shall not apply to telephone calls made by the

candidate, the campaign manager, or individuals who are volunteers.

(b) Campaign and ballot measure committees are prohibited from contracting with any phone bank vendor that does not disclose the information required to be disclosed by subdivision (a).

(c) A candidate, committee, or slate mailer organization that pays for telephone calls as described in subdivision (a) shall maintain a record of the script of the call for the period of time set forth in Section 84104. If any of the calls qualifying under subdivision (a) were recorded messages, a copy of the recording shall be maintained for that period.

History: Added by Stats. 2006, Ch. 439.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18440

Article 4. Exemptions. § 84400

§ 84400. Exemptions.

§ 84400. Exemptions.

Notwithstanding any other provision of the law, the Commission shall have no power to exempt any person, including any candidate or committee, from any of the requirements imposed by the provisions of this chapter.

History: Added by Stats. 1977, Ch. 403.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18421.2

Article 5. Advertisements. § 84501 - 84511

§ 84501. Advertisement.
§ 84502. Cumulative Contributions.
§ 84503. Disclaimer; Ballot Measure Ads.
§ 84504. Ballot Measure Committee Name.
§ 84505. Avoidance of Disclosure.
§ 84506. Disclaimer; Independent Expenditure Ads.
§ 84506.5. Disclaimer; Independent Expenditure Ads; Not Authorized by Candidate.
§ 84507. Disclaimer; Legible and Audible.
§ 84508. Disclaimer; Small Ad.
§ 84509. Amended Disclaimers.
§ 84510. Remedies for Article Violations; Civil Action; Fines.
§ 84511. Ballot Measure Ads; Paid Spokesperson Disclosure.

§ 84501. Advertisement.

(a) "Advertisement" means any general or public advertisement which is authorized and paid for by a person or committee for the purpose of supporting or opposing a candidate for elective office or a ballot measure or ballot measures.

(b) "Advertisement" does not include a communication from an organization other than a political party to its members, a campaign button smaller than 10 inches in diameter, a bumper sticker smaller than 60 square inches, or other advertisement as determined by regulations of the Commission.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.1
2 Cal. Code of Regs. Section 18450.11

§ 84502. Cumulative Contributions.

"Cumulative contributions" means the cumulative amount of contributions received by a committee beginning 12 months prior to the date the committee made its first expenditure to qualify, support, or oppose the measure and ending within seven days of the time the advertisement is sent to the printer or broadcast station.

History: Added by Proposition 208 of the November 1996 Statewide General Election; amended by Stats. 2004, Ch. 478, effective September 10, 2004.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.1

§ 84503. Disclaimer; Ballot Measure Ads.

(a) Any advertisement for or against any ballot measure shall include a disclosure statement identifying any person whose cumulative contributions are fifty thousand dollars ($50,000) or more.

(b) If there are more than two donors of fifty thousand dollars ($50,000) or more, the committee is only required to disclose the highest and second highest in that order. In the event that more than two donors meet this disclosure threshold at identical contribution levels, the highest and second highest shall be selected according to chronological sequence.

History: Added by Proposition 208 of the November 1996 Statewide General Election; preliminarily enjoined January 6, 1998; permanently enjoined March 1, 2001, as applied to slate mailers only.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18402
2 Cal. Code of Regs. Section 18421.2

2 Cal. Code of Regs. Section 18450.1
2 Cal. Code of Regs. Section 18450.4
2 Cal. Code of Regs. Section 18450.5

§ 84504. Ballot Measure Committee Name.

(a) Any committee that supports or opposes one or more ballot measures shall name and identify itself using a name or phrase that clearly identifies the economic or other special interest of its major donors of fifty thousand dollars ($50,000) or more in any reference to the committee required by law, including, but not limited, to its statement of organization filed pursuant to Section 84101.

(b) If the major donors of fifty thousand dollars ($50,000) or more share a common employer, the identity of the employer shall also be disclosed.

(c) Any committee which supports or opposes a ballot measure, shall print or broadcast its name as provided in this section as part of any advertisement or other paid public statement.

(d) If candidates or their controlled committees, as a group or individually, meet the contribution thresholds for a person, they shall be identified by the controlling candidate's name.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18402
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.1
2 Cal. Code of Regs. Section 18450.3
2 Cal. Code of Regs. Section 18450.4
2 Cal. Code of Regs. Section 18450.5
2 Cal. Code of Regs. Section 18521.5

§ 84505. Avoidance of Disclosure.

In addition to the requirements of Sections 84503, 84504, 84506, and 84506.5, the committee placing the advertisement or persons acting in concert with that committee shall be prohibited from creating or using a noncandidate-controlled committee or a nonsponsored committee to avoid, or that results in the avoidance of, the disclosure of any individual, industry, business entity, controlled committee, or sponsored committee as a major funding source.

History: Added by Proposition 208 of the November 1996 Statewide General Election; amended by Stats. 2007, Ch. 495.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.1

§ 84506. Disclaimer; Independent Expenditure Ads.

(a) An advertisement supporting or opposing a candidate or ballot measure, that is paid for by an independent expenditure, shall include a disclosure statement that identifies both of the following:

(1) The name of the committee making the independent expenditure.

(2) The names of the persons from whom the committee making the independent expenditure has received its two highest cumulative contributions of fifty thousand dollars ($50,000) or more during the 12-month period prior to the expenditure. If the committee can show, on the basis that contributions are spent in the order they are received, that contributions received from the two highest contributors have been used for expenditures unrelated to the candidate or ballot measure featured in the communication, the committee shall disclose the contributors making the next largest cumulative contributions of fifty thousand dollars ($50,000) or more.

(b) If an acronym is used to identify any committee names required by this section, the names of any sponsoring organization of the committee shall be printed on print advertisements or spoken in broadcast advertisements.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and new section added by Stats. 2004, Ch. 478, effective September 10, 2004; amended by Stats. 2012, Ch. 496.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18402
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.1
2 Cal. Code of Regs. Section 18450.3
2 Cal. Code of Regs. Section 18450.4
2 Cal. Code of Regs. Section 18450.5

§ 84506.5. Disclaimer; Independent Expenditure Ads; Not Authorized by Candidate.

(a) An advertisement supporting or opposing a candidate that is paid for by an independent expenditure must include the following statement: This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office.

(b) In addition to the requirements of Section 84507, a mailed advertisement subject to this section shall also comply with each of the following:

(1) The disclosure statement in subdivision (a) shall be located within one quarter of an inch of the recipient's name and address as printed on the advertisement.

(2) The text of the disclosure statement shall be contained in a box with an outline that has a line weight of at least 3.25 pt. The background color of the box shall be in a contrasting color to the background of the advertisement. The outline of the box shall be in a contrasting color to both the background color of the advertisement and the background color of the box. The color of the text

shall be in a contrasting color to the background color of the box.

History: Added by Stats. 2007, Ch. 495; amended by Stats. 2015, Ch. 747, effective October 10, 2015.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.4

§ 84507. Disclaimer; Legible and Audible.

Any disclosure statement required by this article shall be printed clearly and legibly in no less than 14-point, bold, sans serif type font and in a conspicuous manner as defined by the commission or, if the communication is broadcast, the information shall be spoken so as to be clearly audible and understood by the intended public and otherwise appropriately conveyed for the hearing impaired.

History: Added by Proposition 208 of the November 1996 Statewide General Election; amended by Stats. 2015, Ch. 747, effective October 10, 2015.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.1

§ 84508. Disclaimer; Small Ad.

If disclosure of two major donors is required by Sections 84503 and 84506, the committee shall be required to disclose, in addition to the committee name, only its highest major contributor in any advertisement which is:

(a) An electronic broadcast of 15 seconds or less, or

(b) A newspaper, magazine, or other public print media advertisement which is 20 square inches or less.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.1

§ 84509. Amended Disclaimers.

When a committee files an amended campaign statement pursuant to Section 81004.5, the committee shall change its advertisements to reflect the changed disclosure information.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.1
2 Cal. Code of Regs. Section 18450.5

§ 84510. Remedies for Article Violations; Civil Action; Fines.

(a) In addition to the remedies provided for in Chapter 11 (commencing with Section 91000) of this title, any person who violates this article is liable in a civil or administrative action brought by the Commission or any person for a fine up to three times the cost of the advertisement, including placement costs.

(b) The remedies provided in subdivision (a) shall also apply to any person who purposely causes any other person to violate any provision of this article or who aids and abets any other person in a violation.

(c) If a judgment is entered against the defendant or defendants in an action brought under this section, the plaintiff shall receive 50 percent of the amount recovered. The remaining 50 percent shall be deposited in the General Fund of the state. In an action brought by a local civil prosecutor, 50 percent shall be deposited in the account of the agency bringing the action and 50 percent shall be paid to the General Fund of the state.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.1

§ 84511. Ballot Measure Ads; Paid Spokesperson Disclosure.

(a) This section applies to a committee that does either of the following:

(1) Makes an expenditure of five thousand dollars ($5,000) or more to an individual for his or her appearance in an advertisement that supports or opposes the qualification, passage, or defeat of a ballot measure.

(2) Makes an expenditure of any amount to an individual for his or her appearance in an advertisement that supports or opposes the qualification, passage, or defeat of a ballot measure and that states or suggests that the individual is a member of an occupation that requires licensure, certification, or other specialized, documented training as a prerequisite to engage in that occupation.

(b) A committee described in subdivision (a) shall file, within 10 days of the expenditure, a report that includes all of the following:

(1) An identification of the measure that is the subject of the advertisement.

(2) The date of the expenditure.

(3) The amount of the expenditure.

(4) The name of the recipient of the expenditure.

(5) For a committee described in paragraph (2) of subdivision (a), the occupation of the recipient of the expenditure.

(c) An advertisement paid for by a committee described in paragraph (1) of subdivision (a) shall include a disclosure statement stating "(spokesperson's name) is being paid by this campaign or its donors" in highly visible font shown continuously if the advertisement consists of printed or televised material, or spoken in a clearly audible format if the advertisement is a radio broadcast or telephonic message.

(d) (1) An advertisement paid for by a committee described in paragraph (2) of subdivision (a) shall include a disclosure statement stating "Persons portraying members of an occupation in this advertisement are compensated spokespersons not necessarily employed in those occupations" in highly visible font shown continuously if the advertisement consists of printed or televised material, or spoken in a clearly audible format if the advertisement is a radio broadcast or telephonic message.

(2) A committee may omit the disclosure statement required by this subdivision if all of the following are satisfied with respect to each individual identified in the report filed pursuant to subdivision (b) for that advertisement:

(A) The occupation identified in the report is substantially similar to the occupation portrayed in the advertisement.

(B) The committee maintains credible documentation of the appropriate license, certification, or other training as evidence that the individual may engage in the occupation identified in the report and portrayed in the advertisement and makes that documentation immediately available to the Commission upon request.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001; amended by Stats. 2014, Ch. 868; amended by Stats. 2015, Ch. 747, effective October 10, 2015.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18421.2
2 Cal. Code of Regs. Section 18450.1
2 Cal. Code of Regs. Section 18450.11

Chapter 4.6. Online Disclosure. § 84600 - 84615

§ 84600. Online Disclosure.
§ 84601. Public Access.
§ 84602. Secretary of State's Duties.
§ 84602.1. Secretary of State's Duties; Online Lobbying Registration; Reports to the Legislature.
§ 84602.5. Online Index of Identification Numbers.
§ 84603. Acceptance of Reports.
§ 84604. Online Disclosure Program. [Repealed]
§ 84605. Who Shall File Online.
§ 84606. Operation of Online System.
§ 84607. Prohibition Against Political or Campaign Use.
§ 84609. Candidate and Ballot Measure Committees. [Repealed]
§ 84610. Appropriation. [Repealed]
§ 84612. Rejection of Electronic Filing; Procedures.
§ 84613. Political Disclosure, Accountability, Transparency, and Access Fund.
§ 84615. Campaign Reports and Statements - Electronic Filing for Local Agencies.

§ 84600. Online Disclosure.

This chapter may be known and may be cited as the Online Disclosure Act.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 2001, Ch. 917, effective October 14, 2001.

§ 84601. Public Access.

The Legislature finds and declares as follows:

(a) The people of California enacted one of the nation's most comprehensive campaign and lobbying financial disclosure laws when they voted for Proposition 9, the Political Reform Act of 1974, an initiative statute.

(b) Public access to campaign and lobbying disclosure information is a vital and integral component of a fully informed electorate.

(c) Advances in technology have made it viable for disclosure statements and reports required by the Political Reform Act to be filed online and placed on the Internet, thereby maximizing availability to the public.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997.

§ 84602. Secretary of State's Duties.

To implement the Legislature's intent, the Secretary of State, in consultation with the Commission, notwithstanding any other provision of this code, shall do all of the following:

(a) Develop online and electronic filing processes for use by persons and entities specified in Section 84605 that are required to file statements and reports with the Secretary of State's office pursuant to Chapter 4 (commencing with Section 84100) and Chapter 6 (commencing with Section 86100). Those processes shall each enable a user to comply with all the disclosure requirements of

this title and shall include, at a minimum, the following:

(1) A means or method whereby filers subject to this chapter may submit required filings free of charge. Any means or method developed pursuant to this provision shall not provide any additional or enhanced functions or services that exceed the minimum requirements necessary to fulfill the disclosure provisions of this title. At least one means or method shall be made available no later than December 31, 2002.

(2) The definition of a nonproprietary standardized record format or formats using industry standards for the transmission of the data that is required of those persons and entities specified in Section 84605 and that conforms with the disclosure requirements of this title. The Secretary of State shall hold public hearings prior to development of the record format or formats as a means to ensure that affected entities have an opportunity to provide input into the development process. The format or formats shall be made public no later than July 1, 1999, to ensure sufficient time to comply with this chapter.

(b) Accept test files from software vendors and others wishing to file reports electronically, for the purpose of determining whether the file format is in compliance with the standardized record format developed pursuant to subdivision (a) and is compatible with the Secretary of State's system for receiving the data. A list of the software and service providers who have submitted acceptable test files shall be published by the Secretary of State and made available to the public. Acceptably formatted files shall be submitted by a filer in order to meet the requirements of this chapter.

(c) Develop a system that provides for the online or electronic transfer of the data specified in this section utilizing telecommunications technology that assures the integrity of the data transmitted and that creates safeguards against efforts to tamper with or subvert the data.

(d) Make all the data filed available on the Internet in an easily understood format that provides the greatest public access. The data shall be made available free of charge and as soon as possible after receipt. All late contribution and late independent expenditure reports, as defined by Sections 84203 and 84204, respectively, shall be made available on the Internet within 24 hours of receipt. The data made available on the Internet shall not contain the street name and building number of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed pursuant to this title.

(e) Develop a procedure for filers to comply with the requirement that they sign under penalty of perjury pursuant to Section 81004.

(f) Maintain all filed data online for 10 years after the date it is filed, and then archive the information in a secure format.

(g) Provide assistance to those seeking public access to the information.

(h) Implement sufficient technology to seek to prevent unauthorized alteration or manipulation of the data.

(i) Provide the Commission with necessary information to enable it to assist agencies, public officials, and others with the compliance with and administration of this title.

(j) Report to the Legislature on the implementation and development of the online and electronic filing and disclosure requirements of this chapter. The report shall include an examination of system security, private security issues, software availability, compliance costs to filers, use of the filing system and software provided by the Secretary of State, and other issues relating to this chapter, and shall recommend appropriate changes if necessary. In preparing the report, the Commission may present to the Secretary of State and the Legislature its comments regarding this chapter as it relates to the duties of the Commission and suggest appropriate changes if necessary. There shall be one report due before the system is operational as set forth in Section 84603, one report due no later than June 1, 2002, and one report due no later than January 31, 2003.

(k) Review the current filing and disclosure requirements of this chapter and report to the Legislature, no later than June 1, 2005, recommendations on revising these requirements so as to promote greater reliance on electronic and online submissions.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999; amended by Stats. 2000, Ch. 319; amended by Stats. 2001, Ch. 917, effective October 14, 2001; amended by Stats. 2004, Ch. 816; amended by Stats. 2005, Ch. 22; amended by Stats. 2012, Ch. 503.

§ 84602.1. Secretary of State's Duties; Online Lobbying Registration; Reports to the Legislature.

History: Added by Stats. 2006, Ch. 69, set to be effective July 12, 2006, but void due to lack of compliance with section 81012.

§ 84602.5. Online Index of Identification Numbers.

The Secretary of State shall disclose online pursuant to this chapter an index of the identification numbers, as assigned pursuant to subdivision (a) of Section 84101, of every person, entity, or committee that is obligated to make a disclosure pursuant to Chapter 4. This index shall be updated monthly except for the six-week period preceding any statewide regular or special election, during which period the index shall be updated weekly.

History: Added by Stats. 1999, Ch. 208.

§ 84603. Acceptance of Reports.

The Secretary of State, once all state-mandated development, procurement, and oversight requirements have been met, shall make public their availability to accept reports online or electronically. Any filer may then commence voluntarily filing online or electronically any required report or statement that is otherwise required to be filed with the Secretary of State pursuant to Chapter 4 (commencing with Section 84100) or Chapter 6 (commencing with Section 86100) of this title.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999.

§ 84604. Online Disclosure Program. [Repealed]

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999; repealed by Stats. 2012, Ch. 503.

§ 84605. Who Shall File Online.

(a) The following persons shall file online or electronically with the Secretary of State:

(1) Any candidate, including superior court, appellate court, and Supreme Court candidates and officeholders, committee, or other persons who are required, pursuant to Chapter 4 (commencing with Section 84100), to file statements, reports, or other documents in connection with a state elective office or state measure, provided that the total cumulative reportable amount of contributions received, expenditures made, loans made, or loans received is twenty-five thousand dollars ($25,000) or more. In determining the cumulative reportable amount, all controlled committees, as defined by Section 82016, shall be included. For a committee subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a committee that is first subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the committee is first subject to this title. A committee, as defined in subdivision (c) of Section 82013, shall file online or electronically if it makes contributions of twenty-five thousand dollars ($25,000) or more in a calendar year.

(2) Any general purpose committees, as defined in Section 82027.5, including the general purpose committees of political parties, and small contributor committees, as defined in Section 85203, that cumulatively receive contributions or make expenditures totaling twenty-five thousand dollars ($25,000) or more to support or oppose candidates for any elective state office or state measure. For a committee subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a committee that first is subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the committee is first subject to this title.

(3) Any slate mailer organization with cumulative reportable payments received or made for the purposes of producing slate mailers of twenty-five thousand dollars ($25,000) or more. For a slate mailer organization subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a slate mailer organization that first is subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the organization is first subject to this title.

(4) Any lobbyist, lobbying firm, lobbyist employer, or other persons required, pursuant to Chapter 6 (commencing with Section 86100), to file statements, reports, or other documents, provided that the total amount of any category of reportable payments, expenses, contributions, gifts, or other items is two thousand five hundred dollars ($2,500) or more in a calendar quarter.

(b) The Secretary of State shall also disclose on the Internet any late contribution or late independent expenditure report, as defined by Sections 84203 and 84204, respectively, not covered by paragraph (1), (2), or (3) of subdivision (a) or any other provision of law.

(c) Committees and other persons that are not required to file online or electronically by this section may do so voluntarily.

(d) Once a person or entity is required to file online or electronically, subject to subdivision (a) or (c), the person or entity shall be required to file all subsequent reports online or electronically.

(e) It shall be presumed that online or electronic filers file under penalty of perjury.

(f) Persons filing online or electronically shall also continue to file required disclosure

statements and reports in paper format. The paper copy shall continue to be the official filing for audit and other legal purposes until the Secretary of State, pursuant to Section 84606, determines the system is operating securely and effectively.

(g) The Secretary of State shall maintain at all times a secured, official version of all original online and electronically filed statements and reports required by this chapter. Upon determination by the Secretary of State, pursuant to Section 84606, that the system is operating securely and effectively, this online or electronic version shall be the official version for audit and other legal purposes.

(h) Except for statements related to a local elective office or a local ballot measure filed by a candidate for local elective office who is also a candidate for elective state office, a copy of a statement, report, or other document filed by online or electronic means with the Secretary of State shall not be filed with a local filing officer.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999; amended by Stats. 2007, Ch. 348; amended by Stats. 2010, Ch. 18.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18450.11
2 Cal. Code of Regs. Section 18451
2 Cal. Code of Regs. Section 18465
2 Cal. Code of Regs. Section 18465.1

§ 84606. Operation of Online System.

The Secretary of State shall determine and publicly disclose when the online and electronic disclosure systems are operating effectively. In making this determination, the Secretary of State shall consult with the Commission, the Department of Information Technology, and any other appropriate public or private entity. The online or electronic disclosure system shall not become operative until the Department of Information Technology approves the system. Upon this determination, filers required by this chapter to file online or electronically will no longer be required to file a paper copy or with local filing officers. Furthermore, the date that a filer transmits an online or electronic report shall be the date the filed report is received by the Secretary of State.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999.

§ 84607. Prohibition Against Political or Campaign Use.

Pursuant to Section 8314, no employee or official of a state or local government agency shall utilize, for political or campaign purposes, public facilities or resources to retrieve or maintain any of the data produced by the requirements of this chapter.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997.

§ 84609. Candidate and Ballot Measure Committees. [Repealed]

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; repealed by Stats. 2012, Ch. 503.

§ 84610. Appropriation. [Repealed]

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999; repealed by Stats. 2012, Ch. 503.

§ 84612. Rejection of Electronic Filing; Procedures.

If the Secretary of State rejects a filing made under this chapter, the Secretary of State shall immediately notify the filer, by electronic mail, of the reason or reasons for rejection using plain, straightforward language, avoiding technical terms as much as possible, and using a coherent and easily readable style. The notice shall be written or displayed so that the meaning will be easily understood by those persons directly affected by it.

History: Added by Stats. 2001, Ch. 79.

§ 84613. Political Disclosure, Accountability, Transparency, and Access Fund.

(a) The Political Disclosure, Accountability, Transparency, and Access Fund is hereby established in the State Treasury. Moneys collected pursuant to Section 84101.5 and one-half of the moneys collected pursuant to Section 86102 shall be deposited in the Political Disclosure, Accountability, Transparency, and Access Fund.

(b)(1) Moneys deposited in the Political Disclosure, Accountability, Transparency, and Access Fund are subject to appropriation by the Legislature and shall be expended for the maintenance, repair, and improvement of the online or electronic disclosure program implemented by the Secretary of State pursuant to this chapter.

(2) In addition to paragraph (1), the Secretary of State may also use moneys deposited in the Political Disclosure, Accountability, Transparency, and Access Fund for purposes of implementing the act that added this section.

(c) Any expenditure of moneys from the Political Disclosure, Accountability, Transparency, and Access Fund for the purposes described in paragraph (1) of subdivision (b) is subject to the project approval and oversight process established by the California Technology Agency pursuant to

Section 11546.

History: Added by Stats. 2012, Ch. 506.

§ 84615. Campaign Reports and Statements – Electronic Filing for Local Agencies.

A local government agency may require an elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Chapter 4 (commencing with Section 84100), except an elected officer, candidate, committee, or other person who receives contributions totaling less than one thousand dollars ($1,000), and makes expenditures totaling less than one thousand dollars ($1,000), in a calendar year, to file those statements, reports, or other documents online or electronically with a local filing officer. A local government agency that requires online or electronic filing pursuant to this section shall comply with all of the following:

(a) The legislative body for the local government agency shall adopt an ordinance approving the use of online or electronic filing, which shall include a legislative finding that the online or electronic filing system will operate securely and effectively and would not unduly burden filers. The ordinance adopted by the legislative body for the local government agency may, at the discretion of that legislative body, specify that the electronic or online filing requirements apply only to specifically identified types of filings or are triggered only by identified monetary thresholds. In any instance in which the original statement, report, or other document is required to be filed with the Secretary of State and a copy of that statement, report, or other document is required to be filed with the local government agency, the ordinance may permit, but shall not require, that the copy be filed online or electronically.

(b) The online or electronic filing system shall only accept a filing in the standardized record format that is developed by the Secretary of State pursuant to paragraph (2) of subdivision (a) of Section 84602 and that is compatible with the Secretary of State's system for receiving an online or electronic filing.

(c) The online or electronic filing system shall ensure the integrity of the data transmitted and shall include safeguards against efforts to tamper with, manipulate, alter, or subvert the data.

(d)(1) The local filing officer shall issue to a person who files a statement, report, or other document online or electronically an electronic confirmation that notifies the filer that the statement, report, or other document was received. The confirmation shall include the date and the time that the statement, report, or other document was received by the filing officer and the method by which the filer may view and print the data received by the filing officer.

(2) A copy retained by the filer of a statement, report, or other document that was filed online or electronically and the confirmation issued pursuant to paragraph (1) that shows the filer timely filed the statement, report, or other document shall create a rebuttable presumption that the filer timely filed the statement, report, or other document.

(e) The date of filing for a statement, report, or other document that is filed online or electronically shall be the day that it is received by the local filing officer.

(f) The local filing officer shall make all the data filed available on the Internet in an easily understood format that provides the greatest public access. The data shall be made available free of charge and as soon as possible after receipt. The data made available on the Internet shall not contain the street name and building number of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed by the filer. The local filing officer shall make a complete, unredacted copy of any statement, report, or other document filed pursuant to this section, including any street names, building numbers, and bank account numbers disclosed by the filer, available to any person upon request.

(g) The online or electronic filing system shall include a procedure for filers to comply with the requirement that they sign statements and reports under penalty of perjury pursuant to Section 81004.

(h) The local government agency shall enable filers to complete and submit filings free of charge.

(i) The local filing officer shall maintain, for a period of at least 10 years commencing from the date filed, a secured, official version of each online or electronic statement, report, or other document filed pursuant to this section, which shall serve as the official version of that record for purpose of audits and any other legal purpose. Data that has been maintained for at least 10 years may then be archived in a secure format.

(j) Notwithstanding any other provision of law, any statement, report, or other document filed online or electronically pursuant to this section shall not be required to be filed with the local filing officer in paper format.

History: Added by Stats. 2012, Ch. 126.

Chapter 5. Limitations on Contributions. § 85100 - 85802

Article 1. Title of Chapter. § 85100 - 85104
2. Candidacy. § 85200 – 85201
2.5. Applicability of the Political Reform Act of 1974. § 85202 - 85206
3. Contribution Limitations. § 85300 - 85321
4. Voluntary Expenditure Ceilings. § 85400 - 85404
5. Independent Expenditures. § 85500 - 85505
6. Ballot Pamphlet. § 85600 - 85602
7. Additional Contribution Requirements. § 85700 - 85706
8. Appropriation. § 85802

Article 1. Title of Chapter. § 85100 - 85104

§ 85100. Chapter Title.
§ 85101. Effect on Local Ordinances. [Repealed]
§ 85102. Terms Used in Chapter 5. [Repealed]
§ 85103. Amendment or Repeal of Chapter. [Repealed]
§ 85104. Operative Date. [Repealed]

§ 85100. Chapter Title.

This chapter shall be known as the "Campaign Contribution and Voluntary Expenditure Limits Without Taxpayer Financing Amendments to the Political Reform Act of 1974."

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; repealed and added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85101. Effect on Local Ordinances. [Repealed]

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; repealed and added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Findings and Declarations"); repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85102. Terms Used in Chapter 5. [Repealed]

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; amended by Stats. 1994, Ch. 1010; repealed and added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Purpose of This Law"); repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85103. Amendment or Repeal of Chapter. [Repealed]

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85104. Operative Date. [Repealed]

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Article 2. Candidacy. § 85200 - 85201

§ 85200. Statement of Intention to be a Candidate.
§ 85201. Campaign Bank Account.

§ 85200. Statement of Intention to be a Candidate.

Prior to the solicitation or receipt of any contribution or loan, an individual who intends to be a candidate for an elective state office, as that term is defined by Section 82024, shall file with the Secretary of State an original statement, signed under penalty of perjury, of intention to be a candidate for a specific office.

An individual who intends to be a candidate for any other elective office shall file the statement of intention with the same filing officer and in the same location as the individual would file an original campaign statement pursuant to subdivisions (b), (c), and (d) of Section 84215.

For purposes of this section, "contribution" and "loan" do not include any payments from the candidate's personal funds for a candidate filing fee or a candidate statement of qualifications fee.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; amended by Stats. 1991, Ch. 1078; amended by Stats. 1996, Ch. 289; amended by Stats. 1997, Ch. 394; amended by Stats. 2000, Ch. 853; amended by Stats. 2010, Ch. 18.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18520
2 Cal. Code of Regs. Section 18521
2 Cal. Code of Regs. Section 18531.5
2 Cal. Code of Regs. Section 18536
2 Cal. Code of Regs. Section 18537.1
2 Cal. Code of Regs. Section 18542

§ 85201. Campaign Bank Account.

(a) Upon the filing of the statement of intention pursuant to Section 85200, the individual shall establish one campaign contribution account at an office of a financial institution located in the state.

(b) As required by subdivision (f) of Section 84102, a candidate who raises contributions of two thousand dollars ($2,000) or more in a calendar

year shall set forth the name and address of the financial institution where the candidate has established a campaign contribution account and the account number on the committee statement of organization filed pursuant to Sections 84101 and 84103.

(c) All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate's controlled committee shall be deposited in the account.

(d) Any personal funds which will be utilized to promote the election of the candidate shall be deposited in the account prior to expenditure.

(e) All campaign expenditures shall be made from the account.

(f) Subdivisions (d) and (e) do not apply to a candidate's payment for a filing fee and statement of qualifications from his or her personal funds.

(g) This section does not apply to a candidate who will not receive contributions and who makes expenditures from personal funds of less than two thousand dollars ($2,000) in a calendar year to support his or her candidacy. For purposes of this section, a candidate's payment for a filing fee and statement of qualifications shall not be included in calculating the total expenditures made.

(h) An individual who raises contributions from others for his or her campaign, but who raises or spends less than two thousand dollars ($2,000) in a calendar year, and does not qualify as a committee under Section 82013, shall establish a campaign contribution account pursuant to subdivision (a), but is not required to file a committee statement of organization pursuant to Section 84101 or other statement of bank account information.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; amended by Stats. 1990, Ch. 387; amended by Stats. 1991, Ch. 1078; amended by Stats. 1996, Ch. 289; amended by Stats. 1997, Ch. 394; amended by Stats. 2000, Ch. 853; amended by Stats. 2015, Ch. 364, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18520
2 Cal. Code of Regs. Section 18521
2 Cal. Code of Regs. Section 18521.3
2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18523
2 Cal. Code of Regs. Section 18523.1
2 Cal. Code of Regs. Section 18524
2 Cal. Code of Regs. Section 18525
2 Cal. Code of Regs. Section 18526
2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18531.61
2 Cal. Code of Regs. Section 18537.1

Article 2.5. Applicability of the Political Reform Act of 1974.
§ 85202 - 85206

§ 85202. Interpretation of Chapter 5.
§ 85203. Small Contributor Committee.
§ 85204. Election Cycle for 24-Hour Reports.
§ 85204.5. Special Election Cycle and Special Runoff Election Cycle.
§ 85205. Political Party Committee.
§ 85206. Public Moneys.

§ 85202. Interpretation of Chapter 5.

Unless specifically superseded by the act that adds this section, the definitions and provisions of this title shall govern the interpretation of this chapter.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; amended by Stats. 1989, Ch. 303. (Formerly titled "Contributions to Candidates; Trust for Specific Office"); repealed by Stats. 1990, Ch. 84. Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Applicability of the Political Reform Act"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85203. Small Contributor Committee.

"Small contributor committee" means any committee that meets all of the following criteria:

(a) The committee has been in existence for at least six months.

(b) The committee receives contributions from 100 or more persons.

(c) No one person has contributed to the committee more than two hundred dollars ($200) per calendar year.

(d) The committee makes contributions to five or more candidates.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18503

§ 85204. Election Cycle for 24-Hour Reports.

"Election cycle," for purposes of Sections 85309 and 85500, means the period of time commencing 90 days prior to an election and ending on the date of the election. For purposes of the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board, "the date of the election" is the deadline to return ballots.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Two-Year Period"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2010, Ch. 633.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18425
2 Cal. Code of Regs. Section 18550

§ 85204.5. Special Election Cycle and Special Runoff Election Cycle.

With respect to special elections, the following terms have the following meanings:

(a) "Special election cycle" means the day on which the office becomes vacant until the day of the special election.

(b) "Special runoff election cycle" means the day after the special election until the day of the special runoff election.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85205. Political Party Committee.

"Political party committee" means the state central committee or county central committee of an organization that meets the requirements for recognition as a political party pursuant to Section 5100 of the Elections Code.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18530.3

§ 85206. Public Moneys.

"Public moneys" has the same meaning as defined in Section 426 of the Penal Code.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Article 3. Contribution Limitations. § 85300 - 85321

§ 85300. Public Funds; Prohibition.
§ 85301. Limits on Contributions from Persons.
§ 85302. Limits on Contributions from Small Contributor Committees.
§ 85303. Limits on Contributions to Committees and Political Parties.
§ 85304. Legal Defense Fund.
§ 85304.5. Legal Defense Fund; Local Candidates and Elected Officeholders.
§ 85305. Restrictions on Contributions by Candidates.
§ 85306. Transfers Between a Candidate's Own Committees; Use of Funds Raised Prior to Effective Date.
§ 85307. Loans.
§ 85308. Family Contributions.
§ 85309. Online Disclosure of Contributions.
§ 85310. Communications Identifying State Candidates.
§ 85311. Affiliated Entities; Aggregation of Contributions to State Candidates.
§ 85312. Communications to Members of an Organization.
§ 85313. Officeholder Account. [Repealed]
§ 85314. Special Elections and Special Runoff Elections as Separate Elections.
§ 85315. Elected State Officer Recall Committees.
§ 85316. Post-Election Fundraising Restrictions; State Officeholder Accounts.
§ 85317. Carry Over of Contributions.
§ 85318. Contributions Received for Primary and General Elections.
§ 85319. Returning Contributions.
§ 85320. Foreign Entities.
§ 85321. Post-Election Fundraising; Elections Held Prior to January 1, 2001.

§ 85300. Public Funds; Prohibition.

No public officer shall expend and no candidate shall accept any public moneys for the purpose of seeking elective office.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18530

§ 85301. Limits on Contributions from Persons.

(a) A person, other than a small contributor committee or political party committee, may not make to any candidate for elective state office other than a candidate for statewide elective office, and a candidate for elective state office other than a candidate for statewide elective office may not accept from a person, any contribution totaling more than three thousand dollars ($3,000) per election.

(b) Except to a candidate for Governor, a person, other than a small contributor committee or political party committee, may not make to any candidate for statewide elective office, and except a candidate for Governor, a candidate for statewide elective office may not accept from a person other than a small contributor committee or a political party committee, any contribution totaling more than five thousand dollars ($5,000) per election.

(c) A person, other than a small contributor committee or political party committee, may not

make to any candidate for Governor, and a candidate for governor may not accept from any person other than a small contributor committee or political party committee, any contribution totaling more than twenty thousand dollars ($20,000) per election.

(d) The provisions of this section do not apply to a candidate's contributions of his or her personal funds to his or her own campaign.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Contributions by Persons to Candidates"); repealed and added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18503
2 Cal. Code of Regs. Section 18521
2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18523
2 Cal. Code of Regs. Section 18523.1
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18531
2 Cal. Code of Regs. Section 18531.5
2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18531.61
2 Cal. Code of Regs. Section 18533
2 Cal. Code of Regs. Section 18537
2 Cal. Code of Regs. Section 18544
2 Cal. Code of Regs. Section 18545

§ 85302. Limits on Contributions from Small Contributor Committees.

(a) A small contributor committee may not make to any candidate for elective state office other than a candidate for statewide elective office, and a candidate for elective state office, other than a candidate for statewide elective office may not accept from a small contributor committee, any contribution totaling more than six thousand dollars ($6,000) per election.

(b) Except to a candidate for Governor, a small contributor committee may not make to any candidate for statewide elective office and except for a candidate for Governor, a candidate for statewide elective office may not accept from a small contributor committee, any contribution totaling more than ten thousand dollars ($10,000) per election.

(c) A small contributor committee may not make to any candidate for Governor, and a candidate for governor may not accept from a small contributor committee, any contribution totaling more than twenty thousand dollars ($20,000) per election.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Contributions by Persons to Committees"); repealed and added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18503
2 Cal. Code of Regs. Section 18521
2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18523
2 Cal. Code of Regs. Section 18523.1
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18531
2 Cal. Code of Regs. Section 18531.5
2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18537
2 Cal. Code of Regs. Section 18544
2 Cal. Code of Regs. Section 18545

§ 85303. Limits on Contributions to Committees and Political Parties.

(a) A person may not make to any committee, other than a political party committee, and a committee other than a political party committee may not accept, any contribution totaling more than five thousand dollars ($5,000) per calendar year for the purpose of making contributions to candidates for elective state office.

(b) A person may not make to any political party committee, and a political party committee may not accept, any contribution totaling more than twenty-five thousand dollars ($25,000) per calendar year for the purpose of making contributions for the support or defeat of candidates for elective state office. Notwithstanding Section 85312, this limit applies to contributions made to a political party used for the purpose of making expenditures at the behest of a candidate for elective state office for communications to party members related to the candidate's candidacy for elective state office.

(c) Except as provided in Section 85310, nothing in this chapter shall limit a person's contributions to a committee or political party committee provided the contributions are used for purposes other than making contributions to candidates for elective state office.

(d) Nothing in this chapter limits a candidate for elected state office from transferring contributions received by the candidate in excess of any amount necessary to defray the candidate's expenses for election related activities or holding office to a political party committee, provided those transferred contributions are used for purposes consistent with paragraph (4) of subdivision (b) of Section 89519.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Contributions by

Committees to Candidates"); repealed and added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18530.3
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18531
2 Cal. Code of Regs. Section 18531.61
2 Cal. Code of Regs. Section 18531.7
2 Cal. Code of Regs. Section 18533
2 Cal. Code of Regs. Section 18534
2 Cal. Code of Regs. Section 18537
2 Cal. Code of Regs. Section 18544
2 Cal. Code of Regs. Section 18545

§ 85304. Legal Defense Fund.

(a) A candidate for elective state office or an elected state officer may establish a separate account to defray attorney's fees and other related legal costs incurred for the candidate's or officer's legal defense if the candidate or officer is subject to one or more civil or criminal proceedings or administrative proceedings arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officer's governmental activities and duties. These funds may be used only to defray those attorney fees and other related legal costs.

(b) A candidate may receive contributions to this account that are not subject to the contribution limits set forth in this article. However, all contributions shall be reported in a manner prescribed by the commission.

(c) Once the legal dispute is resolved, the candidate shall dispose of any funds remaining after all expenses associated with the dispute are discharged for one or more of the purposes set forth in paragraphs (1) to (5), inclusive, of subdivision (b) of Section 89519.

(d) (1) For purposes of this section and Section 85304.5, "attorney's fees and other related legal costs" includes only the following:

(A) Attorney's fees and other legal costs related to the defense of the candidate or officer.

(B) Administrative costs directly related to compliance with the requirements of this title.

(2) "Attorney's fees and other related legal costs" does not include expenses for fundraising, media or political consulting fees, mass mailing or other advertising, or, except as expressly authorized by subdivision (c) of Section 89513, a payment or reimbursement for a fine, penalty, judgment or settlement, or a payment to return or disgorge contributions made to any other committee controlled by the candidate or officer.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Prohibition on Transfers"); repealed and added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Limitations on Contributions from Political Parties"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2014, Ch. 884.

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References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18530.45
2 Cal. Code of Regs. Section 18537

Opinions: In re Pelham (2001) 15 FPPC Ops. 1

§ 85304.5. Legal Defense Fund; Local Candidates and Elected Officeholders.

(a) A candidate for elective office other than an elective state office or an elected officer other than an elected state officer may establish a separate account pursuant to subdivision (a) of Section 85304 and may use these funds only to defray attorney's fees and other related legal costs.

(b) A candidate for an elective office other than an elective state office may receive contributions to the separate account subject to any limitations provided by local ordinance. However, all contributions to these separate accounts shall be reported in a manner prescribed by the commission.

(c) Once the legal dispute is resolved, the candidate or elected officer shall dispose of any funds remaining in the separate accounts after all expenses associated with the dispute are discharged for one or more of the purposes set forth in paragraphs (1) to (5), inclusive, of subdivision (b) of Section 89519.

(d) For purposes of this section, "attorney's fees and other related legal costs" has the same meaning as in Section 85304.

History: Added by Stats. 2007, Ch. 283; amended by Stats. 2014, Ch. 884.

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References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18530.45

§ 85305. Restrictions on Contributions by Candidates.

A candidate for elective state office or committee controlled by that candidate may not

make any contribution to any other candidate for elective state office in excess of the limits set forth in subdivision (a) of Section 85301.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Contribution Limitations During Special or Special Runoff Election Cycles"); repealed and added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Restrictions on When Contributions Can be Received"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18535
2 Cal. Code of Regs. Section 18536
2 Cal. Code of Regs. Section 18537

§ 85306. Transfers Between a Candidate's Own Committees; Use of Funds Raised Prior to Effective Date.

(a) A candidate may transfer campaign funds from one controlled committee to a controlled committee for elective state office of the same candidate. Contributions transferred shall be attributed to specific contributors using a "last in, first out" or "first in, first out" accounting method, and these attributed contributions when aggregated with all other contributions from the same contributor may not exceed the limits set forth in Section 85301 or 85302.

(b) Notwithstanding subdivision (a), a candidate for elective state office, other than a candidate for statewide elective office, who possesses campaign funds on January 1, 2001, may use those funds to seek elective office without attributing the funds to specific contributors.

(c) Notwithstanding subdivision (a), a candidate for statewide elective office who possesses campaign funds on November 6, 2002, may use those funds to seek elective office without attributing the funds to specific contributors.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Use of Campaign Funds; Effective Date"); repealed and added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Transfers"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18530.2
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18531.61
2 Cal. Code of Regs. Section 18536
2 Cal. Code of Regs. Section 18537
2 Cal. Code of Regs. Section 18537.1

§ 85307. Loans.

(a) The provisions of this article regarding loans apply to extensions of credit, but do not apply to loans made to a candidate by a commercial lending institution in the lender's regular course of business on terms available to members of the general public for which the candidate is personally liable.

(b) Notwithstanding subdivision (a), a candidate for elective state office may not personally loan to his or her campaign, including the proceeds of a loan obtained by the candidate from a commercial lending institution, an amount, the outstanding balance of which exceeds one hundred thousand dollars ($100,000). A candidate may not charge interest on any loan he or she made to his or her campaign.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Loans; Contributions"); repealed and added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2004, Ch. 815, effective September 27, 2004.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18530.7
2 Cal. Code of Regs. Section 18530.8
2 Cal. Code of Regs. Section 18537

§ 85308. Family Contributions.

(a) Contributions made by a husband and wife may not be aggregated.

(b) A contribution made by a child under 18 years of age is presumed to be a contribution from the parent or guardian of the child.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18537

Opinions: In re Pelham (2001) 15 FPPC Ops. 1

§ 85309. Online Disclosure of Contributions.

(a) In addition to any other report required by this title, a candidate for elective state office who is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of one thousand dollars ($1,000) or more received during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 24 hours of receipt of the contribution.

(b) In addition to any other report required by this title, any committee primarily formed to support or oppose one or more state ballot measures that is required to file reports pursuant to Section 84605

shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of one thousand dollars ($1,000) or more received during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 24 hours of receipt of the contribution.

(c) In addition to any other report required by this title, a candidate for elective state office who is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of five thousand dollars ($5,000) or more received at any time other than during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 10 business days of receipt of the contribution.

(d) In addition to any other report required by this title, a committee primarily formed to support or oppose a state ballot measure that is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of five thousand dollars ($5,000) or more received at any time other than during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 10 business days of receipt of the contribution.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Aggregate Contributions from Non-individuals"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116
2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18425
2 Cal. Code of Regs. Section 18537

§ 85310. Communications Identifying State Candidates.

(a) Any person who makes a payment or a promise of payment totaling fifty thousand dollars ($50,000) or more for a communication that clearly identifies a candidate for elective state office, but does not expressly advocate the election or defeat of the candidate, and that is disseminated, broadcast, or otherwise published within 45 days of an election, shall file online or electronically with the Secretary of State a report disclosing the name of the person, address, occupation, and employer, and amount of the payment. The report shall be filed within 48 hours of making the payment or the promise to make the payment.

(b) (1) Except as provided in paragraph (2), if any person has received a payment or a promise of a payment from other persons totaling five thousand dollars ($5,000) or more for the purpose of making a communication described in subdivision (a), the person receiving the payments shall disclose on the report the name, address, occupation and employer, and date and amount received from the person.

(2) A person who receives or is promised a payment that is otherwise reportable under paragraph (1) is not required to report the payment if the person is in the business of providing goods or services and receives or is promised the payment for the purpose of providing those goods or services.

(c) Any payment received by a person who makes a communication described in subdivision (a) is subject to the limits specified in subdivision (b) of Section 85303 if the communication is made at the behest of the clearly identified candidate.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Aggregate Contributions to All State Candidates"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18531.10
2 Cal. Code of Regs. Section 18537
2 Cal. Code of Regs. Section 18539.2

§ 85311. Affiliated Entities; Aggregation of Contributions to State Candidates.

(a) For purposes of the contribution limits of this chapter, the following terms have the following meanings:

(1) "Entity" means any person, other than an individual.

(2) "Majority owned" means an ownership of more than 50 percent.

(b) The contributions of an entity whose contributions are directed and controlled by any individual shall be aggregated with contributions made by that individual and any other entity whose contributions are directed and controlled by the same individual.

(c) If two or more entities make contributions that are directed and controlled by a majority of the same persons, the contributions of those entities shall be aggregated.

(d) Contributions made by entities that are majority owned by any person shall be aggregated with the contributions of the majority owner and all other entities majority owned by that person, unless those entities act independently in their decisions to make contributions.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Aggregation of Financial Activity"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18428
2 Cal. Code of Regs. Section 18537

Opinions: In re Kahn (1976) 2 FPPC Ops. 151
In re Lumsdon (1976) 2 FPPC Ops. 140

§ 85312. Communications to Members of an Organization.

For purposes of this title, payments for communications to members, employees, shareholders, or families of members, employees, or shareholders of an organization for the purpose of supporting or opposing a candidate or a ballot measure are not contributions or expenditures, provided those payments are not made for general public advertising such as broadcasting, billboards, and newspaper advertisements. However, payments made by a political party for communications to a member who is registered as expressing a preference for that party on his or her affidavit of registration pursuant to Sections 2150, 2151, and 2152 of the Elections Code that would otherwise qualify as contributions or expenditures shall be reported in accordance with Article 2 (commencing with Section 84200) of Chapter 4, and Chapter 4.6 (commencing with Section 84600), of this title.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Communications Within an Organization"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001; amended by Stats. 2012, Ch. 3, effective February 10, 2012.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18215
2 Cal. Code of Regs. Section 18215.2
2 Cal. Code of Regs. Section 18531.7
2 Cal. Code of Regs. Section 18537

Opinions: In re Olson (2001) 15 FPPC Ops. 13

§ 85313. Officeholder Account. [Repealed]

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85314. Special Elections and Special Runoff Elections as Separate Elections.

The contribution limits of this chapter apply to special elections and apply to special runoff elections. A special election and a special runoff election are separate elections for purposes of the contribution and voluntary expenditure limits set forth in this chapter.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18537

§ 85315. Elected State Officer Recall Committees.

(a) Notwithstanding any other provision of this chapter, an elected state officer may establish a committee to oppose the qualification of a recall measure, and the recall election. This committee may be established when the elected state officer receives a notice of intent to recall pursuant to Section 11021 of the Elections Code. An elected state officer may accept campaign contributions to oppose the qualification of a recall measure, and if qualification is successful, the recall election, without regard to the campaign contributions limits set forth in this chapter. The voluntary expenditure limits do not apply to expenditures made to oppose the qualification of a recall measure or to oppose the recall election.

(b) After the failure of a recall petition or after the recall election, the committee formed by the elected state officer shall wind down its activities and dissolve. Any remaining funds shall be treated as surplus funds and shall be expended within 30 days after the failure of the recall petition or after the recall election for a purpose specified in subdivision (b) of Section 89519.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.5
2 Cal. Code of Regs. Section 18537

§ 85316. Post-Election Fundraising Restrictions; State Officeholder Accounts.

(a) Except as provided in subdivision (b), a contribution for an election may be accepted by a candidate for elective state office after the date of the election only to the extent that the contribution does not exceed net debts outstanding from the election, and the contribution does not otherwise exceed the applicable contribution limit for that election.

(b) Notwithstanding subdivision (a), an elected state officer may accept contributions after the date of the election for the purpose of paying expenses associated with holding the office provided that the contributions are not expended for any contribution to any state or local committee. Contributions received pursuant to this subdivision shall be deposited into a bank account established solely for the purposes specified in this subdivision.

(1) No person shall make, and no elected state officer shall receive from a person, a contribution pursuant to this subdivision totaling more than the following amounts per calendar year:

(A) Three thousand dollars ($3,000) in the case of an elected state officer of the Assembly or Senate.

(B) Five thousand dollars ($5,000) in the case of a statewide elected state officer other than the Governor.

(C) Twenty thousand dollars ($20,000) in the case of the Governor.

(2) No elected state officer shall receive contributions pursuant to paragraph (1) that, in the aggregate, total more than the following amounts per calendar year:

(A) Fifty thousand dollars ($50,000) in the case of an elected state officer of the Assembly or Senate.

(B) One hundred thousand dollars ($100,000) in the case of a statewide elected state officer other than the Governor.

(C) Two hundred thousand dollars ($200,000) in the case of the Governor.

(3) Any contribution received pursuant to this subdivision shall be deemed to be a contribution to that candidate for election to any state office that he or she may seek during the term of office to which he or she is currently elected, including, but not limited to, reelection to the office he or she currently holds, and shall be subject to any applicable contribution limit provided in this title. If a contribution received pursuant to this subdivision exceeds the allowable contribution limit for the office sought, the candidate shall return the amount exceeding the limit to the contributor on a basis to be determined by the Commission. None of the expenditures made by elected state officers pursuant to this subdivision shall be subject to the voluntary expenditure limitations in Section 85400.

(4) The commission shall adjust the calendar year contribution limitations and aggregate contribution limitations set forth in this subdivision in January of every odd-numbered year to reflect any increase or decrease in the Consumer Price Index. Those adjustments shall be rounded to the nearest one hundred dollars ($100).

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2006, Ch. 624, effective September 29, 2006; amended by Stats. 2007, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18521.5
2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18531.61
2 Cal. Code of Regs. Section 18531.62
2 Cal. Code of Regs. Section 18537
2 Cal. Code of Regs. Section 18537.1
2 Cal. Code of Regs. Section 18544
2 Cal. Code of Regs. Section 18545

§ 85317. Carry Over of Contributions.

Notwithstanding subdivision (a) of Section 85306, a candidate for elective state office may carry over contributions raised in connection with one election for elective state office to pay campaign expenditures incurred in connection with a subsequent election for the same elective state office.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18531.61
2 Cal. Code of Regs. Section 18537
2 Cal. Code of Regs. Section 18537.1

§ 85318. Contributions Received for Primary and General Elections.

A candidate for elective state office may raise contributions for a general election prior to the primary election, and for a special general election prior to a special primary election, for the same elective state office if the candidate sets aside these contributions and uses these contributions for the general election or special general election. If the candidate for elective state office is defeated in the primary election or special primary election, or otherwise withdraws from the general election or special general election, the general election or special general election funds shall be refunded to the contributors on a pro rata basis less any expenses associated with the raising and administration of general election or special general election contributions. Notwithstanding Section 85201, candidates for elective state office may establish separate campaign contribution accounts for the primary and general elections or special primary and special general elections.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18521
2 Cal. Code of Regs. Section 18531.2
2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18531.61
2 Cal. Code of Regs. Section 18536
2 Cal. Code of Regs. Section 18537

§ 85319. Returning Contributions.

A candidate for state elective office may return all or part of any contribution to the donor who made the contribution at any time, whether or not other contributions are returned, except a

contribution that the candidate made for state elective office to his or her own controlled committee.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2002, Ch. 212.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18537

§ 85320. Foreign Entities.

(a) No foreign government or foreign principal shall make, directly or through any other person, any contribution, expenditure, or independent expenditure in connection with the qualification or support of, or opposition to, any state or local ballot measure.

(b) No person and no committee shall solicit or accept a contribution from a foreign government or foreign principal in connection with the qualification or support of, or opposition to, any state or local ballot measure.

(c) For the purposes of this section, a "foreign principal" includes the following:

(1) A foreign political party.

(2) A person outside the United States, unless either of the following is established:

(A) The person is an individual and a citizen of the United States.

(B) The person is not an individual and is organized under or created by the laws of the United States or of any state or other place subject to the jurisdiction of the United States and has its principal place of business within the United States.

(3) A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.

(4) A domestic subsidiary of a foreign corporation if the decision to contribute or expend funds is made by an officer, director, or management employee of the foreign corporation who is neither a citizen of the United States nor a lawfully admitted permanent resident of the United States.

(d) This section shall not prohibit a contribution, expenditure, or independent expenditure made by a lawfully admitted permanent resident.

(e) Any person who violates this section shall be guilty of a misdemeanor and shall be fined an amount equal to the amount contributed or expended.

History: Added by Stats. 1997, Ch. 67; amended by Stats. 2000, Ch. 349.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18537

§ 85321. Post-Election Fundraising; Elections Held Prior to January 1, 2001.

Notwithstanding any other provision of this chapter, if a candidate for elective state office or the candidate's controlled committee had net debts resulting from an election held prior to January 1, 2001, contributions to that candidate or committee for that election are not subject to the limits of Sections 85301 and 85302.

History: Added by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18531.61
2 Cal. Code of Regs. Section 18537

Article 4. Voluntary Expenditure Ceilings. § 85400 - 85404

§ 85400. Voluntary Expenditure Ceilings.
§ 85401. Candidate Acceptance or Rejection of Expenditure Ceilings.
§ 85402. Lifting Expenditure Limits; Opponent's Use of Personal Funds.
§ 85403. Violations of Voluntary Expenditure Limits.
§ 85404. Expenditure Ceiling Lifted. [Repealed]

§ 85400. Voluntary Expenditure Ceilings.

(a) A candidate for elective state office, other than the Board of Administration of the Public Employees' Retirement System, who voluntarily accepts expenditure limits may not make campaign expenditures in excess of the following:

(1) For an Assembly candidate, four hundred thousand dollars ($400,000) in the primary or special primary election and seven hundred thousand dollars ($700,000) in the general or special general election.

(2) For a Senate candidate, six hundred thousand dollars ($600,000) in the primary or special primary election and nine hundred thousand dollars ($900,000) in the general or special general election.

(3) For a candidate for the State Board of Equalization, one million dollars ($1,000,000) in the primary election and one million five hundred thousand dollars ($1,500,000) in the general election.

(4) For a statewide candidate other than a candidate for Governor or the State Board of Equalization, four million dollars ($4,000,000) in the primary election and six million dollars ($6,000,000) in the general election.

(5) For a candidate for Governor, six million dollars ($6,000,000) in the primary election and ten million dollars ($10,000,000) in the general election.

(b) For purposes of this section, "campaign expenditures" has the same meaning as "election-

related activities" as defined in clauses (i) to (vi), inclusive, and clause (viii) of subparagraph (C) of paragraph (2) of subdivision (b) of Section 82015.

(c) A campaign expenditure made by a political party on behalf of a candidate may not be attributed to the limitations on campaign expenditures set forth in this section.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Limitations on Gifts and Honoraria"); repealed by Stats. 1990, Ch. 84; added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18540
2 Cal. Code of Regs. Section 18542
2 Cal. Code of Regs. Section 18543
2 Cal. Code of Regs. Section 18544
2 Cal. Code of Regs. Section 18545

§ 85401. Candidate Acceptance or Rejection of Expenditure Ceilings.

(a) Each candidate for elective state office shall file a statement of acceptance or rejection of the voluntary expenditure limits set forth in Section 85400 at the time he or she files the statement of intention specified in Section 85200.

(b) A candidate may, until the deadline for filing nomination papers set forth in Section 8020 of the Elections Code, change his or her statement of acceptance or rejection of voluntary expenditure limits provided he or she has not exceeded the voluntary expenditure limits. A candidate may not change his or her statement of acceptance or rejection of voluntary expenditure limits more than twice after the candidate's initial filing of the statement of intention for that election and office.

(c) Any candidate for elective state office who declined to accept the voluntary expenditure limits but who nevertheless does not exceed the limits in the primary, special primary, or special election, may file a statement of acceptance of the expenditure limits for a general or special runoff election within 14 days following the primary, special primary, or special election.

(d) Notwithstanding Section 81004.5 or any other provision of this title, a candidate may not change his or her statement of acceptance or rejection of voluntary expenditure limits other than as provided for by this section and Section 85402.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2004, Ch. 9, effective January 22, 2004; amended by Stats. 2004, Ch. 207.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18542

§ 85402. Lifting Expenditure Limits; Opponent's Use of Personal Funds.

(a) Any candidate for elective state office who has filed a statement accepting the voluntary expenditure limits is not bound by those limits if an opposing candidate contributes personal funds to his or her own campaign in excess of the limits set forth in Section 85400.

(b) The commission shall require by regulation timely notification by candidates for elective state office who make personal contributions to their own campaign.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Contribution Limits for Candidates Accepting Expenditure Ceilings"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18540
2 Cal. Code of Regs. Section 18542
2 Cal. Code of Regs. Section 18543

§ 85403. Violations of Voluntary Expenditure Limits.

Any candidate who files a statement of acceptance pursuant to Section 85401 and makes campaign expenditures in excess of the limits shall be subject to the remedies in Chapter 3 (commencing with Section 83100) and Chapter 11 (commencing with Section 91000).

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Time Periods for Expenditures"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4

§ 85404. Expenditure Ceiling Lifted. [Repealed]

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Time Periods for Expenditures"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Article 5. Independent Expenditures. §§ 85500-85505

§ 85500. Independent Expenditures; 24-Hour Disclosure; Coordination.
§ 85501. Prohibition on Independent Expenditures by Candidate or Officeholder Controlled Committees.

§ 85505. Internet Display of Independent Expenditures; 24-Hour Disclosure Report.

§ 85500. Independent Expenditures; 24-Hour Disclosure; Coordination.

(a) In addition to any other report required by this title, a committee, including a political party committee, that is required to file reports pursuant to Section 84605 and that makes independent expenditures of one thousand dollars ($1,000) or more during an election cycle in connection with a candidate for elective state office or state ballot measure, shall file online or electronically a report with the Secretary of State disclosing the making of the independent expenditure. This report shall disclose the same information required by subdivision (b) of Section 84204 and shall be filed within 24 hours of the time the independent expenditure is made.

(b) An expenditure may not be considered independent, and shall be treated as a contribution from the person making the expenditure to the candidate on whose behalf, or for whose benefit, the expenditure is made, if the expenditure is made under any of the following circumstances:

(1) The expenditure is made with the cooperation of, or in consultation with, the candidate on whose behalf, or for whose benefit, the expenditure is made, or any controlled committee or any agent of the candidate.

(2) The expenditure is made in concert with, or at the request or suggestion of, the candidate on whose behalf, or for whose benefit, the expenditure is made, or any controlled committee or any agent of the candidate.

(3) The expenditure is made under any arrangement, coordination, or direction with respect to the candidate or the candidate's agent and the person making the expenditure.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Independent Expenditures"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116
2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18225.7
2 Cal. Code of Regs. Section 18550

§ 85501. Prohibition on Independent Expenditures by Candidate or Officeholder Controlled Committees.

A controlled committee of a candidate may not make independent expenditures and may not contribute funds to another committee for the purpose of making independent expenditures to support or oppose other candidates.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Opinions: In re St. Croix (2005) 18 FPPC Ops. 1

§ 85505. Internet Display of Independent Expenditures; 24-Hour Disclosure Report.

(a) The Secretary of State shall include on the Internet Web site of the Secretary of State's office, as part of the campaign finance activity that is publicly disclosed, any independent expenditure, as defined in Section 82031, that is reported pursuant to Section 85500 with respect to a candidate for elective state office and a statewide ballot measure. This information shall be linked to the part of the Web site that the Secretary of State maintains concerning that candidate or ballot measure.

(b) It is the intent of the Legislature that all forms created for the purpose of filing the online or electronic report required pursuant to Section 85500 include a separate field for the filer to input the legislative district number and the number or letter of a statewide ballot measure.

History: Added by Stats. 2002, Ch. 511.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18550

Article 6. Ballot Pamphlet. §§ 85600-85602

§ 85600. Ballot Pamphlet Designation.
§ 85601. Candidate Access to Ballot Pamphlet Statement.
§ 85602. Notification to Voters. [Repealed]

§ 85600. Ballot Pamphlet Designation.

The Secretary of State shall designate in the state ballot pamphlet those candidates for statewide elective office, as defined in Section 82053, who have voluntarily agreed to the expenditure limitations set forth in Section 85400. Local elections officers shall designate in the voter information portion of the sample ballot those candidates for State Senate and Assembly who have voluntarily agreed to the expenditure limitations set forth in Section 85400.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Candidate Access to State Ballot Pamphlet"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

§ 85601. Candidate Access to Ballot Pamphlet Statement.

(a) A candidate for statewide elective office, as defined in Section 82053, who accepts the voluntary expenditure limits set forth in Section 85400 may purchase the space to place a statement in the state ballot pamphlet that does not exceed 250 words. The statement may not make any reference to any opponent of the candidate. The statement shall be submitted in accordance with timeframes and procedures set forth by the Secretary of State for the preparation of the state ballot pamphlets.

(b) Notwithstanding subdivision (e) of Section 88001 of this code or subdivision (e) of Section 9084 of the Elections Code, on and after November 6, 2002, the Secretary of State may not include in the state ballot pamphlet a statement from a candidate who has not voluntarily agreed to the expenditure limitations set forth in Section 85400.

(c) A candidate for State Senate or Assembly who accepts the voluntary expenditure limits set forth in Section 85400 may purchase the space to place a statement in the voter information portion of the sample ballot that does not exceed 250 words. The statement may not make any reference to any opponent of the candidate. The statement shall be submitted in accordance with the timeframes and procedures set forth in the Elections Code for the preparation of the voter information portion of the sample ballot.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Candidate Access to Local Sample Ballot Materials"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

§ 85602. Notification to Voters. [Repealed]

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Article 7. Additional Contribution Requirements. § 85700-85706

§ 85700. Donor Information Requirements; Return of Contributions.
§ 85701. Laundered Contributions.
§ 85702. Contributions from Lobbyists.
§ 85703. Local Jurisdictions.
§ 85704. Prohibition on Earmarking.
§ 85705. Contributions from Governmental Employees. [Repealed]
§ 85706. Local Jurisdictions. [Repealed]

§ 85700. Donor Information Requirements; Return of Contributions.

(a) A candidate or committee shall return not later than 60 days of receipt by the candidate or committee any contribution of one hundred dollars ($100) or more for which the candidate or committee does not have on file in the records of the candidate or committee the name, address, occupation, and employer of the contributor.

(b) A candidate or committee may return a contribution pursuant to subdivision (a) after the date that the candidate or committee has reported the contribution under any provision of this title.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Disclosure of Occupation and Employer"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18570

Opinions: In re Pelham (2001) 15 FPPC Ops. 1

§ 85701. Laundered Contributions.

Any candidate or committee that receives a contribution in violation of Section 84301 shall pay to the General Fund of the state the amount of the contribution.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Receipt of Laundered Contributions"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Opinions: In re Pelham (2001) 15 FPPC Ops. 1

§ 85702. Contributions from Lobbyists.

An elected state officer or candidate for elected state office may not accept a contribution from a lobbyist, and a lobbyist may not make a contribution to an elected state officer or candidate for elected state office, if that lobbyist is registered to lobby the governmental agency for which the candidate is seeking election or the governmental agency of the elected state officer.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Bundling of Contributions"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18572

§ 85703. Local Jurisdictions.

(a) Nothing in this act shall nullify contribution limitations or prohibitions of any local jurisdiction

that apply to elections for local elective office, except that these limitations and prohibitions may not conflict with Section 85312. However, a local jurisdiction shall not impose any contribution limitations or prohibitions on an elected member of, or a candidate for election to, a county central committee of a qualified political party, or on a committee primarily formed to support or oppose a person seeking election to a county central committee of a qualified political party.

(b) Limitations and prohibitions imposed by a local jurisdiction on payments for a member communication, as defined in subdivision (c), that conflict with Section 85312 and which are thereby prohibited by subdivision (a) include, but are not limited to, any of the following:

(1) Source restrictions on payments for member communications that are not expressly made applicable to member communications by a state statute or by a regulation adopted by the Commission pursuant to Section 83112.

(2) Limitations on payments to a political party committee for a member communication that are not expressly made applicable to member communications by a state statute or by a regulation adopted by the Commission pursuant to Section 83112.

(3) Limitations on the scope of payments considered directly related to the making of a member communication, including costs associated with the formulation, design, production, and distribution of the communication such as surveys, list acquisition, and consulting fees that are not expressly made applicable to member communications by a state statute or by a regulation adopted by the Commission pursuant to Section 83112.

(c) For purposes of this section, "member communication" means a communication, within the meaning of Section 85312, to members, employees, shareholders, or families of members, employees, or shareholders of an organization, including a communication by a political party to a member who is registered as expressing a preference for that party on his or her affidavit of registration pursuant to Sections 2150, 2151, and 2152 of the Elections Code.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Earmarking of Contributions Prohibited"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2007, Ch. 708; amended by Stats. 2012, Ch. 3, effective February 10, 2012; amended by Stats. 2012, Ch. 502.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.7

§ 85704. Prohibition on Earmarking.

A person may not make any contribution to a committee on the condition or with the agreement that it will be contributed to any particular candidate unless the contribution is fully disclosed pursuant to Section 84302.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Contributions from Lobbyists"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85705. Contributions from Governmental Employees. [Repealed]

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85706. Local Jurisdictions. [Repealed]

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Article 8. Appropriation. § 85802

§ 85802. Appropriation to the Fair Political Practices Commission.

§ 85802. Appropriation to the Fair Political Practices Commission.

There is hereby appropriated from the General Fund of the state to the Fair Political Practices Commission the sum of five hundred thousand dollars ($500,000) annually above and beyond the appropriations established for the Commission in the fiscal year immediately prior to the effective date of this act, adjusted for cost-of-living changes, for expenditures to support the operations of the Commission pursuant to this act. If any provision of this act is successfully challenged, any attorney's fees and costs shall be paid from the General Fund and the Commission's budget shall not be reduced accordingly.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

Chapter 6. Lobbyists. § 86100-86300

Article 1. Registration and Reporting. § 86100 - 86118
2. Prohibitions. § 86200 - 86206
3. Exemptions. § 86300

Article 1. Registration and Reporting. § 86100-86118

§ 86100. Registration.
§ 86101. Registration; Time.

§ 86102. Registration Fees.
§ 86103. Lobbyist Certification; Requirements.
§ 86104. Lobbying Firm; Registration Requirements.
§ 86105. Lobbyist Employer; Registration Requirements.
§ 86106. Renewal of Registration.
§ 86107. Registration Statement; Amendment; Termination.
§ 86108. Registration Statement; Publication.
§ 86109. Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers.
§ 86109.5. Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers; Online Version.
§ 86110. Recordkeeping.
§ 86111. Activity Expense; Agency Official.
§ 86112. Activity Expenses; Reporting.
§ 86112.3. Invitations.
§ 86112.5. Notification to Beneficiary of a Gift.
§ 86113. Periodic Reports; Lobbyists; Contents.
§ 86114. Periodic Reports; Lobbying Firms; Contents.
§ 86115. Periodic Reports; Employers and Others.
§ 86116. Periodic Reports; Employers and Others; Contents.
§ 86116.5. Periodic Reports; State and Local Government Agencies.
§ 86117. Periodic Reports; Filing; Time.
§ 86118. Periodic Reports; Where to File.

§ 86100. Registration.

(a) Individual lobbyists shall prepare lobbyist certifications pursuant to Section 86103 for filing with the Secretary of State as part of the registration of the lobbying firm in which the lobbyist is a partner, owner, officer, or employee or as part of the registration of the lobbyist employer by which the lobbyist is employed.

(b) Lobbying firms shall register with the Secretary of State.

(c) Lobbyist employers as defined in subdivision (a) of Section 82039.5 shall register with the Secretary of State.

(d) Lobbyist employers as defined in subdivision (b) of Section 82039.5 and persons described in subdivision (b) of Section 86115 are not required to register with the Secretary of State but shall file statements pursuant to this article.

(e) A registration statement shall be filed both by online or electronic means and physically, submitting the original statement and one copy, in paper format.

History: Amended by Stats. 1983, Chapter 209; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Registration with Secretary of State.") Amended by Stats 2010, Ch. 18.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18249
2 Cal. Code of Regs. Section 18601

§ 86101. Registration; Time.

Every lobbying firm and lobbyist employer who is required to file a registration statement under this chapter shall register with the Secretary of State no later than 10 days after qualifying as a lobbying firm or lobbyist employer.

History: Repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Requirement of Registration.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18601

§ 86102. Registration Fees.

(a) The Secretary of State shall charge each lobbying firm and lobbyist employer required to file a registration statement under this chapter a fee of fifty dollars ($50) per year for each lobbyist required to be listed on its registration statement.

(b) One-half of the moneys collected pursuant to this section shall be deposited in the Political Disclosure, Accountability, Transparency, and Access Fund, and the other one-half of the moneys shall be deposited in the General Fund.

History: Repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985 (Formerly titled "Renewal of Registration."); amended by Stats. 2012, Ch. 506.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18601

§ 86103. Lobbyist Certification; Requirements.

A lobbyist certification shall include all of the following:

(a) A recent photograph of the lobbyist, the size of which shall be prescribed by the Secretary of State.

(b) The full name, business address, and telephone number of the lobbyist.

(c) A statement that the lobbyist has read and understands the prohibitions contained in Sections 86203 and 86205.

(d) (1) In the case of a lobbyist who filed a completed lobbyist certification in connection with the last regular session of the Legislature, a statement

that the lobbyist has completed, within the previous 12 months or will complete no later than June 30 of the following year, the course described in subdivision (b) of Section 8956. If the lobbyist certification states that the lobbyist will complete the course no later than June 30 of the following year, the certification shall be accepted on a conditional basis. Thereafter, if the lobbyist completes the course no later than June 30 of the following year, the lobbyist shall file a new lobbyist certification with the Secretary of State which shall replace the conditional lobbyist certification previously filed. If the lobbyist certification states that the lobbyist will complete the course no later than June 30 of the following year and the lobbyist fails to do so, the conditional lobbyist certification shall be void and the individual shall not act as a lobbyist pursuant to this title until he or she has completed the course and filed with the Secretary of State a lobbyist certification stating that he or she has completed the course and the date of completion. It shall be a violation of this section for any individual to act as a lobbyist pursuant to this title once his or her conditional certification is void.

(2) If, in the case of a new lobbyist certification, the lobbyist has not completed the course within the previous 12 months, the lobbyist certification shall include a statement that the lobbyist will complete a scheduled course within 12 months, and the lobbyist certification shall be accepted on a conditional basis. Following the lobbyist's completion of the ethics course, the lobbyist shall file a new lobbyist certification with the Secretary of State which shall replace the conditional lobbyist certification previously filed. If the new lobbyist certification states that the lobbyist will complete the course within 12 months and the lobbyist fails to do so, the conditional lobbyist certification shall be void and the individual shall not act as a lobbyist pursuant to this title until he or she has completed the course and filed with the Secretary of State a lobbyist certification stating he or she has completed the course and the date of completion. It shall be a violation of this section for any individual to act as a lobbyist pursuant to this title once his or her conditional certification is void.

(e) Any other information required by the Commission consistent with the purposes and provisions of this chapter.

History: Amended by Stats. 1984, Ch. 161; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Registration Statement; Amendment; Termination"); amended by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 391; amended by Stats. 1995, Ch. 346; amended by Stats. 1997, Ch. 574.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18601
2 Cal. Code of Regs. Section 18603.1

Opinions: In re Evans (1978) 4 FPPC Ops. 54

§ 86104. Lobbying Firm; Registration Requirements.

The registration of a lobbying firm shall include:

(a) The full name, business address, and telephone number of the lobbying firm.

(b) A list of the lobbyists who are partners, owners, officers, or employees of the lobbying firm.

(c) The lobbyist certification of each lobbyist in the lobbying firm.

(d) For each person with whom the lobbying firm contracts to provide the following lobbying services.

(1) The full name, business address, and telephone number of the person.

(2) A written authorization signed by the person.

(3) The time period of the contract.

(4) Information sufficient to identify the nature and interests of the person including:

(A) If the person is an individual, the name and address of his or her employer, if any, or his or her principal place of business if the person is self-employed, and a description of the business activity in which the person or his or her employer is engaged.

(B) If the person is a business entity, a description of the business activity in which it is engaged.

(C) If the person is an industry, trade, or professional association, a description of the industry, trade, or profession which it represents including a specific description of any portion or faction of the industry, trade, or profession which the association exclusively or primarily represents and, if the association has not more than 50 members, the names of the members.

(D) If the person is not an individual, business entity, or industry, trade, or professional association, a statement of the person's nature and purposes, including a description of any industry, trade, profession, or other group with a common economic interest which the person principally represents or from which its membership or financial support is principally derived.

(5) The lobbying interests of the person.

(6) A list of the state agencies whose legislative or administrative actions the lobbying firm will attempt to influence for the person.

(e) The name and title of a partner, owner, or officer of the lobbying firm who is responsible for filing statements and reports and keeping records required by this chapter on behalf of the lobbying firm, and a statement signed by the designated responsible person that he or she has read and understands the prohibitions contained in Sections 86203 and 86205.

(f) Any other information required by the Commission consistent with the purposes and provisions of this chapter.

History: Amended by Stats. 1976, Ch. 415, effective July 10, 1976; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Registration Statement; Publication."); amended by Stats. 1986, Ch. 905; amended by Stats. 1987, Ch. 459.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18601

§ 86105. Lobbyist Employer; Registration Requirements.

The registration of a lobbyist employer shall include:

(a) The full name, business address, and telephone number of the lobbyist employer.

(b) A list of the lobbyists who are employed by the lobbyist employer.

(c) The lobbyist certification of each lobbyist employed by the lobbyist employer.

(d) Information sufficient to identify the nature and interests of the filer, including:

(1) If the filer is an individual, the name and address of the filer's employer, if any, or his or her principal place of business if the filer is self-employed, and a description of the business activity in which the filer or his or her employer is engaged.

(2) If the filer is a business entity, a description of the business activity in which it is engaged.

(3) If the filer is an industry, trade, or professional association, a description of the industry, trade, or profession which it represents including a specific description of any portion or faction of the industry, trade, or profession which the association exclusively or primarily represents and, if the association has not more than 50 members, the names of the members.

(4) If the filer is not an individual, business entity, or industry, trade, or professional association, a statement of the person's nature and purposes, including a description of any industry, trade, profession, or other group with a common economic interest which the person principally represents or from which its membership or financial support is principally derived.

(e) The lobbying interests of the lobbyist employer, and a list of the state agencies whose legislative or administrative actions the lobbyist employer will attempt to influence.

(f) Any other information required by the Commission consistent with the purposes and provisions of this chapter.

History: Amended by Stats. 1979, Ch. 592; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Accounts; Designation by Name; Deposits."); amended by Stats. 1987, Ch. 459.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117

§ 86106. Renewal of Registration.

Each registered lobbying firm and lobbyist employer which will be conducting activities which require registration shall renew its registration by filing photographs of its lobbyists, authorizations, and a registration statement between November 1 and December 31, of each even-numbered year. Each lobbyist shall renew his or her lobbyist certification in connection with the renewal of registration by the lobbyist's lobbying firm or employer.

History: Repealed by Stats. 1979, Ch. 592; (Formerly titled "Accounts; Payment of Expenses; Petty Cash"); added by Stats, 1985, Ch. 1183 effective September 29, 1985; amended by Stats. 1987, Ch. 936; amended by Stats. 1997, Ch. 574.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18603
2 Cal. Code of Regs. Section 18603.1

§ 86107. Registration Statement; Amendment; Termination.

(a) If any change occurs in any of the information contained in a registration statement, an appropriate amendment shall be filed both by online or electronic means and physically, submitting the original and one copy of the amendment, in paper format, with the Secretary of State within 20 days after the change. However, if the change includes the name of a person by whom a lobbying firm is retained, the registration statement of the lobbying firm shall be amended and filed to show that change prior to the lobbying firm's attempting to influence any legislative or administrative action on behalf of that person. Lobbying firms and lobbyist employers that, during a regular session of the Legislature, cease all activity that required registration shall file a notice of termination within 20 days after the cessation. Lobbying firms and lobbyist employers that, at the close of a regular session of the Legislature, cease all activity that required

registration are not required to file a notice of termination.

(b) If any change occurs in any of the information contained in a lobbyist certification or if a lobbyist terminates all activity that required the certification, the lobbyist shall submit an amended certification or notice of termination to his or her lobbying firm or lobbyist employer for filing with the Secretary of State within the time limits specified in subdivision (a). A lobbyist who, at the close of a regular session of the Legislature, ceases all activity that required certification is not required to file a notice of termination.

(c) Lobbyists and lobbying firms are subject to Section 86203 for the earlier of six months after filing a notice of termination or six months after the close of a regular session of the Legislature at the close of which the lobbyist or lobbying firm ceased all activity that required certification or registration.

History: Amended by Stats. 1979, Ch. 592; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Contents of Periodic Reports."); amended by Stats. 1986, Ch. 905; amended by Stats. 1987, Ch. 936; amended by Stats. 2010, Ch. 18.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18601
2 Cal. Code of Regs. Section 18603

§ 86108. Registration Statement; Publication.

All information listed on any registration statement and on any amendment, renewal, or notice of termination shall be printed by the Secretary of State and made public within 30 days after filing.

History: Amended by Stats. 1979, Ch. 592; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Periodic Reports; Employers and Others.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117

§ 86109. Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers.

Within 140 days after the commencement of each regular session of the Legislature, the Secretary of State shall publish a directory of registered individual lobbyists, lobbying firms, and lobbyist employers. The Secretary of State shall publish, from time to time, such supplements to the directory as may be necessary.

History: Amended by Stats. 1984, Ch. 161; repealed and reenacted as amended by Stats, 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Periodic Reports; Employers and Others; Contents."); amended by Stats. 1991, Ch. 391.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117

§ 86109.5. Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers; Online Version.

(a) The Secretary of State shall establish and maintain on the Internet an online version of the Directory of Lobbyist, Lobbying Firms, and Lobbying Employers. The Secretary of State shall update the directory weekly.

(b) The Secretary of State shall also display on the Internet a list of the specific changes made to the Directory of Lobbyist, Lobbying Firms, and Lobbying Employers, including new registrations and listings, additions, deletions, and other revisions, during the seven days preceding the update required by subdivision (a).

(c) This section may not be implemented until July 1, 2001, unless otherwise authorized by the Department of Information Technology pursuant to Executive Order D-3-99.

(d) Notwithstanding any other provision of this title, the lobbying data made available on the Internet shall include the street name and building number of the persons or entity representatives listed on all the documents submitted to the Secretary of State pursuant to Chapter 6 (commencing with Section 86100).

History: Added by Stats. 1999, Ch. 855.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117

§ 86110. Recordkeeping.

Lobbyists, lobbying firms, and lobbyist employers which receive payments, make payments or incur expenses or expect to receive payments, make payments or incur expenses in connection with activities which are reportable pursuant to this chapter shall keep detailed accounts, records, bills, and receipts as shall be required by regulations adopted by the Commission to expedite the performance of all obligations imposed by this chapter.

History: Amended by Stats. 1979, Ch. 592; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Periodic Reports; Filing; Time.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18610
2 Cal. Code of Regs. Section 18612
2 Cal. Code of Regs. Section 18615

§ 86111. Activity Expense; Agency Official.

(a) "Activity expense" as used in this chapter means any expense incurred or payment made by a lobbyist, lobbying firm, lobbyist employer or a person described in subdivision (b) of Section 86115, or arranged by a lobbyist or lobbying firm,

which benefits in whole or in part any elective state official, legislative official, agency official, state candidate, or a member of the immediate family of one of these individuals. Activity expenses include gifts, honoraria, consulting fees, salaries, and any other form of compensation but do not include campaign contributions.

(b) "Agency official" as used in this chapter means any official of a state agency whose administrative actions the lobbyist, lobbying firm, lobbyist employer, or person described in subdivision (b) of Section 86115 has attempted or is attempting to influence.

History: Added by Stats. 1979, Ch. 592; amended by Stats. 1976, Ch. 415, effective July 10, 1976, repealed former Section 86111 titled "Periodic Reports; Publication"; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Lobbying Reports and Statements; Where to File.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18950

§ 86112. Activity Expenses; Reporting.

When a person is required to report activity expenses pursuant to this article, the following information shall be provided:

(a) The date and amount of each activity expense.

(b) The full name and official position, if any, of the beneficiary of each expense, a description of the benefit, and the amount of benefit.

(c) The full name of the payee of each expense if other than the beneficiary.

(d) Any other information required by the Commission consistent with the purposes and provisions of this chapter.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18611
2 Cal. Code of Regs. Section 18613
2 Cal. Code of Regs. Section 18640

§ 86112.3. Invitations.

(a) Each person filing a report pursuant to this article who sends any written or printed invitation to an elected state officer, candidate for elective state office, legislative official or agency official, shall include on the invitation or on a letter attached to the invitation the following typed, printed, or handwritten statement that is at least as large and readable as 8-point Roman boldface type, in a color or print that contrasts with the background so as to be easily legible: Attendance at this event by a public official will constitute acceptance of a reportable gift.

(b) The notice specified in subdivision (a) shall not be required to appear on any invitation wherein attendance at the event described in the invitation will not constitute acceptance of a reportable gift by an elected state officer, candidate for elective state office, legislative official or agency official, pursuant to paragraph (1) of subdivision (a) of Section 87207.

(c) The remedies provided in Chapter 3 (commencing with Section 83100) constitute the exclusive penalty for a violation of this section. The remedies provided in Chapter 11 (commencing with Section 91000) do not apply to this section.

History: Added by Stats. 1993, Ch. 1140.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117

§ 86112.5. Notification to Beneficiary of a Gift.

(a) Each person filing a report pursuant to this article shall provide each beneficiary of a gift listed within the report the following information:

(1) The date and amount of each gift reportable by the beneficiary.

(2) A description of the goods or services provided to the beneficiary.

(b) The information required to be disclosed pursuant to subdivision (a) shall be provided to the beneficiary within 30 days following the end of each calendar quarter in which the gift was provided. For the purposes of meeting the disclosure requirements of this section, a lobbyist firm or lobbyist employer may provide the beneficiary a copy of the activity expense section of the report submitted to the Secretary of State pursuant to this article.

(c) The remedies provided in Chapter 3 (commencing with Section 83100) constitute the exclusive penalty for a violation of this section. The remedies provided in Chapter 11 (commencing with Section 91000) do not apply to this section.

History: Added by Stats. 1991, Ch. 322.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18640

§ 86113. Periodic Reports; Lobbyists; Contents.

(a) A lobbyist shall complete and verify a periodic report which contains:

(1) A report of all activity expenses by the lobbyist during the reporting period; and

(2) A report of all contributions of one hundred dollars ($100) or more made or delivered by the

lobbyist to any elected state officer or state candidate during the reporting period.

(b) A lobbyist shall provide the original of his or her periodic report to his or her lobbyist employer or lobbying firm within two weeks following the end of each calendar quarter.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18611
2 Cal. Code of Regs. Section 18942

Opinions: In re Nida (1976) 2 FPPC Ops 1
In re Atlantic-Richfield Co. (1975) 1 FPPC Ops. 147
In re Witt (1975) 1 FPPC Ops. 145
In re Horn (1975) 1 FPPC Ops. 126

In re Morrissey (1975) 1 FPPC Ops. 104
In re Spellman (1975) 1 FPPC Ops. 16

§ 86114. Periodic Reports; Lobbying Firms; Contents.

(a) Lobbying firms shall file periodic reports containing all of the following:

(1) The full name, address, and telephone number of the lobbying firm.

(2) The full name, business address, and telephone number of each person who contracted with the lobbying firm for lobbying services, a description of the specific lobbying interests of the person, and the total payments, including fees and the reimbursement of expenses, received from the person for lobbying services during the reporting period.

(3) The total amount of payments received for lobbying services during the period.

(4) A periodic report completed and verified by each lobbyist in the lobbying firm pursuant to Section 86113.

(5) Each activity expense incurred by the lobbying firm including those reimbursed by a person who contracts with the lobbying firm for lobbying services. A total of all activity expenses of the lobbying firm and all of its lobbyists shall be included.

(6) If the lobbying firm subcontracts with another lobbying firm for lobbying services:

(A) The full name, address, and telephone number of the subcontractor.

(B) The name of the person for whom the subcontractor was retained to lobby.

(C) The total amount of all payments made to the subcontractor.

(7) The date, amount, and the name of the recipient of any contribution of one hundred dollars ($100) or more made by the filer to an elected state officer, a state candidate, a committee controlled by an elected state officer or state candidate, or a committee primarily formed to support such officers or candidates. If this contribution is reported by the lobbying firm or by a committee sponsored by the lobbying firm in a campaign statement filed pursuant to Chapter 4 which is required to be filed with the Secretary of State, the filer may report only the name of the committee and the identification number of the committee.

(8) Any other information required by the Commission consistent with the purposes and provisions of this chapter.

(b) In addition to the information required by subdivision (a), lobbying firms which qualify pursuant to paragraph (2) of subdivision (a) of Section 82038.5 shall also report the name and title of each partner, owner, officer, and employee of the lobbying firm who, on at least five separate occasions during the reporting period, engaged in direct communication with any elective state official, legislative official, or agency official, for the purpose of influencing legislative or administrative action on behalf of a person who contracts with the lobbying firm for lobbying services. This does not include individuals whose actions were purely clerical.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985; amended by Stats. 1986, Ch. 905.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18613
2 Cal. Code of Regs. Section 18614
2 Cal. Code of Regs. Section 18616.4

§ 86115. Periodic Reports; Employers and Others.

Subject to the exceptions in Section 86300, the following persons shall file the statements required by Section 86116:

(a) Any lobbyist employer; and

(b) Any person who directly or indirectly makes payments to influence legislative or administrative action of five thousand dollars ($5,000) or more in value in any calendar quarter, unless all of the payments are of the type described in subdivision (c) of Section 82045.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18616
2 Cal. Code of Regs. Section 18616.4

Opinions: In re Kovall (1978) 4 FPPC Ops. 95
In re Evans (1978) 4 FPPC Ops. 54
In re Sloan (1976) 2 FPPC Ops. 105
In re Gillies (1975) 1 FPPC Ops. 165

In re Stern (1975) 1 FPPC Ops. 59
In re Witt (1975) 1 FPPC Ops. 1

§ 86116. Periodic Reports; Employers and Others; Contents.

Every person described in Section 86115 shall file periodic reports containing the following information:

(a) The name, business address, and telephone number of the lobbyist employer or other person filing the report.

(b) The total amount of payments to each lobbying firm.

(c) The total amount of all payments to lobbyists employed by the filer.

(d) A description of the specific lobbying interests of the filer.

(e) A periodic report completed and verified by each lobbyist employed by a lobbyist employer pursuant to Section 86113.

(f) Each activity expense of the filer. A total of all activity expenses of the filer shall be included.

(g) The date, amount, and the name of the recipient of any contribution of one hundred dollars ($100) or more made by the filer to an elected state officer, a state candidate, or a committee controlled by an elected state officer or state candidate, or a committee primarily formed to support the officer or candidate. If this contribution is reported by the filer or by a committee sponsored by the filer in a campaign statement filed pursuant to Chapter 4 which is required to be filed with the Secretary of State, the filer may report only the name of the committee, and the identification number of the committee.

(h) (1) Except as set forth in paragraph (2), the total of all other payments to influence legislative or administrative action including overhead expenses and all payments to employees who spend 10 percent or more of their compensated time in any one month in activities related to influencing legislative or administrative action.

(2) A filer that makes payments to influence a ratemaking or quasi-legislative proceeding before the Public Utilities Commission, as defined in subdivision (b) or (c), respectively, of Section 82002, may, in lieu of reporting those payments pursuant to paragraph (1), report only the portion of those payments made to or for the filer's attorneys for time spent appearing as counsel and preparing to appear as counsel, or to or for the filer's witnesses for time spent testifying and preparing to testify, in this type of Public Utilities Commission proceeding. This alternative reporting of these payments made during a calendar month is not required to include payments made to an attorney or witness who is an employee of the filer if less than 10 percent of his or her compensated time in that month was spent in appearing, testifying, or preparing to appear or testify before the Public Utilities Commission in a ratemaking or quasi-legislative proceeding. For the purposes of this paragraph, time spent preparing to appear or preparing to testify does not include time spent preparing written testimony.

(i) Any other information required by the commission consistent with the purposes and provisions of this chapter.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985; amended by Stats. 1986, Ch. 905; amended by Stats. 1987, Ch. 459; amended by Stats. 2001, Ch. 921.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18614
2 Cal. Code of Regs. Section 18616
2 Cal. Code of Regs. Section 18616.4

Opinions: In re Evans (1978) 4 FPPC Ops. 54
In re Herr (1977) 3 FPPC Ops. 11
In re Sloan (1976) 2 FPPC Ops. 105
In re Nida (1976) 2 FPPC Ops. 1
In re Grunsky (1975) 1 FPPC Ops. 158
In re Atlantic-Richfield Co. (1975) 1 FPPC Ops. 147
In re Witt (1975) 1 FPPC Ops. 145
In re Morrissey (1975) 1 FPPC Ops. 130
In re Carothers (1975) 1 FPPC Ops. 122
In re Wallace (1975) 1 FPPC Ops. 118
In re Gillies (1975) 1 FPPC Ops. 110
In re League of California Milk Producers (1975) 1 FPPC Ops. 13
In re Witt (1975) 1 FPPC Ops. 1

§ 86116.5. Periodic Reports; State and Local Government Agencies.

(a) In addition to the information required pursuant to Section 86116, all state and local agencies that file reports pursuant to Sections 86115 and 86116 shall disclose, except for overhead expenses, all payments of two hundred fifty dollars ($250) or more made in a reporting period, including, but not limited to, all of the following:

(1) Goods and services used by a lobbyist or used to support or assist a lobbyist in connection with his or her activities as a lobbyist.

(2) Payments of any other expenses which would not have been incurred but for the filer's activities to influence or attempt to influence legislative or administrative action.

(3) Dues or similar payments made to any organization, including a federation, confederation, or trade, labor, or membership organization, that makes expenditures equal to 10 percent of its total

expenditures, or fifteen thousand dollars ($15,000), or more, during any calendar quarter, to influence legislative or administrative action.

(b) Reports required pursuant to this section may be disclosed on a separate schedule and shall include all of the following information:

(1) The name and address of the payee.

(2) The total payments made during the reporting period.

(3) The cumulative amount paid during the calendar year.

(c) All statements required by this section shall be filed as specified by Sections 86117 and 86118.

History: Added by Stats. 1992, Ch. 214.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18616

§ 86117. Periodic Reports; Filing; Time.

(a) Reports required by Sections 86114 and 86116 shall be filed during the month following each calendar quarter. The period covered shall be from the first day of January of each new biennial legislative session through the last day of the calendar quarter prior to the month during which the report is filed, except as specified in subdivision (b), and except that the period covered shall not include any information reported in previous reports filed by the same person. When total amounts are required to be reported, totals shall be stated both for the period covered by the statement and for the entire legislative session to date.

(b) The period covered by the first report a person is required to file pursuant to Sections 86114 and 86116 shall begin with the first day of the calendar quarter in which the filer first registered or qualified. On the first report a person is required to file, the total amount shall be stated for the entire calendar quarter covered by the first report.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985; amended by Stats. 1994, Ch. 1139.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18617

§ 86118. Periodic Reports; Where to File.

The original and one copy of each report required by Sections 86114 and 86116 shall be filed with the Secretary of State, unless filing in paper format is no longer required by Sections 84605 and 84606.

History: Added by Stats. 1986, Ch. 905; amended by Stats. 2010, Ch. 18.

Article 2. Prohibitions. § 86200 - 86206

§ 86200. Contribution. [Repealed]
§ 86201. Gift.
§ 86202. Unlawful Contribution. [Repealed]
§ 86203. Unlawful Gifts.
§ 86204. Receipt of Unlawful Gift.
§ 86205. Acts Prohibited.
§ 86206. Placement Agent Fees.

§ 86200. Contribution. [Repealed]

History: Repealed by Stats. 1984, Ch. 161.

§ 86201. Gift.

"Gift" as used in this article means a gift made directly or indirectly to any state candidate, elected state officer, or legislative official, or to an agency official of any agency required to be listed on the registration statement of the lobbying firm or the lobbyist employer of the lobbyist.

History: Amended by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18624
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18946.2

Opinions: In re Goddard (1978) 4 FPPC Ops. 1
In re Olson (1975) 1 FPPC Ops. 107
In re Smithers (1975) 1 FPPC Ops. 42

§ 86202. Unlawful Contribution. [Repealed]

History: Repealed by Stats. 1984, Ch. 161.

§ 86203. Unlawful Gifts.

It shall be unlawful for a lobbyist, or lobbying firm, to make gifts to one person aggregating more than ten dollars ($10) in a calendar month, or to act as an agent or intermediary in the making of any gift, or to arrange for the making of any gift by any other person.

History: Amended by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18624
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18946.2

Opinions: In re Institute for Governmental Advocates (1982) 7 FPPC Ops. 1
In re Goddard (1978) 4 FPPC Ops. 1
In re Reinhardt (1977) 3 FPPC Ops. 83
In re Zenz (1975) 1 FPPC Ops. 195
In re Horn (1975) 1 FPPC Ops. 126
In re Olson (1975) 1 FPPC Ops. 107
In re Gilchrist (1975) 1 FPPC Ops. 82
In re Smithers (1975) 1 FPPC Ops. 42
In re Blenkle (1975) 1 FPPC Ops. 37

§ 86204. Receipt of Unlawful Gift.

It shall be unlawful for any person knowingly to receive any gift which is made unlawful by Section 86203.

History: Amended by Stats. 1984, Ch. 161.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18941

§ 86205. Acts Prohibited.

No lobbyist or lobbying firm shall:

(a) Do anything with the purpose of placing any elected state officer, legislative official, agency official, or state candidate under personal obligation to the lobbyist, the lobbying firm, or the lobbyist's or the firm's employer.

(b) Deceive or attempt to deceive any elected state officer, legislative official, agency official, or state candidate with regard to any material fact pertinent to any pending or proposed legislative or administrative action.

(c) Cause or influence the introduction of any bill or amendment thereto for the purpose of thereafter being employed to secure its passage or defeat.

(d) Attempt to create a fictitious appearance of public favor or disfavor of any proposed legislative or administrative action or to cause any communication to be sent to any elected state officer, legislative official, agency official, or state candidate in the name of any fictitious person or in the name of any real person, except with the consent of such real person.

(e) Represent falsely, either directly or indirectly, that the lobbyist or the lobbying firm can control the official action of any elected state officer, legislative official, or agency official.

(f) Accept or agree to accept any payment in any way contingent upon the defeat, enactment, or outcome of any proposed legislative or administrative action.

History: Amended by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18625

Opinions: In re Reinhardt (1977) 3 FPPC Ops. 83

§ 86206. Placement Agent Fees.

Nothing in this article prohibits the payment of fees for contractual services provided to an investment manager by a placement agent, as defined in Section 82047.3, who is registered with the Securities and Exchange Commission and regulated by the Financial Industry Regulatory Authority, except as provided in subdivision (f) of Section 86205.

History: Added by Stats. 2010, Ch. 668

Article 3. Exemptions.
§ 86300

§ 86300. Exemptions.

The provisions of this chapter are not applicable to:

(a) Any elected public official acting in his official capacity, or any employee of the State of California acting within the scope of his employment; provided that, an employee of the State of California, other than a legislative official, who attempts to influence legislative action and who would be required to register as a lobbyist except for the provisions of this subdivision shall not make gifts of more than ten dollars ($10) in a calendar month to an elected state officer or legislative official.

(b) Any newspaper or other periodical of general circulation, book publisher, radio or television station (including any individual who owns, publishes, or is employed by any such newspaper or periodical, radio or television station) which in the ordinary course of business publishes news items, editorials, or other comments, or paid advertisement, which directly or indirectly urge legislative or administrative action if such newspaper, periodical, book publisher, radio or television station or individual, engages in no further or other activities in connection with urging legislative or administrative action other than to appear before a committee of the Legislature or before a state agency in support of or in opposition to such action; or

(c) A person when representing a bona fide church or religious society solely for the purpose of protecting the public right to practice the doctrines of such church.

History: Amended by Stats. 1975, Ch. 1079.

References at the time of publication (see page 3):

Opinions: In re Herr (1977) 3 FPPC Ops. 11
In re Morgan (1975) 1 FPPC Ops. 177

Chapter 7. Conflicts of Interests.
§ 87100-87500

Article 1. General Prohibitions. § 87100 - 87105
2. Disclosure. § 87200 - 87210
3. Conflict of Interest Codes. § 87300 - 87314
3.5. Multiagency Filers. § 87350
4. Disqualification of Former Officers and Employees. § 87400 - 87410
4.5. Disqualification of State Officers and Employees. § 87450

4.6. Loans to Public Officials. § 87460-87462
5. Filing. § 87500 – 87505

Article 1. General Prohibitions. § 87100-87105

§ 87100. Public Officials; State and Local.
§ 87100.1. Professional Engineers and Surveyors as Consultants.
§ 87101. Legally Required Participation in Governmental Decision.
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§ 87100. Public Officials; State and Local.

No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18700
2 Cal. Code of Regs. Section 18700.2
2 Cal. Code of Regs. Section 18700.3
2 Cal. Code of Regs. Section 18701
2 Cal. Code of Regs. Section 18701.1
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18702.2
2 Cal. Code of Regs. Section 18702.3
2 Cal. Code of Regs. Section 18702.4
2 Cal. Code of Regs. Section 18702.5
2 Cal. Code of Regs. Section 18703
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18705.1
2 Cal. Code of Regs. Section 18705.2
2 Cal. Code of Regs. Section 18706
2 Cal. Code of Regs. Section 18707
2 Cal. Code of Regs. Section 18730.1
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18941
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18950.1

Opinions: In re Hanko (2002) 16 FPPC Ops. 1
In re Galligan (2000) 14 FPPC Ops. 1

§ 87100.1. Professional Engineers and Surveyors as Consultants.

(a) A registered professional engineer or licensed land surveyor who renders professional services as a consultant to a state or local government, either directly or through a firm in which he or she is employed or is a principal, does not have a financial interest in a governmental decision pursuant to Section 87100 where the consultant renders professional engineering or land surveying services independently of the control and direction of the public agency and does not exercise public agency decisionmaking authority as a contract city or county engineer or surveyor.

(b) For purposes of this section, the consultant renders professional engineering or land surveying services independently of the control and direction of the public agency when the consultant is in responsible charge of the work pursuant to Section 6703 or 8703 of the Business and Professions Code.

(c) Subdivision (a) does not apply to that portion of the work that constitutes the recommendation of the actual formula to spread the costs of an assessment district's improvements if both of the following apply:

(1) The engineer has received income of two hundred fifty dollars ($250) or more for professional services in connection with any parcel included in the benefit assessment district within 12 months prior to the creation of the district.

(2) The district includes other parcels in addition to those parcels for which the engineer received the income.

The recommendation of the actual formula does not include preliminary site studies, preliminary engineering, plans, specifications, estimates, compliance with environmental laws and regulations, or the collection of data and information, utilized in applying the formula.

History: Added by Stats. 1991, Ch. 887.

§ 87101. Legally Required Participation in Governmental Decision.

Section 87100 does not prevent any public official from making or participating in the making of a governmental decision to the extent his participation is legally required for the action or decision to be made. The fact that an official's vote is needed to break a tie does not make his

participation legally required for purposes of this section.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18702
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18707
2 Cal. Code of Regs. Section 18708

Opinions: In re Tobias (1999) 5 FPPC Ops. 5
In re Brown (1978) 4 FPPC Ops. 19
In re Hudson (1978) 4 FPPC Ops. 13
In re Hopkins (1977) 3 FPPC Ops. 107
In re Maloney (1977) 3 FPPC Ops. 69

§ 87102. Applicability of Enforcement Provisions; Additional Requirements.

The requirements of Section 87100 are in addition to the requirements of Articles 2 (commencing with Section 87200) and 3 (commencing with Section 87300) and any Conflict of Interest Code adopted thereunder. Except as provided in Section 87102.5, the remedies provided in Chapters 3 (commencing with Section 83100) and 11 (commencing with Section 91000) shall not be applicable to elected state officers for violations or threatened violations of this article.

History: Amended by Stats. 1980, Ch. 1029; amended by Stats. 1990, Ch. 84.

§ 87102.5. Legislature; Use of Position to Influence Decisions.

(a) The remedies provided in Chapter 3 (commencing with Section 83100) shall apply to any Member of the Legislature who makes, participates in making, or in any way attempts to use his or her official position to influence any of the following governmental decisions in which he or she knows or has reason to know that he or she has a financial interest:

(1) Any state governmental decision, other than any action or decision before the Legislature, made in the course of his or her duties as a member.

(2) Approval, modification, or cancellation of any contract to which either house or a committee of the Legislature is a party.

(3) Introduction as a lead author of any legislation that the member knows or has reason to know is nongeneral legislation.

(4) Any vote in a legislative committee or subcommittee on what the member knows or has reason to know is nongeneral legislation.

(5) Any rollcall vote on the Senate or Assembly floor on an item which the member knows is nongeneral legislation.

(6) Any action or decision before the Legislature in which all of the following occur:

(A) The member has received any salary, wages, commissions, or similar earned income within the preceding 12 months from a lobbyist employer.

(B) The member knows or has reason to know the action or decision will have a direct and significant financial impact on the lobbyist employer.

(C) The action or decision will not have an impact on the public generally or a significant segment of the public in a similar manner.

(7) Any action or decision before the Legislature on legislation that the member knows or has reason to know will have a direct and significant financial impact on any person, distinguishable from its impact on the public generally or a significant segment of the public, from whom the member has received any compensation within the preceding 12 months for the purpose of appearing, agreeing to appear, or taking any other action on behalf of that person, before any local board or agency.

(b) For purposes of this section, all of the following apply:

(1) "Any action or decision before the Legislature" means any vote in a committee or subcommittee, or any rollcall vote on the floor of the Senate or Assembly.

(2) "Financial interest" means an interest as defined in Section 87103.

(3) "Legislation" means a bill, resolution, or constitutional amendment.

(4) "Nongeneral legislation" means legislation that is described in Section 87102.6 and is not of a general nature pursuant to Section 16 of Article IV of the Constitution.

(5) A Member of the Legislature has reason to know that an action or decision will have a direct and significant financial impact on a person with respect to which disqualification may be required pursuant to subdivision (a) if either of the following apply:

(A) With the knowledge of the member, the person has attempted to influence the vote of the member with respect to the action or decision.

(B) Facts have been brought to the member's personal attention indicating that the action or decision will have a direct and significant impact on the person.

(6) The prohibitions specified in subdivision (a) do not apply to a vote on the Budget Bill as a whole, or to a vote on a consent calendar, a motion for reconsideration, a waiver of any legislative rule, or any purely procedural matter.

(7) A Member of the Legislature has reason to know that legislation is nongeneral legislation if facts have been brought to his or her personal attention indicating that it is nongeneral legislation.

(8) Written advice given to a Member of the Legislature regarding his or her duties under this section by the Legislative Counsel shall have the same effect as advice given by the Commission pursuant to subdivision (b) of Section 83114 if both of the following apply:

(A) The member has made the same written request based on the same material facts to the Commission for advice pursuant to Section 83114 as to his or her duties under this section, as the written request and facts presented to the Legislative Counsel.

(B) The Commission has not provided written advice pursuant to the member's request prior to the time the member acts in good faith reliance on the advice of the Legislative Counsel.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1990, Ch. 1075.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18700.1
2 Cal. Code of Regs. Section 18700.2
2 Cal. Code of Regs. Section 18700.3
2 Cal. Code of Regs. Section 18701
2 Cal. Code of Regs. Section 18701.1
2 Cal. Code of Regs. Section 18702
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18702.2
2 Cal. Code of Regs. Section 18702.3
2 Cal. Code of Regs. Section 18702.4
2 Cal. Code of Regs. Section 18702.5
2 Cal. Code of Regs. Section 18703
2 Cal. Code of Regs. Section 18703.4
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18704.1
2 Cal. Code of Regs. Section 18704.5
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18705.1
2 Cal. Code of Regs. Section 18705.2
2 Cal. Code of Regs. Section 18706

Opinions: In re Galligan (2000) 14 FPPC Ops. 1

§ 87102.6. Nongeneral Legislation; Definitions.

(a) "Nongeneral legislation" means legislation as to which both of the following apply:

(1) It is reasonably foreseeable that the legislation will have direct and significant financial impact on one or more identifiable persons, or one or more identifiable pieces of real property.

(2) It is not reasonably foreseeable that the legislation will have a similar impact on the public generally or on a significant segment of the public.

(b) For purposes of this section and Section 87102.5, all of the following apply:

(1) "Legislation" means a bill, resolution, or constitutional amendment.

(2) "Public generally" includes an industry, trade, or profession.

(3) Any recognized subgroup or specialty of the industry, trade, or profession constitutes a significant segment of the public.

(4) A legislative district, county, city, or special district constitutes a significant segment of the public.

(5) More than a small number of persons or pieces of real property is a significant segment of public.

(6) Legislation, administrative action, or other governmental action impacts in a similar manner all members of the public, or all members of a significant segment of the public, on which it has a direct financial effect, whether or not the financial effect on individual members of the public or the significant segment of the public is the same as the impact on the other members of the public or the significant segment of the public.

(7) The Budget Bill as a whole is not nongeneral legislation.

(8) Legislation that contains at least one provision that constitutes nongeneral legislation is nongeneral legislation, even if the legislation also contains other provisions that are general and do not constitute nongeneral legislation.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 2006, Ch. 538.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18700.1
2 Cal. Code of Regs. Section 18700.2
2 Cal. Code of Regs. Section 18700.3
2 Cal. Code of Regs. Section 18701
2 Cal. Code of Regs. Section 18701.1
2 Cal. Code of Regs. Section 18702
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18702.2
2 Cal. Code of Regs. Section 18702.3
2 Cal. Code of Regs. Section 18702.4
2 Cal. Code of Regs. Section 18702.5
2 Cal. Code of Regs. Section 18703
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18704.1
2 Cal. Code of Regs. Section 18704.5
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18705.1
2 Cal. Code of Regs. Section 18705.2
2 Cal. Code of Regs. Section 18706

Opinions: In re Galligan (2000) 14 FPPC Ops. 1

§ 87102.8. Elected State Officer; Use of Position to Influence Decisions.

(a) No elected state officer, as defined in subdivision (f) of Section 14 of Article V of the California Constitution, shall make or participate in the making of, or use his or her official position to influence, any governmental decision before the agency in which the elected state officer serves, where he or she knows or has reason to know that he or she has a financial interest.

(b) An elected state officer knows or has reason to know that he or she has a financial interest in any action by, or a decision before the agency in which he or she serves where either of the following occur:

(1) The action or decision will have a direct and significant financial impact on a lobbyist employer from which the officer has received any salary, wages, commissions, or similar earned income within the preceding 12 months and the action or decision will not have an impact on the public generally or a significant segment of the public in a similar manner.

(2) The action or decision will have a direct and significant financial impact on any person, distinguishable from its impact on the public generally or a significant segment of the public, from whom the officer has received any compensation within the preceding 12 months for the purpose of appearing, agreeing to appear, or taking any other action on behalf of that person, before any local board or agency.

(c) The definitions of "public generally" and "significant segment of the public" contained in Section 87102.6 shall apply to this section.

(d) Notwithstanding Section 87102, the remedies provided in Chapter 3 (commencing with Section 83100) shall apply to violations of this section.

History: Added by Stats. 1990, Ch. 1075; amended by Stats. 1991, Ch. 674.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18700.1
2 Cal. Code of Regs. Section 18700.2
2 Cal. Code of Regs. Section 18700.3
2 Cal. Code of Regs. Section 18701
2 Cal. Code of Regs. Section 18701.1
2 Cal. Code of Regs. Section 18702
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18702.2
2 Cal. Code of Regs. Section 18702.3
2 Cal. Code of Regs. Section 18702.4
2 Cal. Code of Regs. Section 18702.5
2 Cal. Code of Regs. Section 18703
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18704.1
2 Cal. Code of Regs. Section 18704.5
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18705.1
2 Cal. Code of Regs. Section 18705.2
2 Cal. Code of Regs. Section 18706

Opinions: In re Galligan (2000) 14 FPPC Ops. 1

§ 87103. Financial Interest.

A public official has a financial interest in a decision within the meaning of Section 87100 if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family, or on any of the following:

(a) Any business entity in which the public official has a direct or indirect investment worth two thousand dollars ($2,000) or more.

(b) Any real property in which the public official has a direct or indirect interest worth two thousand dollars ($2,000) or more.

(c) Any source of income, except gifts or loans by a commercial lending institution made in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars ($500) or more in value provided or promised to, received by, the public official within 12 months prior to the time when the decision is made.

(d) Any business entity in which the public official is a director, officer, partner, trustee, employee, or holds any position of management.

(e) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating two hundred fifty dollars ($250) or more in value provided to, received by, or promised to the public official within 12 months prior to the time when the decision is made. The amount of the value of gifts specified by this subdivision shall be adjusted biennially by the Commission to equal the same amount determined by the Commission pursuant to subdivision (f) of Section 89503.

For purposes of this section, indirect investment or interest means any investment or interest owned by the spouse or dependent child of a public official, by an agent on behalf of a public official, or by a business entity or trust in which the official, the official's agents, spouse, and dependent children own directly, indirectly, or beneficially a 10-percent interest or greater.

History: Amended by Stats. 1979, Ch. 686; amended by Stats. 1980, Ch. 183; amended by Stats. 1984, Ch. 931; amended by Stats. 1985, Ch. 611; amended by Stats. 1994, Ch. 386; amended by Stats. 1997, Ch. 455, effective September 24, 1997; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229

2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18700
2 Cal. Code of Regs. Section 18700.1
2 Cal. Code of Regs. Section 18700.2
2 Cal. Code of Regs. Section 18700.3
2 Cal. Code of Regs. Section 18702.5
2 Cal. Code of Regs. Section 18701
2 Cal. Code of Regs. Section 18701.1
2 Cal. Code of Regs. Section 18702
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18702.2
2 Cal. Code of Regs. Section 18702.3
2 Cal. Code of Regs. Section 18702.4
2 Cal. Code of Regs. Section 18702.5
2 Cal. Code of Regs. Section 18703
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18704.1
2 Cal. Code of Regs. Section 18704.5
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18705.1
2 Cal. Code of Regs. Section 18705.2
2 Cal. Code of Regs. Section 18706
2 Cal. Code of Regs. Section 18707
2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18730.1
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18940.2
2 Cal. Code of Regs. Section 18941
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18942.1
2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18950.1

Opinions: In re Roberts (2004) 17 FPPC Ops. 9
In re Hanko (2002) 16 FPPC Ops. 1
In re Galligan (2000) 14 FPPC Ops. 1
In re Legan (1985) 9 FPPC Ops. 1
In re Nord (1983) 8 FPPC Ops. 6
In re Ferraro (1978) 4 FPPC Ops. 62
In re Callanan, Sands and Hill (1978) 4 FPPC Ops. 33
In re Brown (1978) 4 FPPC Ops. 19
In re Hopkins (1977) 3 FPPC Ops. 107
In re Gillmor (1977) 3 FPPC Ops. 38
In re Moore (1977) 3 FPPC Ops. 33
In re Thomas (1977) 3 FPPC Ops. 30
In re Sherwood (1976) 2 FPPC Ops. 168
In re Sankey (1976) 2 FPPC Ops. 157
In re Owen (1976) 2 FPPC Ops. 77
In re Thorner (1975) 1 FPPC Ops. 198
In re Biondo (1975) 1 FPPC Ops. 54
In re Presley (1975) 1 FPPC Ops. 39

§ 87103.5. Income from Retail Sales.

(a) Notwithstanding subdivision (c) of Section 87103, a retail customer of a business entity engaged in retail sales of goods or services to the public generally is not a source of income to an official who owns a 10-percent or greater interest in the entity if the retail customers of the business entity constitute a significant segment of the public generally, and the amount of income received by the business entity from the customer is not distinguishable from the amount of income received from its other retail customers.

(b) Notwithstanding subdivision (c) of Section 87103, in a jurisdiction with a population of 10,000 or less which is located in a county with 350 or fewer retail businesses, a retail customer of a business entity engaged in retail sales of goods or services to the public generally is not a source of income to an official of that jurisdiction who owns a 10-percent or greater interest in the entity, if the retail customers of the business entity constitute a significant segment of the public generally, and the amount of income received by the business entity from the customer does not exceed one percent of the gross sales revenues that the business entity earned during the 12 months prior to the time the decision is made.

(c) For the purposes of subdivision (b):

(1) Population in a jurisdiction shall be established by the United States Census.

(2) The number of retail businesses in a county shall be established by the previous quarter's Covered Employment and Wages Report (ES-202) of the Labor Market Information Division of the California Employment Development Department.

History: Added by Stats. 1984, Ch. 931; amended by Stats. 2002, Ch. 654.

References at the time of publication (see page 3):

§ 87103.6. Source of Income; Payments to Government Agencies.

Notwithstanding subdivision (c) of Section 87103, any person who makes a payment to a state agency or local government agency to defray the estimated reasonable costs to process any application, approval, or any other action, including but not limited to, holding public hearings and evaluating or preparing any report or document, shall not by reason of the payments be a source of income to a person who is retained or employed by the agency.

History: Added by Stats. 1991, Ch. 887.

§ 87104. Prohibitions on Public Officials.

(a) No public official of a state agency shall, for compensation, act as an agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance before, or any oral or written communication to, his or her state agency or any officer or employee thereof, if the appearance or communication is for the purpose of influencing a decision on a contract, grant, loan, license, permit, or other entitlement for use.

(b) For purposes of this section, "public official" includes a member, officer, employee, or consultant of an advisory body to a state agency, whether the advisory body is created by statute or otherwise, except when the public official is representing his or her employing state, local, or federal agency in an appearance before, or communication to, the advisory body.

History: Added by Stats. 1994, Ch. 414; amended by Stats. 1997, Ch. 145.

§ 87105. Manner of Disqualification.

(a) A public official who holds an office specified in Section 87200 who has a financial interest in a decision within the meaning of Section 87100 shall, upon identifying a conflict of interest or a potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:

(1) Publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.

(2) Recuse himself or herself from discussing and voting on the matter, or otherwise acting in violation of Section 87100.

(3) Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

(4) Notwithstanding paragraph (3), a public official described in subdivision (a) may speak on the issue during the time that the general public speaks on the issue.

(b) This section does not apply to Members of the Legislature.

History: Added by Stats. 2002, Ch. 233.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18702
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18702.5
2 Cal. Code of Regs. Section 18707

Article 2. Disclosure. § 87200 - 87210

§ 87200. Applicability.
§ 87201. Candidates.
§ 87202. Officials - Elected, Appointed and Hold Over.
§ 87203. Officeholders; Annual Statements.
§ 87204. Leaving Office.
§ 87205. Persons Completing and Beginning Term of Office on the Same Day.
§ 87206. Disclosure of Investment or Interest in Real Property.
§ 87206.5. Interest in Real Property; Exclusion of Principal Residence. [Repealed]
§ 87207. Disclosure of Income.
§ 87208. Disclosure of Investments and Interest in Real Property; Incorporation by Reference.
§ 87209. Business Positions.
§ 87210. Gifts Made Through Intermediaries and Others - Disclosure Requirements.

§ 87200. Applicability.

This article is applicable to elected state officers, judges and commissioners of courts of the judicial branch of government, members of the Public Utilities Commission, members of the State Energy Resources Conservation and Development Commission, members of the Fair Political Practices Commission, members of the California Coastal Commission, members of the High-Speed Rail Authority, members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers, and chief administrative officers of counties, mayors, city managers, city attorneys, city treasurers, chief administrative officers and members of city councils of cities, and other public officials who manage public investments, and to candidates for any of these offices at any election.

History: Amended by Stats. 1975, Ch. 797; effective September 16, 1975, operative September 5, 1975; amended by Stats. 1976, Ch. 129, effective May 5, 1976; amended by Stats. 1978, Ch. 537; amended by Stats. 1979, Ch. 674; amended by Stats. 1983, Ch. 214; amended by Stats. 1984, Ch. 727, effective July 1, 1985; amended by Stats. 1985, Ch. 611; amended by Stats. 1989, Ch. 403; amended by Stats. 2012, Ch. 626, effective September 27, 2012.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18700.3
2 Cal. Code of Regs. Section 18701
2 Cal. Code of Regs. Section 18702
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18702.5
2 Cal. Code of Regs. Section 18707
2 Cal. Code of Regs. Section 18723
2 Cal. Code of Regs. Section 18724
2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18753
2 Cal. Code of Regs. Section 18940.1

§ 87201. Candidates.

Every candidate for an office specified in Section 87200 other than a justice of an appellate

court or the Supreme Court shall file no later than the final filing date of a declaration of candidacy, a statement disclosing his or her investments, his or her interests in real property, and any income received during the immediately preceding 12 months.

This statement shall not be required if the candidate has filed, within 60 days prior to the filing of his or her declaration of candidacy, a statement for the same jurisdiction pursuant to Section 87202 or 87203.

History: Amended by Stats. 1977, Ch. 1193; amended by Stats. 1980, Ch. 928; amended by Stats. 1984, Ch. 931; amended by Stats. 1992, Ch. 1141.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18732.5

Opinions: In re Boreman (1975) 1 FPPC Ops. 101

§ 87202. Officials - Elected, Appointed and Hold Over.

(a) Every person who is elected to an office specified in Section 87200 shall, within 30 days after assuming the office, file a statement disclosing his or her investments and his or her interests in real property held on the date of assuming office, and income received during the 12 months before assuming office. Every person who is appointed or nominated to an office specified in Section 87200 shall file such a statement not more than 30 days after assuming office, provided, however, that a person appointed or nominated to such an office who is subject to confirmation by the Commission on Judicial Appointments or the State Senate shall file such a statement no more than 10 days after the appointment or nomination.

The statement shall not be required if the person has filed, within 60 days prior to assuming office, a statement for the same jurisdiction pursuant to Section 87203.

(b) Every elected state officer who assumes office during the month of December or January shall file a statement pursuant to Section 87203 instead of this section, except that:

(1) The period covered for reporting investments and interests in real property shall begin on the date the person filed his or her declarations of candidacy.

(2) The period covered for reporting income shall begin 12 months prior to the date the person assumed office.

History: Amended by Stats. 1977, Ch. 1193; amended by Stats. 1978, Ch. 537; amended by Stats. 1989, Ch. 499; amended by Stats. 1997, Ch. 36.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18722
2 Cal. Code of Regs. Section 18723
2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18735

§ 87203. Officeholders; Annual Statements.

Every person who holds an office specified in Section 87200 shall, each year at a time specified by Commission regulations, file a statement disclosing his investments, his interests in real property and his income during the period since the previous statement filed under this section or Section 87202. The statement shall include any investments and interests in real property held at any time during the period covered by the statement, whether or not they are still held at the time of filing.

History: Amended by Stats. 1976, Ch. 1161.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18723
2 Cal. Code of Regs. Section 18732.5

Opinions: In re Sampson (1975) 1 FPPC Ops. 183

§ 87204. Leaving Office.

Every person who leaves an office specified in Section 87200 shall, within thirty days after leaving the office, file a statement disclosing his investments, his interests in real property, and his income during the period since the previous statement filed under Sections 87202 or 87203. The statement shall include any investments and interests in real property held at any time during the period covered by the statement, whether or not they are still held at the time of filing.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18722
2 Cal. Code of Regs. Section 18723
2 Cal. Code of Regs. Section 18732.5

§ 87205. Persons Completing and Beginning Term of Office on the Same Day.

A person who completes a term of an office specified in Section 87200 and within 45 days begins a term of the same office or another such office of the same jurisdiction is deemed not to assume office or leave office.

History: Amended by Stats. 1977, Ch. 1193; amended by Stats. 1997, Ch. 145; amended by Stats. 2005, Ch. 200.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18732.5

§ 87206. Disclosure of Investment or Interest in Real Property.

If an investment or an interest in real property is required to be disclosed under this article, the statement shall contain:

(a) A statement of the nature of the investment or interest.

(b) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged.

(c) The address or other precise location of the real property.

(d) A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars ($2,000) but does not exceed ten thousand dollars ($10,000), whether it exceeds ten thousand dollars ($10,000) but does not exceed one hundred thousand dollars ($100,000), whether it exceeds one hundred thousand dollars ($100,000), but does not exceed one million dollars ($1,000,000) or whether it exceeds one million dollars ($1,000,000).

(e) In the case of a statement filed under Sections 87203 or 87204, if the investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal.

(f) For purposes of disclosure under this article, "interest in real property" does not include the principal residence of the filer or any other property which the filer utilizes exclusively as the personal residence of the filer.

History: Amended by Stats. 1980, Ch. 1000; amended by Stats. 1984, Ch. 931; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18233
2 Cal. Code of Regs. Section 18729
2 Cal. Code of Regs. Section 18732.5

Opinions: In re Schabarum (1975) 1 FPPC Ops. 95

§ 87206.5. Interest in Real Property; Exclusion of Principal Residence. [Repealed]

History: Added by Stats. 1976, Ch. 1161; repealed by Stats. 1980, Ch. 1000. (Now contained in Section 87206.)

§ 87207. Disclosure of Income.

(a) If income is required to be reported under this article, the statement shall contain, except as provided in subdivision (b):

(1) The name and address of each source of income aggregating five hundred dollars ($500) or more in value, or fifty dollars ($50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source.

(2) A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was at least five hundred dollars ($500) but did not exceed one thousand dollars ($1,000), whether it was in excess of one thousand dollars ($1,000) but was not greater than ten thousand dollars ($10,000), whether it was greater than ten thousand dollars ($10,000) but not greater than one hundred thousand dollars ($100,000), or whether it was greater than one hundred thousand dollars ($100,000).

(3) A description of the consideration, if any, for which the income was received.

(4) In the case of a gift, the amount and the date on which the gift was received and the travel destination for purposes of a gift that is a travel payment, advance, or reimbursement.

(5) In the case of a loan, the annual interest rate, the security, if any, given for the loan, and the term of the loan.

(b) If the filer's pro rata share of income to a business entity, including income to a sole proprietorship, is required to be reported under this article, the statement shall contain:

(1) The name, address, and a general description of the business activity of the business entity.

(2) The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from that person was equal to or greater than ten thousand dollars ($10,000) during a calendar year.

(c) If a payment, including an advance or reimbursement, for travel is required to be reported pursuant to this section, it may be reported on a separate travel reimbursement schedule which shall be included in the filer's statement of economic interest. A filer who chooses not to use the travel schedule shall disclose payments for travel as a gift, unless it is clear from all surrounding circumstances that the services provided were equal to or greater in value than the payments for the travel, in which case the travel may be reported as income.

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1995, operative January 7, 1975; amended by Stats. 1979, Ch. 674; superseded by Stats. 1979, Ch. 686; amended by Stats. 1980, Ch. 1000; amended by Stats. 1982, Ch. 29; amended by Stats. 1984, Ch. 931; amended by Stats. 1990, Ch. 1075; amended by Stats. 1997, Ch. 638; amended by Stats. 2000, Ch. 130; amended by Stats. 2015, Ch. 757, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18728.5
2 Cal. Code of Regs. Section 18730.1
2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18740
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18941
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18942.1
2 Cal. Code of Regs. Section 18942.2
2 Cal. Code of Regs. Section 18942.3
2 Cal. Code of Regs. Section 18944

2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18945.2
2 Cal. Code of Regs. Section 18946
2 Cal. Code of Regs. Section 18946.1
2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18946.3
2 Cal. Code of Regs. Section 18946.4
2 Cal. Code of Regs. Section 18946.5
2 Cal. Code of Regs. Section 18946.6
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1

Opinions: In re Riemer (2013) 21 FPPC Ops. 1
In re Rosenstiel (2012) 20 FPPC Ops. 1
In re Taylor (2004) 17 FPPC Ops. 1
In re Hopkins (1977) 3 FPPC Ops. 107
In re Carey (1977) 3 FPPC Ops. 99
In re Gutierrez (1977) 3 FPPC Ops. 44
In re Thomas (1977) 3 FPPC Ops. 30
In re Cory (1976) 2 FPPC Ops. 48
In re Hayes (1975) 1 FPPC Ops. 210
In re Russel (1975) 1 FPPC Ops. 191
In re Cory (1975) 1 FPPC Ops. 153
In re Brown (1975) 1 FPPC Ops. 67

§ 87208. Disclosure of Investments and Interests in Real Property; Incorporation by Reference.

Except in statements required by Section 87203, investments and interests in real property which have been disclosed on a statement of economic interests filed in the same jurisdiction within the previous 60 days may be incorporated by reference.

History: Added by Stats. 1976, Ch. 1161.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18732.5

§ 87209. Business Positions.

When a statement is required to be filed under this article, every person specified in Section 87200 shall disclose any business positions held by that person. For purposes of this section, "business position" means any business entity in which the filer is a director, officer, partner, trustee, employee, or holds any position of management, if the business entity or any parent, subsidiary, or otherwise related business entity has an interest in real property in the jurisdiction, or does business or plans to do business in the jurisdiction or has done business in the jurisdiction at any time during the two years prior to the date the statement is required to be filed.

History: Added by Stats. 1997, Ch. 455, effective September 24, 1997.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18230
2 Cal. Code of Regs. Section 18732.5

§ 87210. Gifts Made Through Intermediaries and Others - Disclosure Requirements.

No person shall make a gift totaling fifty dollars ($50) or more in a calendar year to a person described in Article 2 on behalf of another, or while acting as the intermediary or agent of another, without disclosing to the recipient of the gift both his own full name, street address, and business activity, if any, and the full name, street address, and business activity, if any, of the actual donor. The recipient of the gift shall include in his Statement of Economic Interests the full name, street address, and business activity, if any, of the intermediary or agent and the actual donor.

History: Added by Stats. 1978, Ch. 640; amended by Stats. 1982, Ch. 29.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18945

Article 3. Conflict of Interest Codes. § 87300 - 87314

§ 87300. Agency Requirement.
§ 87301. Formulation.
§ 87302. Required Provisions.
§ 87302.3. Disclosure by Candidates for Elective Office.
§ 87302.6. Disclosure by Members of Boards and Commissions of Newly Created Agencies.
§ 87303. Submission; Code Reviewing Body.
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§ 87306. Amendments for Changed Circumstances.
§ 87306.5. Conflict of Interest Code; Local Agency Review.
§ 87307. Amendments to Code by Agency; Failure to Act.
§ 87308. Judicial Review.
§ 87309. Requirements for Approval.
§ 87310. Designated Employee; Broad or Indefinable Duties.
§ 87311. Review and Preparation; Administrative Procedure Act.
§ 87311.5. Review and Preparation; Judicial Branch Agencies.
§ 87312. Commission Assistance.
§ 87313. Gifts Made Through Intermediaries and Others - Disclosure Requirements.
§ 87314. Code Requirement for Public Pension and Retirement System Agencies.

§ 87300. Agency Requirement.

Every agency shall adopt and promulgate a Conflict of Interest Code pursuant to the provisions of this article. A Conflict of Interest Code shall have the force of law and any violation of a

Conflict of Interest Code by a designated employee shall be deemed a violation of this chapter.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18329.5
2 Cal. Code of Regs. Section 18351
2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18730.1
2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18750
2 Cal. Code of Regs. Section 18750.1
2 Cal. Code of Regs. Section 18750.2
2 Cal. Code of Regs. Section 18751
2 Cal. Code of Regs. Section 18754
2 Cal. Code of Regs. Section 18755
2 Cal. Code of Regs. Section 18940.1

Opinions: In re Vonk (1981) 6 FPPC Ops. 1
In re Leach (1978) 4 FPPC Ops. 48
In re Siegel (1977) 3 FPPC Ops. 62

§ 87301. Formulation.

It is the policy of this act that Conflict of Interest Codes shall be formulated at the most decentralized level possible, but without precluding intra-departmental review. Any question of the level of a department which should be deemed an "agency" for purposes of Section 87300 shall be resolved by the code reviewing body.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18329.5
2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18754

§ 87302. Required Provisions.

Each Conflict of Interest Code shall contain the following provisions:

(a) Specific enumeration of the positions within the agency, other than those specified in Section 87200, which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest and for each such enumerated position, the specific types of investments, business positions, interests in real property, and sources of income which are reportable. An investment, business position, interest in real property, or source of income shall be made reportable by the Conflict of Interest Code if the business entity in which the investment or business position is held, the interest in real property, or the income or source of income may foreseeably be affected materially by any decision made or participated in by the designated employee by virtue of his or her position.

(b) Requirements that each designated employee, other than those specified in Section 87200, file statements at times and under circumstances described in this section, disclosing reportable investments, business positions, interests in real property and income. The information disclosed with respect to reportable investments, interests in real property, and income shall be the same as the information required by Sections 87206 and 87207. The first statement filed under a Conflict of Interest Code by a designated employee shall disclose any reportable investments, business positions, interests in real property, and income. An initial statement shall be filed by each designated employee within 30 days after the effective date of the Conflict of Interest Code, disclosing investments, business positions, and interests in real property held on the effective date of the Conflict of Interest Code and income received during the 12 months before the effective date of the Conflict of Interest Code. Thereafter, each new designated employee shall file a statement within 30 days after assuming office, or if subject to State Senate confirmation, 30 days after being appointed or nominated, disclosing investments, business positions, and interests in real property held on, and income received during the 12 months before, the date of assuming office or the date of being appointed or nominated, respectively. Each designated employee shall file an annual statement, at the time specified in the Conflict of Interest Code, disclosing reportable investments, business positions, interest in real property and income held or received at any time during the previous calendar year or since the date the designated employee took office if during the calendar year. Every designated employee who leaves office shall file, within 30 days of leaving office, a statement disclosing reportable investments, business positions, interests in real property, and income held or received at any time during the period between the closing date of the last statement required to be filed and the date of leaving office.

(c) Specific provisions setting forth any circumstances under which designated employees or categories of designated employees must disqualify themselves from making, participating in the making, or using their official position to influence the making of any decision. Disqualification shall be required by the Conflict of Interest Code when the designated employee has a financial interest as defined in Section 87103, which it is reasonably foreseeable may be affected materially by the decision. No designated employee shall be required to disqualify himself or herself with respect to any

matter which could not legally be acted upon or decided without his or her participation.

(d) For any position enumerated pursuant to subdivision (a), an individual who resigns the position within 12 months following initial appointment or within 30 days of the date of a notice mailed by the filing officer of the individual's filing obligation, whichever is earlier, is not deemed to assume or leave office, provided that during the period between appointment and resignation, the individual does not make, participate in making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position. Within 30 days of the date of a notice mailed by the filing officer, the individual shall do both of the following:

(1) File a written resignation with the appointing power.

(2) File a written statement with the filing officer on a form prescribed by the Commission and signed under penalty of perjury stating that the individual, during the period between appointment and resignation, did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

History: Amended by Stats. 1978, Ch. 537; amended by Stats. 1979, Ch. 674; amended by Stats. 1980, Ch. 765; amended by Stats. 1987, Ch. 1188; amended by Stats. 1989, Ch. 499; amended by Stats. 1991, Ch. 857; amended by Stats. 1992, Ch. 441.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18329.5
2 Cal. Code of Regs. Section 18351
2 Cal. Code of Regs. Section 18700.3
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18722
2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18730.1
2 Cal. Code of Regs. Section 18732
2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18733
2 Cal. Code of Regs. Section 18734
2 Cal. Code of Regs. Section 18735
2 Cal. Code of Regs. Section 18736
2 Cal. Code of Regs. Section 18736.1
2 Cal. Code of Regs. Section 18737
2 Cal. Code of Regs. Section 18754
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18940.1
2 Cal. Code of Regs. Section 18941
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18946
2 Cal. Code of Regs. Section 18946.1
2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18946.3
2 Cal. Code of Regs. Section 18946.4
2 Cal. Code of Regs. Section 18946.5
2 Cal. Code of Regs. Section 18946.6
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1

Opinions: In re Alperin (1977) 3 FPPC Ops. 77

§ 87302.3. Disclosure by Candidates for Elective Office.

(a) Every candidate for an elective office that is designated in a conflict of interest code shall file a statement disclosing his or her investments, business positions, interests in real property, and income received during the immediately preceding 12 months, as enumerated in the disclosure requirements for that position. The statement shall be filed with the election official with whom the candidate's declaration of candidacy or other nomination documents to appear on the ballot are required to be filed and shall be filed no later than the final filing date for the declaration or nomination documents.

(b) This section does not apply to either of the following:

(1) A candidate for an elective office designated in a conflict of interest code who has filed an initial, assuming office, or annual statement pursuant to that conflict of interest code within 60 days before the deadline specified in subdivision (a).

(2) A candidate for an elective office who has filed a statement for the office pursuant to Section 87302.6 within 60 days before the deadline specified in subdivision (a).

History: Added by Stats. 2007, Ch. 348.

§ 87302.6. Disclosure by Members of Boards and Commissions of Newly Created Agencies.

Notwithstanding Section 87302, a member of a board or commission of a newly created agency shall file a statement at the same time and in the same manner as those individuals required to file pursuant to Section 87200. A member shall file his or her statement pursuant to Section 87302 once the agency adopts an approved conflict-of-interest code.

History: Added by Stats. 2002, Ch. 264.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18117
2 Cal. Code of Regs. Section 18329.5
2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18754

§ 87303. Submission; Code Reviewing Body.

No conflict of interest code shall be effective until it has been approved by the code reviewing body. Each agency shall submit a proposed conflict

of interest code to the code reviewing body by the deadline established for the agency by the code reviewing body. The deadline for a new agency shall be not later than six months after it comes into existence. Within 90 days after receiving the proposed code or receiving any proposed amendments or revisions, the code reviewing body shall do one of the following:

(a) Approve the proposed code as submitted.

(b) Revise the proposed code and approve it as revised.

(c) Return the proposed code to the agency for revision and resubmission within 60 days. The code reviewing body shall either approve the revised code or revise it and approve it. When a proposed conflict of interest code or amendment is approved by the code reviewing body, it shall be deemed adopted and shall be promulgated by the agency.

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1979, Ch. 686; amended by Stats. 1997, effective September 24, 1997.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18329.5
2 Cal. Code of Regs. Section 18351
2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18750
2 Cal. Code of Regs. Section 18750.1
2 Cal. Code of Regs. Section 18750.2
2 Cal. Code of Regs. Section 18755

§ 87304. Failure to Submit, Adopt or Amend a Proposed Code.

If any agency fails to submit a proposed conflict of interest code or amendments, or if any state agency fails to report amendments pursuant to subdivision (b) of Section 87306 within the time limits prescribed pursuant to Section 87303 or 87306, the code reviewing body may issue any appropriate order directed to the agency or take any other appropriate action, including the adoption of a conflict of interest code for the agency. If the code reviewing body does not issue an appropriate order or take other action within 90 days of the deadline imposed on the agency as prescribed in Section 87303 or 87306, the Commission may issue any appropriate order directed to the agency or take any other appropriate action, including the adoption of a conflict of interest code for the agency. The Commission shall consult with the agency before ordering the adoption of a conflict of interest code for the agency.

History: Amended by Stats. 1988, Ch. 923; amended by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 491.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18329.5
2 Cal. Code of Regs. Section 18732.5

§ 87305. Order to Adopt; Superior Court.

If after six months following the deadline for submission of the proposed Conflict of Interest Code to the code reviewing body no Conflict of Interest Code has been adopted and promulgated, the superior court may, in an action filed by the Commission, the agency, the code reviewing body, any officer, employee, member or consultant of the agency, or any resident of the jurisdiction, prepare a Conflict of Interest Code and order its adoption by the agency or grant any other appropriate relief. The agency and the code reviewing body shall be parties to any action filed pursuant to this section.

History: Amended by Stats. 1980, Ch. 765.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18329.5
2 Cal. Code of Regs. Section 18732.5

§ 87306. Amendments for Changed Circumstances.

(a) Every agency shall amend its Conflict of Interest Code, subject to the provisions of Section 87303, when change is necessitated by changed circumstances, including the creation of new positions which must be designated pursuant to subdivision (a) of Section 87302 and relevant changes in the duties assigned to existing positions. Amendments or revisions shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. If after nine months following the occurrence of those changes the Conflict of Interest Code has not been amended or revised, the superior court may issue any appropriate order in an action brought under the procedures set forth in Section 87305.

(b) Notwithstanding subdivision (a), every state agency shall submit to the code reviewing body a biennial report identifying changes in its code, including, but not limited to, all new positions designated pursuant to subdivision (a) of Section 87302, changes in the list of reportable sources of income, and relevant changes in the duties assigned to existing positions. These reports shall be submitted no later than March 1 of each odd-numbered year.

History: Amended by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 491.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18329.5
2 Cal. Code of Regs. Section 18351
2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18736
2 Cal. Code of Regs. Section 18750
2 Cal. Code of Regs. Section 18750.1

2 Cal. Code of Regs. Section 18750.2
2 Cal. Code of Regs. Section 18752
2 Cal. Code of Regs. Section 18755

§ 87306.5. Conflict of Interest Code; Local Agency Review.

(a) No later than July 1 of each even-numbered year, the code reviewing body shall direct every local agency which has adopted a Conflict of Interest Code in accordance with this title to review its Conflict of Interest Code and, if a change in its code is necessitated by changed circumstances, submit an amended Conflict of Interest Code in accordance with subdivision (a) of Section 87302 and Section 87303 to the code reviewing body.

(b) Upon review of its code, if no change in the code is required, the local agency head shall submit a written statement to that effect to the code reviewing body no later than October 1 of the same year.

History: Added by Stats. 1990, Ch. 1075.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18736.1

§ 87307. Amendments to Code by Agency; Failure to Act.

An agency may at any time amend its Conflict of Interest Code, subject to the provisions of Section 87303, either upon its own initiative or in response to a petition submitted by an officer, employee, member or consultant of the agency, or a resident of the jurisdiction. If the agency fails to act upon such a petition within ninety days, the petition shall be deemed denied. Within thirty days after the denial of a petition, the petitioner may appeal to the code reviewing body. The code reviewing body shall either dismiss the appeal or issue an appropriate order to the agency within ninety days.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18737

§ 87308. Judicial Review.

Judicial review of any action of a code reviewing body under this chapter may be sought by the Commission, by the agency, by an officer, employee, member or consultant of the agency, or by a resident of the jurisdiction.

History: Amended by Stats. 1980, Ch. 765.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18732.5

§ 87309. Requirements for Approval.

No Conflict of Interest Code or amendment shall be approved by the code reviewing body or upheld by a court if it:

(a) Fails to provide reasonable assurance that all foreseeable potential conflict of interest situations will be disclosed or prevented;

(b) Fails to provide to each affected person a clear and specific statement of his duties under the Code; or

(c) Fails to adequately differentiate between designated employees with different powers and responsibilities.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18730.1
2 Cal. Code of Regs. Section 18732.5

Opinions: In re Alperin (1977) 3 FPPC Ops. 77

§ 87310. Designated Employee; Broad or Indefinable Duties.

If the duties of a designated employee are so broad or indefinable that the requirements of Section 87309 cannot be complied with, the Conflict of Interest Code shall require the designated employee to comply with the requirements of Article 2 of this chapter.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18732.5

§ 87311. Review and Preparation; Administrative Procedure Act.

The review of proposed Conflict of Interest Codes by the Commission and by the Attorney General and the preparation of proposed Conflict of Interest Codes by state agencies shall be subject to the Administrative Procedure Act. The review and preparation of Conflict of Interest Codes by local government agencies shall be carried out under procedures which guarantee to officers, employees, members, and consultants of the agency and to residents of the jurisdiction adequate notice and a fair opportunity to present their views.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18351
2 Cal. Code of Regs. Section 18732.5

§ 87311.5. Review and Preparation; Judicial Branch Agencies.

(a) Notwithstanding the provisions of Section 87311, the review of the Conflict of Interest Code of an agency in the judicial branch of government shall not be subject to the provisions of the Administrative Procedure Act.

The review and preparation of Conflict of Interest Codes by these agencies shall be carried out under procedures which guarantee to officers, employees, members, and consultants of the agency and to residents of the jurisdiction adequate notice and a fair opportunity to present their views.

(b) Conflict of Interest Codes of the Judicial Council, the Commission on Judicial Performance, and the Board of Governors and designated employees of the State Bar of California shall not be subject to the provisions of subdivision (c) of Section 87302.

History: Added by Stats. 1984, Ch. 727, effective July 1, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18732.5

§ 87312. Commission Assistance.

The Commission shall, upon request, provide technical assistance to agencies in the preparation of Conflict of Interest Codes. Such assistance may include the preparation of model provisions for various types of agencies. Nothing in this section shall relieve each agency of the responsibility for adopting a Conflict of Interest Code appropriate to its individual circumstances.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18732.5

§ 87313. Gifts Made Through Intermediaries and Others - Disclosure Requirements.

No person shall make a gift of fifty dollars ($50) or more in a calendar month on behalf of another, or while acting as the intermediary or agent of another to a person whom he knows or has reason to know may be required to disclose the gift pursuant to a conflict of interest code, without disclosing to the recipient of the gift both his own full name, street address, and business activity, if any, and the full name, street address, and business activity, if any, of the actual donor. The recipient of the gift shall include in his Statement of Economic Interests the full name, street address, and business activity, if any, of the intermediary or agent and the actual donor.

History: Added by Stats. 1978, Ch. 640; amended by Stats. 1984, Ch. 931.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18945

§ 87314. Code Requirement for Public Pension and Retirement System Agencies.

(a) A board, commission, or agency of a public pension or retirement system shall attach to its Conflict of Interest Code an appendix entitled "Agency Positions that Manage Public Investments for Purposes of Section 87200 of the Government Code." The appendix shall list each position with the board, commission, or agency for which an individual occupying the position is required to file a Statement of Economic Interests as a public official who manages public investments within the meaning of Section 87200. The board, commission, or agency shall post the appendix on its Internet Web site in a manner that makes it easily identifiable and accessible by persons who view that Web site.

(b) (1) For purposes of this section, "public official who manages public investments" includes a salaried or unsalaried member of a committee, board, commission, or other entity that exists as, or within, a governmental agency and that possesses decisionmaking authority.

(2) A committee, board, commission, or other entity possesses decisionmaking authority for purposes of this section if any of the following apply:

(A) The entity may make a final governmental decision.

(B) The entity may compel a governmental decision or prevent a governmental decision, either by virtue of possessing exclusive power to initiate the decision or by having veto authority that may not be overridden.

(C) The entity makes substantive recommendations that are, and over an extended period of time have been, regularly approved, without significant amendment or modification, by another public official or governmental agency.

(3) A committee, board, commission, or other entity does not possess decisionmaking authority for purposes of this section if it is formed for the sole purpose of researching a subject and preparing a report or recommendation for submission to another governmental entity that has final decisionmaking authority.

History: Added by Stats. 2010, Ch. 702.

Article 3.5. Multiagency Filers. § 87350

§ 87350. Multiagency Filers.

Notwithstanding any other provision of this title, a person required to file more than one assuming office statement, statement of economic

interests, or leaving office statement, due to his or her status as a designated employee for more than one joint powers insurance agency, may elect to file a multiagency statement disclosing all investments in entities doing business in the state, all interests in real property located within the state, and all income received during the applicable time period, in lieu of filing the disclosure statements for each agency.

The filer shall notify the Commission of his or her decision to become a multiagency filer. This status shall continue until revoked by the filer.

History: Added by Stats. 1990, Ch. 69.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18735.5

Article 4. Disqualification of Former Officers and Employees. § 87400 - 87410

§ 87400. Definitions.
§ 87401. Restrictions on Activities of Former State Officers.
§ 87402. Restrictions on Activities of Former State Officers; Assisting Others.
§ 87403. Exemptions.
§ 87404. Proceedings to Exclude Former State Officers.
§ 87405. Application of Requirements.
§ 87406. Milton Marks Postgovernmental Employment Restrictions Act.
§ 87406.1. Postgovernmental Employment Restrictions for Districts and District Boards.
§ 87406.3. Postgovernmental Employment Restrictions for Local Officials.
§ 87407. Influencing Prospective Employment.
§ 87408. Postgovernmental Employment Restrictions for Board of Administration of the Public Employees' Retirement System and Teachers' Retirement Board.
§ 87409. Restrictions on Activities of Former Investment Officials; Assisting Others.
§ 87410. Postgovernmental Ban on Placement Agent Activities.

§ 87400. Definitions.

Unless the contrary is stated or clearly appears from the context, the definitions set forth in this section shall govern the interpretation of this article.

(a) "State administrative agency" means every state office, department, division, bureau, board and commission, but does not include the Legislature, the courts or any agency in the judicial branch of government.

(b) "State administrative official" means every member, officer, employee or consultant of a state administrative agency who as part of his or her official responsibilities engages in any judicial, quasi-judicial or other proceeding in other than a purely clerical, secretarial or ministerial capacity.

(c) "Judicial, quasi-judicial or other proceeding" means any proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest or other particular matter involving a specific party or parties in any court or state administrative agency, including but not limited to any proceeding governed by Chapter 5 (commencing with Section 11500) of Division 3 of Title 2 of the Government Code.

(d) "Participated" means to have taken part personally and substantially through decision, approval, disapproval, formal written recommendation, rendering advice on a substantial basis, investigation or use of confidential information as an officer or employee, but excluding approval, disapproval or rendering of legal advisory opinions to departmental or agency staff which do not involve a specific party or parties.

History: Added by Stats. 1980, Ch. 66.

§ 87401. Restrictions on Activities of Former State Officers.

No former state administrative official, after the termination of his or her employment or term of office, shall for compensation act as agent or attorney for, or otherwise represent, any other person (other than the State of California) before any court or state administrative agency or any officer or employee thereof by making any formal or informal appearance, or by making any oral or written communication with the intent to influence, in connection with any judicial, quasi-judicial or other proceeding if both of the following apply:

(a) The State of California is a party or has a direct and substantial interest.

(b) The proceeding is one in which the former state administrative official participated.

History: Added by Stats. 1980, Ch. 66; amended by Stats. 1985, Ch. 775.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18741.1
2 Cal. Code of Regs. Section 18746.2
2 Cal. Code of Regs. Section 18746.4

Opinions: In re Lucas (2000) 14 FPPC Ops. 14

§ 87402. Restrictions on Activities of Former State Officers; Assisting Others.

No former state administrative official, after the termination of his or her employment or term of office shall for compensation aid, advise, counsel, consult or assist in representing any other person (except the State of California) in any proceeding in which the official would be prohibited from appearing under Section 87401.

History: Added by Stats. 1980, Ch. 66.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18741.1
2 Cal. Code of Regs. Section 18746.4

Opinions: In re Lucas (2000) 14 FPPC Ops. 14

§ 87403. Exemptions.

The prohibitions contained in Sections 87401 and 87402 shall not apply:

(a) To prevent a former state administrative official from making or providing a statement, which is based on the former state administrative official's own special knowledge in the particular area that is the subject of the statement, provided that no compensation is thereby received other than that regularly provided for by law or regulation for witnesses; or

(b) To communications made solely for the purpose of furnishing information by a former state administrative official if the court or state administrative agency to which the communication is directed makes findings in writing that:

(1) The former state administrative official has outstanding and otherwise unavailable qualifications;

(2) The former state administrative official is acting with respect to a particular matter which requires such qualifications; and

(3) The public interest would be served by the participation of the former state administrative official; or

(c) With respect to appearances or communications in a proceeding in which a court or state administrative agency has issued a final order, decree, decision or judgment but has retained jurisdiction if the state administrative agency of former employment gives its consent by determining that:

(1) At least five years have elapsed since the termination of the former state administrative official's employment or term of office; and

(2) The public interest would not be harmed.

History: Added by Stats. 1980, Ch. 66.

§ 87404. Proceedings to Exclude Former State Officers.

Upon the petition of any interested person or party, the court or the presiding or other officer, including but not limited to a hearing officer serving pursuant to Section 11512 of the Government Code, in any judicial, quasi-judicial or other proceeding, including but not limited to any proceeding pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code may, after notice and an opportunity for a hearing, exclude any person found to be in violation of this article from further participation, or from assisting or counseling any other participant, in the proceeding then pending before such court or presiding or other officer.

History: Added by Stats. 1980, Ch. 66.

§ 87405. Application of Requirements.

The requirements imposed by this article shall not apply to any person who left government service prior to the effective date of this article except that any such person who returns to government service on or after the effective date of this article shall thereafter be covered thereby.

History: Added by Stats. 1980, Ch. 66.

§ 87406. Milton Marks Postgovernmental Employment Restrictions Act.

(a) This section shall be known, and may be cited, as the Milton Marks Postgovernment Employment Restrictions Act of 1990.

(b) No Member of the Legislature, for a period of one year after leaving office, shall, for compensation, act as agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance, or by making any oral or written communication, before the Legislature, any committee or subcommittee thereof, any present Member of the Legislature, or any officer or employee thereof, if the appearance or communication is made for the purpose of influencing legislative action.

(c) No elected state officer, other than a Member of the Legislature, for a period of one year after leaving office, shall, for compensation, act as agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance, or by making any oral or written communication, before any state administrative agency, or any officer or employee thereof, if the appearance or communication is for the purpose of influencing administrative action, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit,

license, grant, or contract, or the sale or purchase of goods or property. For purposes of this subdivision, an appearance before a "state administrative agency" does not include an appearance in a court of law, before an administrative law judge, or before the Workers' Compensation Appeals Board.

(d) (1) No designated employee of a state administrative agency, any officer, employee, or consultant of a state administrative agency who holds a position which entails the making, or participation in the making, of decisions which may foreseeably have a material effect on any financial interest, and no member of a state administrative agency, for a period of one year after leaving office or employment, shall, for compensation, act as agent or attorney for, or otherwise represent, any other person, by making any formal or informal appearance, or by making any oral or written communication, before any state administrative agency, or officer or employee thereof, for which he or she worked or represented during the 12 months before leaving office or employment, if the appearance or communication is made for the purpose of influencing administrative or legislative action, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. For purposes of this paragraph, an appearance before a state administrative agency does not include an appearance in a court of law, before an administrative law judge, or before the Workers' Compensation Appeals Board. The prohibition of this paragraph shall only apply to designated employees employed by a state administrative agency on or after January 7, 1991.

(2) For purposes of paragraph (1), a state administrative agency of a designated employee of the Governor's office includes any state administrative agency subject to the direction and control of the Governor.

(e) The prohibitions contained in subdivisions (b), (c), and (d) shall not apply to any individual subject to this section who is or becomes any of the following:

(1) An officer or employee of another state agency, board, or commission if the appearance or communication is for the purpose of influencing legislative or administrative action on behalf of the state agency, board, or commission.

(2) An official holding an elective office of a local government agency if the appearance or communication is for the purpose of influencing legislative or administrative action on behalf of the local government agency.

(f) This section shall become operative on January 1, 1991, but only if Senate Constitutional Amendment No. 32 of the 1989-90 Regular Session is approved by the voters. With respect to Members of the Legislature whose current term of office on January 1, 1991, began in December 1988, this section shall not apply until January 1, 1993.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1990, Ch. 1075; amended by Stats. 1993, Ch. 230; amended by Stats. 1999, Ch. 10, effective April 15, 1999.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18746.1
2 Cal. Code of Regs. Section 18746.2
2 Cal. Code of Regs. Section 18746.4

§ 87406.1. Postgovernmental Employment Restrictions for Districts and District Boards.

(a) For purposes of this section, "district" means an air pollution control district or air quality management district and "district board" means the governing body of an air pollution control district or an air quality management district.

(b) No former member of a district board, and no former officer or employee of a district who held a position which entailed the making, or participation in the making, of decisions which may foreseeably have a material effect on any financial interest, shall, for a period of one year after leaving that office or employment, act as agent or attorney for, or otherwise represent, for compensation, any other person, by making any formal or informal appearance before, or by making any oral or written communication to, that district board, or any committee, subcommittee, or present member of that district board, or any officer or employee of the district, if the appearance or communication is made for the purpose of influencing regulatory action.

(c) Subdivision (b) shall not apply to any individual who is, at the time of the appearance or communication, a board member, officer, or employee of another district or an employee or representative of a public agency.

(d) This section applies to members and former members of district hearing boards.

History: Added by Stats. 1994, Ch. 747.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18746.2

§ 87406.3. Postgovernmental Employment Restrictions for Local Officials.

(a) A local elected official, chief administrative officer of a county, city manager, or general manager or chief administrator of a special district

who held a position with a local government agency as defined in Section 82041 shall not, for a period of one year after leaving that office or employment, act as agent or attorney for, or otherwise represent, for compensation, any other person, by making any formal or informal appearance before, or by making any oral or written communication to, that local government agency, or any committee, subcommittee, or present member of that local government agency, or any officer or employee of the local government agency, if the appearance or communication is made for the purpose of influencing administrative or legislative action, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property.

(b) Subdivision (a) shall not apply to any individual who is, at the time of the appearance or communication, a board member, officer, or employee of another local government agency or an employee or representative of a public agency and is appearing or communicating on behalf of that agency.

(c) Nothing in this section shall preclude a local government agency from adopting an ordinance or policy that restricts the appearance of a former local official before that local government agency if that ordinance or policy is more restrictive than subdivision (a).

(d) Notwithstanding Sections 82002 and 82037, the following definitions shall apply for purposes of this section only:

(1) "Administrative action" means the proposal, drafting, development, consideration, amendment, enactment, or defeat by any local government agency of any matter, including any rule, regulation, or other action in any regulatory proceeding, whether quasi-legislative or quasi-judicial. Administrative action does not include any action that is solely ministerial.

(2) "Legislative action" means the drafting, introduction, modification, enactment, defeat, approval, or veto of any ordinance, amendment, resolution, report, nomination, or other matter by the legislative body of a local government agency or by any committee or subcommittee thereof, or by a member or employee of the legislative body of the local government agency acting in his or her official capacity.

(e) This section shall become operative on July 1, 2006.

History: Added by Stats. 2005, Ch. 680, operative July 1, 2006.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18746.2
2 Cal. Code of Regs. Section 18746.3
2 Cal. Code of Regs. Section 18746.4

§ 87407. Influencing Prospective Employment.

No public official shall make, participate in making, or use his or her official position to influence, any governmental decision directly relating to any person with whom he or she is negotiating, or has any arrangement concerning, prospective employment.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 2003, Ch. 778.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18747

§ 87408. Postgovernmental Employment Restrictions for Board of Administration of the Public Employees' Retirement System and Teachers' Retirement Board.

(a) A member of the Board of Administration of the Public Employees' Retirement System, an individual in a position designated in subdivision (a) or (e) of Section 20098, or an information technology or health benefits manager with a career executive assignment designation with the Public Employees' Retirement System, for a period of four years after leaving that office or position, shall not, for compensation, act as an agent or attorney for, or otherwise represent, any other person, except the state, by making a formal or informal appearance before, or an oral or written communication to, the Public Employees' Retirement System, or an officer or employee thereof, if the appearance or communication is made for the purpose of influencing administrative or legislative action, or influencing an action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property.

(b) A member of the Teachers' Retirement Board, an individual in a position designated in subdivision (a) or (d) of Section 22212.5 of the Education Code, or an information technology manager with a career executive assignment designation with the State Teachers' Retirement System, for a period of four years after leaving that office or position, shall not, for compensation, act as an agent or attorney for, or otherwise represent, any other person, except the state, by making a formal or informal appearance before, or an oral or written communication to, the State Teachers' Retirement System, or an officer or employee thereof, if the appearance or communication is made for the purpose of influencing administrative or legislative

action, or influencing an action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property.

History: Added by Stats. 2011, Ch. 551.

§ 87409. Restrictions on Activities of Former Investment Officials; Assisting Others.

(a) A member of the Board of Administration of the Public Employees' Retirement System, an individual in a position designated in subdivision (a) or (e) of Section 20098, or an information technology or health benefits manager with a career executive assignment designation with the Public Employees' Retirement System, for a period of two years after leaving that office or position, shall not, for compensation, aid, advise, consult with, or assist a business entity in obtaining the award of, or in negotiating, a contract or contract amendment with the Public Employees' Retirement System.

(b) A member of the Teachers' Retirement Board, an individual in a position designated in subdivision (a) or (d) of Section 22212.5 of the Education Code, or an information technology manager with a career executive assignment designation with the State Teachers' Retirement System, for a period of two years after leaving that office or position, shall not, for compensation, aid, advise, consult with, or assist a business entity in obtaining the award of, or in negotiating, a contract or contract amendment with the State Teachers' Retirement System.

(c) For purposes of this section, "business entity" has the same meaning as set forth in Section 82005, and includes a parent or subsidiary of a business entity.

History: Added by Stats. 2011, Ch. 551.

§ 87410. Postgovernmental Ban on Placement Agent Activities.

(a) A member of the Board of Administration of the Public Employees' Retirement System or an individual in a position designated in subdivision (a) or (e) of Section 20098, for a period of 10 years after leaving that office or position, shall not accept compensation for providing services as a placement agent in connection with investments or other business of the Public Employees' Retirement System or the State Teachers' Retirement System.

(b) A member of the Teachers' Retirement Board or an individual in a position designated in subdivision (a) or (d) of Section 22212.5 of the Education Code, for a period of 10 years after leaving that office or position, shall not accept compensation for providing services as a placement agent in connection with investments or other business of the State Teachers' Retirement System or the Public Employees' Retirement System.

History: Added by Stats. 2011, Ch. 551.

Article 4.5. Disqualification of State Officers and Employees. § 87450

§ 87450. Restrictions in Participation of State Officers in Decisions Relating to Contracts.

§ 87450. Restrictions in Participation of State Officers in Decisions Relating to Contracts.

(a) In addition to the provisions of Article 1 (commencing with Section 87100), no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family, has engaged in any business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property, or the rendering of goods or services totaling in value one thousand dollars ($1,000) or more within 12 months prior to the time the official action is to be performed.

(b) As used is subdivision (a), "state administrative official" has the same meaning as defined in Section 87400.

History: Added by Stats. 1986, Ch. 653.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1

Article 4.6. Loans to Public Officials. § 87460-87462

§ 87460. Loans to Public Officials.
§ 87461. Loan Terms.
§ 87462. Personal Loans.

§ 87460. Loans to Public Officials.

(a) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(b) No public official who is required to file a statement of economic interests pursuant to Section 87200 and no public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(c) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(d) No public official who is required to file a statement of economic interests pursuant to Section 87200 and no public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(e) This section shall not apply to the following:

(1) Loans made to the campaign committee of an elected officer or candidate for elective office.

(2) Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

(3) Loans from a person which, in the aggregate, do not exceed two hundred fifty dollars ($250) at any given time.

(4) Loans made, or offered in writing, before the operative date of this section.

History: Added by Stats. 1997, Ch. 638.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229

Opinions: In re Roberts (2004) 17 FPPC Ops. 9

§ 87461. Loan Terms.

(a) Except as set forth in subdivision (b), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars ($500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(b) This section shall not apply to the following types of loans:

(1) Loans made to the campaign committee of the elected officer.

(2) Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

(3) Loans made, or offered in writing, before the operative date of this section.

(c) Nothing in this section shall exempt any person from any other provisions of this title.

History: Added by Stats. 1997, Ch. 638.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229

Opinions: In re Roberts (2004) 17 FPPC Ops. 9

§ 87462. Personal Loans.

(a) Except as set forth in subdivision (b), a personal loan shall become a gift to the debtor for the purposes of this title in the following circumstances:

(1) If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

(2) If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

(A) The date the loan was made.

(B) The date the last payment of one hundred dollars ($100) or more was made on the loan.

(C) The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars ($250) during the previous 12 months.

(b) This section shall not apply to the following types of loans:

(1) A loan made to the campaign committee of an elected officer or a candidate for elective office.

(2) A loan that would otherwise not be a gift as defined in this title.

(3) A loan that would otherwise be a gift as set forth under paragraph (a), but on which the creditor has taken reasonable action to collect the balance due.

(4) A loan that would otherwise be a gift as set forth under paragraph (a), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

(5) A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(c) Nothing in this section shall exempt any person from any other provisions of this title.

History: Added by Stats. 1997, Ch. 638.

Article 5. Filing.
§ 87500-87505

§ 87500. Statements of Economic Interests- Where to File.
§ 87500.1. Statements of Economic Interests- Electronic Filing; Pilot Program.
§ 87500.2. Statements of Economic Interests- Electronic Filing.
§ 87500.3. Statements of Economic Interests- Development of Electronic Filing System for the Commission.
§ 87500.4. Statements of Economic Interests- Specifying Persons Authorized to File Electronically with the Commission.
§ 87505. Web Site Notification.

§ 87500. Statements of Economic Interests – Where to File.

Statements of economic interests required by this chapter shall be filed as follows:

(a) Statewide elected officer – one original with the agency, which shall make and retain a copy and forward the original to the Commission. The Commission shall be the filing officer.

(b) Candidates for statewide elective office – one original and one copy with the person with whom the candidate's declaration of candidacy is filed, who shall forward the original to the Commission. The Commission shall be the filing officer.

(c) Members of the Legislature and State Board of Equalization – one original with the agency, which shall make and retain a copy and forward the original to the Commission. The Commission shall be the filing officer.

(d) Candidates for the Legislature or the State Board of Equalization – one original and one copy with the person with whom the candidate's declaration of candidacy is filed, who shall forward the original to the Commission. The Commission shall be the filing officer.

(e) Persons holding the office of chief administrative officer and candidates for and persons holding the office of district attorney, county counsel, county treasurer, and member of the board of supervisors – one original with the county clerk, who shall make and retain a copy and forward the original to the Commission, which shall be the filing officer.

(f) Persons holding the office of city manager or, if there is no city manager, the chief administrative officer, and candidates for and persons holding the office of city council member, city treasurer, city attorney, and mayor – one original with the city clerk, who shall make and retain a copy and forward the original to the Commission, which shall be the filing officer.

(g) Members of the Public Utilities Commission, members of the State Energy Resources Conservation and Development Commission, planning commissioners, and members of the California Coastal Commission – one original with

the agency, which shall make and retain a copy and forward the original to the Commission, which shall be the filing officer.

(h) Persons appointed to other state boards, commissions, or similar multimember bodies of the state—one original with the respective board, commission, or body. The original shall be handled as set forth in the Conflict of Interest Code of the respective board, commission, or body. If the board, commission, or body is not required by its Conflict of Interest Code to send the original to the Commission, it shall forward a copy to the Commission.

(i) Members of the Fair Political Practices Commission – one original with the Commission, which shall make and retain a copy and forward the original to the office of the Attorney General, which shall be the filing officer.

(j) Judges and court commissioners – one original with the clerk of the court, who shall make and retain a copy and forward the original to the Commission, which shall be the filing officer. Original statements of candidates for the office of judge shall be filed with the person with whom the candidate's declaration of candidacy is filed, who shall retain a copy and forward the original to the Commission, which shall be the filing officer.

(k) Except as provided for in subdivision (l), heads of agencies, members of boards or commissions not under a department of state government, and members of boards or commissions not under the jurisdiction of a local legislative body – one original with the agency, which shall make and retain a copy and forward the original to the code reviewing body, which shall be the filing officer. The code reviewing body may provide that the original be filed directly with the code reviewing body and that no copy be retained by the agency.

(l) Heads of local government agencies and members of local government boards or commissions, for which the Fair Political Practices Commission is the code reviewing body – one original to the agency or board or commission, which shall be the filing officer, unless, at its discretion, the Fair Political Practices Commission elects to act as the filing officer. In this instance, the original shall be filed with the agency, board, or commission, which shall make and retain a copy and forward the original to the Fair Political Practices Commission.

(m) Designated employees of the Legislature – one original with the house of the Legislature by which the designated employee is employed. Each house of the Legislature may provide that the originals of statements filed by its designated employees be filed directly with the Commission, and that no copies be retained by that house.

(n) Designated employees under contract to more than one joint powers insurance agency and who elect to file a multiagency statement pursuant to Section 87350 – the original of the statement with the Commission, which shall be the filing officer, and, with each agency with which they are under contract, a statement declaring that their statement of economic interests is on file with the Commission and available upon request.

(o) Members of a state licensing or regulatory board, bureau, or commission – one original with the agency, which shall make and retain a copy and forward the original to the Commission, which shall be the filing officer.

(p) Persons not mentioned above – one original with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.

History: Added by Stats. 1979, Ch. 674; amended by Stats. 1983, Ch. 214; amended by Stats. 1984, Ch. 1368; amended by Stats. 1985, Ch. 611; amended by Stats. 1988, Ch. 708; amended by Stats. 1990, Ch. 69; amended by Stats. 1992, Ch. 405; amended by Stats. 1993, Ch. 1140; amended by Stats. 1996, Ch. 289; amended by Stats. 2005, Ch. 200; amended by Stats. 2007, Ch. 348; amended by Stats. 2011, Ch. 252.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18115
2 Cal. Code of Regs. Section 18227
2 Cal. Code of Regs. Section 18732.5
2 Cal. Code of Regs. Section 18735.5
2 Cal. Code of Regs. Section 18753

§ 87500.1. Statements of Economic Interests – Electronic Filing; Pilot Program.

(a) The Counties of Los Angeles, Merced, Orange, Santa Clara, Stanislaus, and Ventura and the City of Long Beach may permit the electronic filing of a statement of economic interests required by Article 3 (commencing with Section 87300) in accordance with regulations adopted by the Commission. Each participating county shall use the standard form for electronic filing found online, as required by the Commission.

(b) A public official subject to Article 2 (commencing with Section 87200) shall not participate in the pilot program.

(c) A statement filed electronically shall include an electronic transmission that is submitted under penalty of perjury and that conforms to subdivision (b) of Section 1633.11 of the Civil Code.

(d)(1) The filing officer shall issue to a person who electronically files his or her statement of economic interests or amendment electronic confirmation that notifies the filer that his or her statement of economic interests or amendment was

received. The confirmation shall include the date and the time that the statement of economic interests or amendment was received by the filing officer and the method by which the filer may view and print the data received by the filing officer.

(2) A paper copy retained by the filer of a statement of economic interests or amendment that was electronically filed and the confirmation issued pursuant to paragraph (1) that shows that the filer timely filed his or her statement of economic interests or amendment shall create a rebuttable presumption that the filer filed his or her statement of economic interests or amendment on time.

(e) The filing officer shall utilize a system that includes firewalls, data encryption, secure authentication, and all necessary hardware and software and industry best practices to ensure that the security and integrity of the data and information contained in the statement of economic interests are not jeopardized or compromised.

(f) The filing officer shall provide the public with a copy of an official's statement of economic interests upon request, in accordance with Section 81008. The paper copy of the electronically filed statement of economic interests shall be identical to the statement of economic interests published by the Commission and shall include the date that the statement was filed.

(g)(1) The pilot program shall commence on or after January 1, 2009, and shall be completed by December 31, 2012. The pilot program shall include the reporting periods of 2008 through 2011. A city or county participating in the pilot program shall submit a report to the Commission not later than July 1, 2011. The report shall include the following:

(A) A listing and estimate of associated operational efficiencies and related savings.

(B) A listing and estimate of associated costs from implementing and operating the pilot program.

(C) A listing of safety, security, or privacy issues encountered and explanation of how those issues were addressed.

(D) Available information relating to feedback from electronic filing participants.

(E) Any other relevant information on the implementation of the pilot program.

(2) The Commission shall transmit the city and county reports received, as well as any comments on the reports, to the Legislative Analyst's Office not later than August 15, 2011. The Legislative Analyst's Office shall provide a report to the Legislature evaluating the pilot program not later than February 1, 2012.

(h) The Commission, in conjunction with the Legislative Analyst's Office, may develop additional criteria for the report to be submitted to the Commission by participating city and counties pursuant to paragraph (1) of subdivision (g).

(i) This section shall remain in effect until December 31, 2012, and as of that date is repealed, unless a later enacted statute, which is enacted before December 31, 2012, deletes or extends that date.

History: Added by Stats. 2008, Ch. 498; amended by Stats. 2009, Ch. 139; amended by Stats. 2010, Ch. 58; amended by Stats. 2011, Ch. 96.

§ 87500.2. Statements of Economic Interests – Electronic Filing.

(a) An agency may permit the electronic filing of a statement of economic interests required by Article 2 (commencing with Section 87200) or Article 3 (commencing with Section 87300), including amendments, in accordance with regulations adopted by the Commission.

(b) In consultation with interested agencies, the Commission shall use common database integration features in developing database design requirements for all electronic filings that may be used.

(c)(1) An agency that intends to permit electronic filing of a statement of economic interests shall submit a proposal, which shall include a description of the electronic filing system that the agency proposes to use, to the Commission for approval and certification. An agency that submits a proposal shall include a fee of one thousand dollars ($1,000) that is payable to the Commission for the costs of approving and certifying the proposal. However, the Counties of Los Angeles, Orange, Santa Clara, and Ventura and the City of Long Beach, which participated in the pilot program pursuant to Section 87500.1, shall not be required to pay the one thousand dollar ($1,000) fee.

(2) An agency shall not charge a person to electronically file a statement of economic interests.

(3) The Commission shall review an agency's proposal for compliance with the system requirement regulations adopted pursuant to subdivisions (a) and (b) and the requirements of subdivision (d). If the proposed system complies with these requirements, the Commission shall approve and certify the agency's electronic filing system as soon as practicable after receiving the agency's submitted proposal.

(d) An agency's proposed electronic filing system shall meet the following requirements:

(1) A statement of economic interests filed electronically shall include an electronic transmission that is submitted under penalty of perjury and that conforms to subdivision (b) of Section 1633.11 of the Civil Code.

(2)(A) The agency's filing officer shall issue to a person who electronically files his or her statement of economic interests or amendment an electronic confirmation that notifies the filer that his or her statement of economic interests or amendment was received. The confirmation shall include the date and the time that the statement of economic interests or amendment was received by the filing officer and the method by which the filer may view and print the data received by the filing officer.

(B) A copy retained by the filer of a statement of economic interests or amendment that was electronically filed and the confirmation issued pursuant to subparagraph (A) that shows that the filer timely filed his or her statement of economic interests or amendment shall create a rebuttable presumption that the filer timely filed his or her statement of economic interests or amendment.

(3) The agency shall utilize an electronic filing system that includes layered security to ensure data integrity. The system shall have the capability to uniquely identify a filer electronically when he or she accesses the electronic filing system. The operational process for the system shall include industry best practices to ensure that the security and integrity of the data and information contained in the statement of economic interests are not jeopardized or compromised.

(4) The agency shall provide the public with a copy of an official's statement of economic interests upon request, in accordance with Section 81008. The copy of the electronically filed statement of economic interests shall be identical to the statement of economic interests published by the Commission and shall include the date that the statement was filed.

(e) The Commission may adopt regulations to require that an agency redact information on a statement of economic interests prior to posting the statement of economic interests on the Internet.

(f) The Commission may conduct discretionary audits of an agency's approved and certified electronic filing system to evaluate its performance and compliance with the requirements of this section.

(g) The Commission shall accept an electronic copy of a statement of economic interests that is forwarded to it by an agency that has received an electronically filed statement from a filer pursuant to this section.

(h) A city or county that developed an electronic filing system pursuant to the pilot program established by Section 87500.1 may continue to use that system for purposes of this section, including, but not limited to, the time during which the Commission is adopting the regulations required by this section. However, after the Commission's regulations take effect, the city or county shall submit a description of its electronic filing system to the Commission for approval and certification, within a reasonable time to be determined by the Commission. A city or county shall not continue to use an electronic filing system originally developed for purposes of Section 87500.1 if the Commission does not approve and certify that electronic filing system as complying with the requirements of the Commission's regulations and the other requirements of this section.

History: Added by Stats. 2012, Ch. 500, effective September 24, 2012.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18756

§ 87500.3. Statements of Economic Interests – Development of Electronic Filing System for the Commission.

(a) The Commission may develop and operate an online system for filing statements of economic interests required by Article 2 (commencing with Section 87200) and Article 3 (commencing with Section 87300). Consistent with Section 87500.4, the online system shall enable a filer to comply with the requirements of this chapter relating to the filing of statements of economic interests and shall include, but not be limited to, both of the following:

(1) A means or method whereby a filer may electronically file, free of charge, a statement of economic interests that includes an electronic transmission that is submitted under penalty of perjury in conformity with Section 81004 of this code and subdivision (b) of Section 1633.11 of the Civil Code.

(2) Security safeguards that include firewalls, data encryption, secure authentication, and all necessary hardware and software and industry best practices to ensure that the security and integrity of the data and information contained in each statement of economic interests are not jeopardized or compromised.

(b)(1) A system developed pursuant to subdivision (a) shall issue to a person who electronically files his or her statement of economic interests, or an amendment to a statement of economic interests, an electronic confirmation that notifies the filer that his or her statement of economic interests or amendment was received. The confirmation shall include the date and the time that the statement of economic interests or amendment was received and the method by which the filer may view and print the data received.

(2) A paper copy retained by the filer of a statement of economic interests or amendment that was electronically filed and the confirmation issued pursuant to paragraph (1) that shows that the filer timely filed his or her statement of economic interests or amendment shall create a rebuttable presumption that the filer filed his or her statement of economic interests or amendment on time.

(c) If the Commission develops an online system pursuant to subdivision (a), it shall conduct public hearings to receive input on the implementation of that system, maintain ongoing coordination among affected state and local agencies as necessary, and develop training and assistance programs for state and local filing officers and filers regarding use of the online system for filing statements of economic interests.

(d)(1) Except as provided in paragraph (2), the Commission may make all the data filed on a system developed pursuant to subdivision (a) available on the Commission's Internet Web site in an easily understood format that provides the greatest public access, and shall provide assistance to those seeking public access to the information.

(2) The Commission shall redact private information, including, but not limited to, the signatures of filers, from the data that is made available on the Internet pursuant to this subdivision. The Commission shall develop and implement a policy regarding redaction of private information for the purposes of this paragraph, and shall conduct one or more public hearings to receive input on the development of that policy.

History: Added by Stats. 2013, Ch. 643, effective October 8, 2013.

§ 87500.4. Statements of Economic Interests – Specifying Persons Authorized to File Electronically with the Commission.

(a) If the Commission establishes an online system pursuant to Section 87500.3, the Commission shall specify which categories of persons described in Section 87500 may file statements of economic interests electronically through the online system established by the Commission.

(b)(1) If the Commission, pursuant to subdivision (a), specifies that persons described in Section 87500 may file statements of economic interests electronically through the online system established by the Commission, the Commission, upon authorization by the filing officer designated by Section 87500, shall assume the duties of the filing officer for each filer within each category of filers authorized to file electronically through the online system, irrespective of whether the filer elects to file his or her statement of economic interests electronically or on paper with the Commission. A filing officer who does not authorize the Commission to assume his or her duties as described in this paragraph shall continue to perform the duties prescribed in Section 81010. The filing officer duties assumed by the Commission with respect to each filer in each authorized category shall include, but not be limited to, all of the following:

(A) Notifying the filer of his or her filing obligation.

(B) Receiving the filer's statement of economic interests.

(C) Ensuring compliance with filing requirements in the event the filer fails to file in a timely manner or is required to amend his or her statement of economic interests.

(D) Distributing to filing officers copies of the completed statement of economic interests of a person who is required by this chapter to file more than one statement of economic interests for each period, and who, despite being authorized to file the statement with the Commission electronically, elects to file the statement with the Commission using a paper form.

(2) If the Commission assumes the duties of a filing officer pursuant to this subdivision, the filing officer whose duties are assumed shall provide to the Commission, in a manner prescribed by the Commission, the name and contact information for each filer in the filing officer's jurisdiction.

(c) The Commission shall notify a filing officer who may be affected by a determination of the Commission pursuant to this section to authorize a category of filers to file electronically, no later than six months before the implementation of that determination, in order to allow adequate preparation for implementation.

(d) A person who is required by this chapter to file more than one statement of economic interests for each reporting period and who files his or her statements of economic interests with the Commission electronically after being authorized to do so pursuant to Section 87500.3 is not required to file a statement of economic interests with any other person or agency. If a filer authorized to file electronically with the Commission files with the Commission on paper, the Commission shall distribute copies of the statement to any other filing officers pursuant to subparagraph (D) of paragraph (1) of subdivision (b).

(e)(1) After the Commission makes an initial determination pursuant to subdivision (a) regarding

which categories of persons described in Section 87500 are permitted to file statements of economic interests electronically through the online system established by the Commission, the Commission may subsequently revise its determination at any time.

(2) In accordance with Section 87500.3, the Commission shall continue to conduct public hearings and receive input on the implementation of the online system, and that input shall inform any decision by the Commission to revise, pursuant to paragraph (1), its determination of which categories of persons described in Section 87500 are permitted to file statements of economic interests electronically through the online system established by the Commission.

History: Added by Stats. 2013, Ch. 643, effective October 8, 2013.

§ 87505. Web Site Notification.

Each city clerk or county clerk who maintains an Internet Web site shall post on that Internet Web site a notification that includes all of the following:

(a) A list of the elected officers identified in Section 87200 who file statements of economic interests with that city clerk or county clerk pursuant to Section 87500.

(b) A statement that copies of the statements of economic interests filed by the elected officers described in subdivision (a) may be obtained by visiting the offices of the Commission or that city clerk or county clerk, as appropriate. The statement shall include the physical address for the Commission's office and the city clerk's office or the county clerk's office, as appropriate.

(c) A link to the Commission's Internet Web site and a statement that statements of economic interests for some state and local government agency elected officers may be available in an electronic format on the Commission's Internet Web site.

History: Added by Stats. 2012, Ch. 498.

Chapter 8. Ballot Pamphlet. § 88000-88007

§ 88000. Responsibility.
§ 88001. Contents.
§ 88002. Format.
§ 88002.5. Summary.
§ 88003. Duties of Legislative Analyst.
§ 88004. Manner, Form of Printing Measures.
§ 88005. Printing Specifications.
§ 88005.5. Duties of Legislative Counsel.
§ 88006. Public Examination of Pamphlet.
§ 88007. Amendment of Chapter by Legislature.

§ 88000. Responsibility.

There shall be a state ballot which shall be prepared by the Secretary of State.

§ 88001. Contents.

The ballot pamphlet shall contain all of the following:

(a) A complete copy of each state measure.

(b) A copy of the specific constitutional or statutory provision, if any, that would be repealed or revised by each state measure.

(c) A copy of the arguments and rebuttals for and against each state measure.

(d) A copy of the analysis of each state measure.

(e) Tables of contents, indexes, art work, graphics and other materials that the Secretary of State determines will make the ballot pamphlet easier to understand or more useful for the average voter.

(f) A notice, conspicuously printed on the cover of the ballot pamphlet, indicating that additional copies of the ballot pamphlet will be mailed by the county elections official upon request.

(g) A written explanation of the judicial retention procedure as required by Section 9083 of the Elections Code.

(h) The Voter Bill of Rights pursuant to Section 2300 of the Elections Code.

(i) If the ballot contains an election for the office of United States Senator, information on candidates for United States Senator. A candidate for United States Senator may purchase the space to place a statement in the state ballot pamphlet that does not exceed 250 words. The statement may not make any reference to any opponent of the candidate. The statement shall be submitted in accordance with timeframes and procedures set forth by the Secretary of State for the preparation of the state ballot pamphlet.

(j) If the ballot contains a question as to the confirmation or retention of a justice of the Supreme Court, information on justices of the Supreme Court who are subject to confirmation or retention.

(k) If the ballot contains an election for the offices of President and Vice President of the United States, a notice that refers voters to the Secretary of State's Internet Web site for information about candidates for the offices of President and Vice President of the United States.

(l) A written explanation of the appropriate election procedures for party-nominated, voter-

nominated, and nonpartisan offices as required by Section 9083.5 of the Elections Code.

(m) A written explanation of the top 10 contributor lists required by Section 84223, including a description of Internet Web sites where those lists are available to the public.

History: Amended by Stats. 1977, Ch. 520; amended by Stats. 1991, Ch. 491; amended by Stats. 1994, Ch. 923; amended by Stats. 2008, Ch. 137; amended by Stats. 2009, Ch. 1; amended by Stats. 2014, Ch. 16, effective July 1, 2014.

References at the time of publication (see page 3):

Opinions: In re Miller (1978) 4 FPPC Ops. 26
In re Bunyan (1976) 2 FPPC Ops. 10

§ 88002. Format.

The ballot pamphlet shall contain as to each state measure to be voted upon, the following in the order set forth in this section:

(a) Upon the top portion of the first page and not exceeding one-third of the page shall appear:

(1) The identification of the measure by number and title.

(2) The official summary prepared by the Attorney General.

(3) The total number of votes cast for and against the measure in both the State Senate and Assembly if the measure was passed by the Legislature.

(b) Beginning at the top of the right page shall appear the analysis prepared by the Legislative Analyst, provided that the analysis fits on single page. If it does not fit on a single page, then the analysis shall begin on the lower portion of the first left page and shall continue on subsequent pages until it is completed.

(c) Immediately below the analysis prepared by the Legislative Analyst shall appear a printed statement that refers voters to the Secretary of State's Internet Web site for a list of committees primarily formed to support or oppose a ballot measure, and information on how to access the committee's top 10 contributors.

(d) Arguments for and against the measure shall be placed on the next left and right pages, respectively, following the page on which the analysis of the Legislative Analyst ends. The rebuttals shall be placed immediately below the arguments.

(e) If no argument against the measure has been submitted, the argument for the measure shall appear on the right page facing the analysis.

(f) The complete text of each measure shall appear at the back of the pamphlet. The text of the measure shall contain the provisions of the proposed measure and the existing provisions of law repealed or revised by the measure. The provisions of the proposed measure differing from the existing provisions of law affected shall be distinguished in print, so as to facilitate comparison.

(g) The following statement shall be printed at the bottom of each page where arguments appear: "Arguments printed on this page are the opinions of the authors and have not been checked for accuracy by any official agency."

History: Amended by Stats. 1990, Ch. 1430; amended by Stats. 2014, Ch. 920,.

§ 88002.5. Summary.

(a) The ballot pamphlet shall also contain a section, located near the front of the pamphlet, that provides a concise summary of the general meaning and effect of "yes" and "no" votes on each state measure.

(b) The summary statements required by this section shall be prepared by the Legislative Analyst. These statements are not intended to provide comprehensive information on each measure. The Legislative Analyst shall be solely responsible for determining the contents of these statements. The statements shall be available for public examination and amendment pursuant to Section 88006.

History: Added by Stats. 1993, Ch. 156; amended by Stats. 1999, Ch. 312.

§ 88003. Duties of Legislative Analyst.

The Legislative Analyst shall prepare an impartial analysis of the measure describing the measure and including a fiscal analysis of the measure showing the amount of any increase or decrease in revenue or cost to state or local government. Any estimate of increased cost to local governments shall be set out in boldface print in the ballot pamphlet. The analysis shall be written in clear and concise terms which will easily be understood by the average voter, and shall avoid the use of technical terms wherever possible. The analysis may contain background information, including the effect of the measure on existing law and the effect of enacted legislation which will become effective if the measure is adopted, and shall generally set forth in an impartial manner the information which the average voter needs to understand the measure adequately. The Legislative Analyst may contract with professional writers, educational specialists or other persons for assistance in writing an analysis that fulfills the requirements of this section, including the requirement that the analysis be written so that it will be easily understood by the average voter. The Legislative Analyst may also request the

assistance of any state department, agency, or official in preparing his or her analysis. Prior to submission of the analysis to the Secretary of State, the Legislative Analyst shall submit the analysis to a committee of five persons appointed by the Legislative analyst for the purpose of reviewing the analysis to confirm its clarity and easy comprehension to the average voter. The committee shall be drawn from the public at large, and one member shall be a specialist in education, one shall be bilingual, and one shall be a professional writer. Members of the committee shall be reimbursed for reasonable and necessary expenses incurred in performing their duties. Within five days of the submission of the analysis to the committee, the committee shall make such recommendations to the Legislative Analyst as it deems appropriate to guarantee that the analysis can be easily understood by the average voter. The Legislative Analyst shall consider the committee's recommendations, and he or she shall incorporate in the analysis those changes recommended by the committee that he or she deems to be appropriate. The Legislative Analyst is solely responsible for determining the content of the analysis required by this section. The title of the measure which appears on the ballot shall be amended to contain a summary of the Legislative Analyst's estimate of the net state and local government financial impact.

History: Amended by Stats. 1975, Ch. 486, effective September 2, 1975; amended by Stats. 1992, Ch. 232.

§ 88004. Manner, Form of Printing Measures.

Measures shall be printed in the ballot pamphlet, so far as possible, in the same order, manner and form in which they are designated upon the ballot.

§ 88005. Printing Specifications.

The ballot pamphlet shall be printed according to the following specifications:

(a) The pages of the pamphlet shall be not smaller than 8 x 11 inches in size;

(b) It shall be printed in clear readable type, no less than 10-point, except that the text of any measure may be set forth in 8-point type;

(c) It shall be printed on a quality and weight of paper which in the judgment of the Secretary of State best serves the voters;

(d) The pamphlet shall contain a certificate of correctness by the Secretary of State.

References at the time of publication (see page 3):

Opinions: In re Miller (1978) 4 FPPC Ops. 26.

§ 88005.5. Duties of Legislative Counsel.

The Legislative Counsel shall prepare and proofread the texts of all measures and the provisions which are repealed or revised.

§ 88006. Public Examination of Pamphlet.

Not less than 20 days before he or she submits the copy for the ballot pamphlet to the State Printer, the Secretary of State shall make the copy available for public examination. Any elector may seek a writ of mandate requiring the copy to be amended or deleted from the ballot pamphlet. A peremptory writ of mandate shall issue only upon clear and convincing proof that the copy in question is false, misleading or inconsistent with the requirements of this chapter or the Elections Code, and that issuance of the writ will not substantially interfere with the printing and distribution of the ballot pamphlet as required by law. Venue for a proceeding under this section shall be exclusively in Sacramento County. The Secretary of State shall be named as the respondent and the State Printer and the person or official who authored the copy in question shall be named as real parties in interest. If the proceeding is initiated by the Secretary of State, the State Printer shall be named as the respondent.

History: Amended by Stats. 1996, Ch. 724.

§ 88007. Amendment of Chapter by Legislature.

Notwithstanding the provisions of Section 81012, the Legislature may without restriction amend this chapter to add to the ballot pamphlet information regarding candidates or any other information.

Chapter 9. Incumbency.
§ 89000-89001

§ 89000. Order of Names on Ballot.
§ 89001. Newsletter or Mass Mailing.

§ 89000. Order of Names on Ballot.

Any provision of law to the contrary notwithstanding, the order of names of candidates on the ballot in every election shall be determined without regard to whether the candidate is an incumbent.

§ 89001. Newsletter or Mass Mailing.

No newsletter or other mass mailing shall be sent at public expense.

History: Amended by Stats. 1986, Ch. 654; amended by Stats. 1987, Ch. 230; amended by Prop. 73 of the June 1988 statewide primary election, effective June 8, 1988.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18901
2 Cal. Code of Regs. Section 18901.1

Opinions: In re Miller (1978) 4 FPPC Ops. 26

Chapter 9.5. Ethics. § 89500-89522

Article 1. Honoraria. § 89500 - 89503.5
2. Gifts. § 89504 - 89505.5
3. Travel. § 89506 - 89507
4. Campaign Funds. § 89510 – 89522

Article 1. Honoraria. § 89500-89503.5

§ 89500. Chapter Title.
§ 89501. Statements of Economic Interests - Where to File; Regulatory or Licensing Boards, Bureaus or Commissions.
§ 89501. Honoraria.
§ 89502. Honorarium.
§ 89503. Gift Limits.
§ 89503.5. Operation of Article. [Repealed]

§ 89500. Chapter Title.

This chapter shall be known and may be cited as the Ethics in Government Act of 1990.

History: Added by Stats. 1990, Ch. 84.

§ 89501. Statements of Economic Interests - Where to File; Regulatory or Licensing Boards, Bureaus or Commissions.

History: Added by Stats. 1991, Ch. 857; repealed and renumbered § 87500(n), Stats. 1992, Ch. 405.

§ 89501. Honoraria.

(a) For purposes of this chapter, "honorarium" means, except as provided in subdivision (b), any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering.

(b) The term "honorarium" does not include:

(1) Earned income for personal services which are customarily provided in connection with the practice of a bona fide business, trade, or profession, such as teaching, practicing law, medicine, insurance, real estate, banking, or building contracting, unless the sole or predominant activity of the business, trade, or profession is making speeches. The Commission shall adopt regulations to implement this subdivision.

(2) Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the State Controller for donation to the General Fund, or in the case of a public official for local government agency, delivered to his or her agency for donation to an equivalent fund, without being claimed as a deduction from income for tax purposes.

(c) Section 89506 shall apply to all payments, advances, or reimbursements for travel and related lodging and subsistence.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1994, Ch. 36; amended by Stats. 1994, Ch. 1105; repealed and new section added by Stats. 1995, Ch. 690.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18930
2 Cal. Code of Regs. Section 18931.1
2 Cal. Code of Regs. Section 18931.2
2 Cal. Code of Regs. Section 18931.3
2 Cal. Code of Regs. Section 18932
2 Cal. Code of Regs. Section 18932.1
2 Cal. Code of Regs. Section 18932.2
2 Cal. Code of Regs. Section 18932.3
2 Cal. Code of Regs. Section 18932.4
2 Cal. Code of Regs. Section 18932.5
2 Cal. Code of Regs. Section 18933
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18945.1
2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18946.5
2 Cal. Code of Regs. Section 18946.6
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1
2 Cal. Code of Regs. Section 18950.2

§ 89502. Honorarium.

(a) No elected state officer, elected officer of a local government agency, or other individual specified in Section 87200 shall accept any honorarium.

(b) (1) No candidate for elective state office, for judicial office, or for elective office in a local government agency shall accept any honorarium. A person shall be deemed a candidate for purposes of this subdivision when the person has filed a statement of organization as a committee for election to a state or local office, a declaration of intent, or a declaration of candidacy, whichever occurs first. A person shall not be deemed a candidate for purposes of this subdivision after he or she is sworn into the elective office, or, if the person lost the election after the person has terminated his or her campaign statement filing obligations for that office pursuant to Section

84214 or after certification of the election results, whichever is earlier.

(2) Paragraph (1) shall not apply to any person who is a candidate as described in paragraph (1) for judicial office on or before December 31, 1996.

(c) No member of a state board or commission and no designated employee of a state or local government agency shall accept an honorarium from any source if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(d) This section shall not apply to a person in his or her capacity as judge. This section shall not apply to a person in his or her capacity as a part-time member of the governing board of any public institution of higher education unless that position is an elective office.

History: Added by Stats. 1990, Ch. 84; repealed and new section added by Stats. 1995, Ch. 690; amended by Stats. 1996, Ch. 1056.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18736
2 Cal. Code of Regs. Section 18930
2 Cal. Code of Regs. Section 18931.1
2 Cal. Code of Regs. Section 18931.2
2 Cal. Code of Regs. Section 18931.3
2 Cal. Code of Regs. Section 18932
2 Cal. Code of Regs. Section 18932.1
2 Cal. Code of Regs. Section 18932.2
2 Cal. Code of Regs. Section 18932.3
2 Cal. Code of Regs. Section 18932.4
2 Cal. Code of Regs. Section 18932.5
2 Cal. Code of Regs. Section 18933
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18945.1
2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18946.5
2 Cal. Code of Regs. Section 18946.6
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1
2 Cal. Code of Regs. Section 18950.2

§ 89503. Gift Limits.

(a) No elected state officer, elected officer of a local government agency, or other individual specified in Section 87200 shall accept gifts from any single source in any calendar year with a total value of more than two hundred fifty dollars ($250).

(b) (1) No candidate for elective state office, for judicial office, or for elective office in a local government agency shall accept gifts from any single source in any calendar year with a total value of more than two hundred fifty dollars ($250). A person shall be deemed a candidate for purposes of this subdivision when the person has filed a statement of organization as a committee for election to a state or local office, a declaration of intent, or a declaration of candidacy, whichever occurs first. A person shall not be deemed a candidate for purposes of this subdivision after he or she is sworn into the elective office, or, if the person lost the election, after the person has terminated his or her campaign statement filing obligations for that office pursuant to Section 84214 or after certification of the election results, whichever is earlier.

(2) Paragraph (1) shall not apply to any person who is a candidate as described in paragraph (1) for judicial office on or before December 31, 1996.

(c) No member of a state board or commission or designated employee of a state or local government agency shall accept gifts from any single source in any calendar year with a total value of more than two hundred fifty ($250) if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(d) This section shall not apply to a person in his or her capacity as judge. This section shall not apply to a person in his or her capacity as a part-time member of the governing board of any public institution of higher education unless that position is an elective office.

(e) This section shall not prohibit or limit the following:

(1) Payments, advances, or reimbursements for travel and related lodging and subsistence permitted by Section 89506.

(2) Wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

(f) Beginning on January 1, 1993, the Commission shall adjust the gift limitation in this section on January 1 of each odd-numbered year to reflect changes in the Consumer Price Index, rounded to the nearest ten dollars ($10).

(g) The limitations in this section are in addition to the limitations on gifts in Section 86203.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1993, Ch. 769; repealed and new section added by Stats. 1995, Ch. 690; amended by Stats. 1996, Ch. 1056.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18730.1
2 Cal. Code of Regs. Section 18736
2 Cal. Code of Regs. Section 18932.4
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18940.2
2 Cal. Code of Regs. Section 18941
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18942.1
2 Cal. Code of Regs. Section 18942.2

2 Cal. Code of Regs. Section 18942.3
2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18945.1
2 Cal. Code of Regs. Section 18946
2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18946.4
2 Cal. Code of Regs. Section 18946.5
2 Cal. Code of Regs. Section 18946.6
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1
2 Cal. Code of Regs. Section 18950.2

Opinions: In re Solis (2000) 14 FPPC Ops. 7

§ 89503.5. Operation of Article. [Repealed]

History: Added by Stats. 1990, Ch. 84; repealed by Stats. 1991, Ch. 857.

Article 2. Gifts.
§ 89504-89505.5

§ 89504. Gifts; Limitations. [Repealed]
§ 89505. Gifts; Prohibitions. [Repealed]
§ 89505.5. Operation of Article. [Repealed]

§ 89504. Gifts; Limitations. [Repealed]

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1994, Ch. 1105; repealed by Stats. 1995, Ch. 690.

§ 89505. Gifts; Prohibitions. [Repealed]

History: Added by Stats. 1990, Ch. 84; repealed by Stats. 1995, Ch. 690.

§ 89505.5. Operation of Article. [Repealed]

History: Added by Stats. 1990, Ch. 84; repealed by Stats. 1991, Ch. 857.

Article 3. Travel.
§ 89506 - 89507

§ 89506. Travel Payments, Advances and Reimbursements.
§ 89507. Operation of Article. [Repealed]

§ 89506. Travel Payments, Advances and Reimbursements.

(a) Payments, advances, or reimbursements for travel, including actual transportation and related lodging and subsistence that is reasonably related to a legislative or governmental purpose, or to an issue of state, national, or international public policy, are not prohibited or limited by this chapter if either of the following applies:

(1) The travel is in connection with a speech given by the elected state officer, local elected officeholder, candidate for elective state office or local elective office, an individual specified in Section 87200, member of a state board or commission, or designated employee of a state or local government agency, the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech, and the travel is within the United States.

(2) The travel is provided by a government, a governmental agency, a foreign government, a governmental authority, a bona fide public or private educational institution, as defined in Section 203 of the Revenue and Taxation Code, a nonprofit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, or by a person domiciled outside the United States who substantially satisfies the requirements for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

(b) Gifts of travel not described in subdivision (a) are subject to the limits in Section 89503.

(c) Subdivision (a) applies only to travel that is reported on the recipient's statement of economic interests.

(d) For purposes of this section, a gift of travel does not include any of the following:

(1) Travel that is paid for from campaign funds, as permitted by Article 4 (commencing with Section 89510), or that is a contribution.

(2) Travel that is provided by the agency of a local elected officeholder, an elected state officer, member of a state board or commission, an individual specified in Section 87200, or a designated employee.

(3) Travel that is reasonably necessary in connection with a bona fide business, trade, or profession and that satisfies the criteria for federal income tax deduction for business expenses in Sections 162 and 274 of the Internal Revenue Code, unless the sole or predominant activity of the business, trade, or profession is making speeches.

(4) Travel that is excluded from the definition of a gift by any other provision of this title.

(e) This section does not apply to payments, advances, or reimbursements for travel and related lodging and subsistence permitted or limited by Section 170.9 of the Code of Civil Procedure.

(f) (1) A nonprofit organization that regularly organizes and hosts travel for elected officials and that makes payments, advances, or reimbursements that total more than ten thousand dollars ($10,000) in a calendar year, or that total more than five thousand dollars ($5,000) in a calendar year for a single person, for travel by an elected state officer or local elected officeholder as described in subdivision (a) shall disclose to the Commission the names of donors who did both of the following in the preceding year:

(A) Donated one thousand dollars ($1,000) or more to the nonprofit organization.

(B) Accompanied an elected state officer or local elected officeholder, either personally or through an agent, employee, or representative, for any portion of travel described in subdivision (a).

(2) For purposes of this subdivision, an organization "regularly organizes and hosts travel for elected officials" if the sum of the organization's expenses that relate to any of the following types of activities with regard to elected officials was greater than one-third of its total expenses reflected on the organization's Internal Revenue Service Form 990, or the equivalent, filed most recently within the last 12 months:

(A) Travel.

(B) Study tours.

(C) Conferences, conventions, and meetings.

(3) This subdivision does not preclude a finding that a nonprofit organization is acting as an intermediary or agent of the donor. If the nonprofit organization is acting as an intermediary or agent of the donor, all of the following apply:

(A) The donor to the nonprofit organization is the source of the gift.

(B) The donor shall be identified as a financial interest under Section 87103.

(C) The gift shall be reported as required by Section 87207.

(D) The gift shall be subject to the limitations on gifts specified in Section 89503.

(4) For purposes of this subdivision, a nonprofit organization includes an organization that is exempt from taxation under Section 501(c)(3) or Section 501(c)(4) of the Internal Revenue Code.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 674; amended by Stats. 1994, Ch. 1105; amended by Stats. 1995, Ch. 690; amended by Stats. 1997, Ch. 455, effective September 24, 1997; amended by Stats. 2015, Ch. 757, effective January 1, 2016.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18930
2 Cal. Code of Regs. Section 18931.1
2 Cal. Code of Regs. Section 18931.2
2 Cal. Code of Regs. Section 18931.3
2 Cal. Code of Regs. Section 18932
2 Cal. Code of Regs. Section 18932.1
2 Cal. Code of Regs. Section 18932.2
2 Cal. Code of Regs. Section 18932.3
2 Cal. Code of Regs. Section 18932.4
2 Cal. Code of Regs. Section 18932.5
2 Cal. Code of Regs. Section 18933
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18940.2
2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18945.1
2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18946.5
2 Cal. Code of Regs. Section 18946.6
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1
2 Cal. Code of Regs. Section 18950.2

§ 89507. Operation of Article. [Repealed]

History: Added by Stats. 1990, Ch. 84; Repealed by Stats. 1991, Ch. 1271.

Article 4. Campaign Funds.
§ 89510 - 89522

§ 89510. Contributions Held in Trust.
§ 89511. Campaign Funds Held by Candidates and Committees.
§ 89511.5. Use of Personal Funds for Incumbent Elected Officers.
§ 89512. Expenditures Associated with Seeking or Holding Office.
§ 89512.5. Expenditures by Committees not Controlled by Candidates.
§ 89513. Use of Campaign Funds for Specific Activities.
§ 89514. Use of Campaign Funds for Attorney's Fees.
§ 89515. Use of Campaign Funds for Donations and Loans.
§ 89516. Use of Campaign Funds for Vehicle Expenses.
§ 89517. Use of Campaign Funds for Real Property, Appliances or Equipment.
§ 89517.5. Use of Campaign Funds for Security System.
§ 89518. Use of Campaign Funds for Compensation.
§ 89519. Use of Surplus Campaign Funds.
§ 89520. Violations.
§ 89521. Unlawful Honorarium, Gift or Expenditure.
§ 89522. Campaign Funds; Prohibited Use Under Elections Code.

§ 89510. Contributions Held in Trust.

(a) A candidate for elective state office may only accept contributions within the limits provided in Chapter 5 (commencing with Section 85100).

(b) All contributions deposited into the campaign account shall be deemed to be held in trust for expenses associated with the election of the candidate or for expenses associated with holding office.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.7

§ 89511. Campaign Funds Held by Candidates and Committees.

(a) This article applies to campaign funds held by candidates for elective office, elected officers, controlled committees, ballot measure committees, committees opposed to a candidate or measure, and any committee which qualifies as a committee pursuant to subdivision (a) of Section 82013.

(b) (1) For purposes of this chapter, "campaign funds" includes any contributions, cash, cash equivalents, and other assets received or possessed by a committee as defined by subdivision (a) of Section 82013.

(2) For purposes of this chapter, "committee" means a controlled committee, ballot measure committee, committee opposed to a candidate or measure, and any committee which qualifies as a committee pursuant to subdivision (a) of Section 82013.

(3) For purposes of this chapter, "substantial personal benefit" means an expenditure of campaign funds which results in a direct personal benefit with a value of more than two hundred dollars ($200) to a candidate, elected officer, or any individual or individuals with authority to approve the expenditure of campaign funds held by a committee.

(4) For purposes of this article, "household" includes the candidate's or elected officer's spouse, dependent children, and parents who reside with the candidate or elected officer.

(5) (A) For purposes of this article, "attorney's fees and other costs" includes only the following:

(i) Attorney's fees and other legal costs related to the defense of the candidate or officer.

(ii) Administrative costs directly related to compliance with the requirements of this title.

(B) "Attorney's fees and other costs" does not include expenses for fundraising, media or political consulting fees, mass mailing or other advertising, or, except as expressly authorized by subdivision (c) of Section 89513, a payment or reimbursement for a fine, penalty, judgment or settlement, or a payment to return or disgorge contributions made to any other committee controlled by the candidate or officer.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546; amended by Stats. 2000, Ch. 130; amended by Stats. 2014, Ch. 884.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229
2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18421.7
2 Cal. Code of Regs. Section 18960

Opinions: In re Roberts (2004) 17 FPPC Ops. 9

§ 89511.5. Use of Personal Funds for Incumbent Elected Officers.

(a) An incumbent elected officer may utilize his or her personal funds for expenditures authorized by subdivision (b) of Section 89510 without first depositing those funds in his or her controlled committee's campaign bank account, if both of the following conditions are met:

(1) The expenditures are not campaign expenses.

(2) The treasurer of the committee is provided with a dated receipt and a written description of the expenditure.

(b) An incumbent elected officer may be reimbursed for expenditures of his or her personal funds, from either the controlled committee campaign bank account established pursuant to Section 85201 with respect to election to the incumbent term of office, or from a controlled committee campaign bank account established pursuant to Section 85201 with respect to election to a future term of office, if all of the following conditions are met:

(1) The expenditures are not campaign expenses.

(2) The incumbent elected officer, prior to reimbursement, provides the treasurer of the committee with a dated receipt and a written description of each expenditure.

(3) Reimbursement is paid within 90 days of the expenditure, in the case of a cash expenditure, or within 90 days of the end of the billing period in which it was included, in the case of an expenditure charged to a credit card or charge account.

(c) When the elected officer's controlled committee is notified that expenditures totaling one hundred dollars ($100) or more in a fiscal year have been made by the incumbent elected officer, the committee shall report, pursuant to subdivision (k) of Section 84211, the expenditures on the campaign statement for the period in which the expenditures were made and the reimbursements on the campaign statement for the period in which the reimbursements were made.

(d) If reimbursement is not paid within the time authorized by this section, the expenditure shall be reported on the campaign statement as a nonmonetary contribution received on the 90th day after the expenditure is paid, in the case of a cash expenditure, or within 90 days of the end of the billing period in which it was included, in the case of an expenditure charged to a credit card or charge account.

(e) This section shall not be construed to authorize an incumbent elected officer to make expenditures from any campaign bank account for expenses other than those expenses associated with his or her election to the specific office for which the account was established and expenses associated with holding that office.

History: Added by Stats. 1990, Ch. 1075; amended by Stats. 2007, Ch. 348.

§ 89512. Expenditures Associated with Seeking or Holding Office.

(a) An expenditure to seek office is within the lawful execution of the trust imposed by Section 89510 if it is reasonably related to a political purpose. An expenditure associated with holding office is within the lawful execution of the trust imposed by Section 89510 if it is reasonably related to a legislative or governmental purpose. Expenditures which confer a substantial personal benefit shall be directly related to a political, legislative, or governmental purpose.

(b) Except as expressly authorized by this article, an expenditure for a fine, penalty, judgment, or settlement is not within the lawful execution of the trust imposed by Section 89510.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 2014, Ch. 884..

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.7

§ 89512.5. Expenditures by Committees not Controlled by Candidates.

(a) Subject to the provisions of subdivision (b), any expenditure by a committee not subject to the trust imposed by subdivision (b) of Section 89510 shall be reasonably related to a political, legislative, or governmental purpose of the committee.

(b) Any expenditure by a committee that confers a substantial personal benefit on any individual or individuals with authority to approve the expenditure of campaign funds held by the committee, shall be directly related to a political, legislative, or governmental purpose of the committee.

History: Added by Stats. 1991, Ch. 546.

§ 89513. Use of Campaign Funds for Specific Activities.

This section governs the use of campaign funds for the specific expenditures set forth in this section. It is the intent of the Legislature that this section guide the interpretation of the standard imposed by Section 89512 as applied to other expenditures not specifically set forth in this section.

(a)(1) Campaign funds shall not be used to pay or reimburse the candidate, the elected officer, or any individual or individuals with authority to approve the expenditure of campaign funds held by a committee, or employees or staff of the committee, or the elected officer's governmental agency for travel expenses and necessary accommodations except when these expenditures are directly related to a political, legislative, or governmental purpose.

(2) For the purposes of this section, payments or reimbursements for travel and necessary accommodations shall be considered as directly related to a political, legislative, or governmental purpose if the payments would meet standards similar to the standards of the Internal Revenue Service pursuant to Sections 162 and 274 of the Internal Revenue Code for deductions of travel expenses under the federal income tax law.

(3) For the purposes of this section, payments or reimbursement for travel by the household of a candidate or elected officer when traveling to the same destination in order to accompany the candidate or elected officer shall be considered for the same purpose as the candidate's or elected officer's travel.

(4) Whenever campaign funds are used to pay or reimburse a candidate, elected officer, his or her representative, or a member of the candidate's household for travel expenses and necessary accommodations, the expenditure shall be reported as required by Section 84211.

(5) Whenever campaign funds are used to pay or reimburse for travel expenses and necessary accommodations, any mileage credit that is earned or awarded pursuant to an airline bonus mileage program shall be deemed personally earned by or awarded to the individual traveler. Neither the earning or awarding of mileage credit, nor the redeeming of credit for actual travel, shall be subject to reporting pursuant to Section 84211.

(b)(1) Campaign funds shall not be used to pay for or reimburse the cost of professional services unless the services are directly related to a political, legislative, or governmental purpose.

(2) Expenditures by a committee to pay for professional services reasonably required by the committee to assist it in the performance of its administrative functions are directly related to a political, legislative, or governmental purpose.

(3) Campaign funds shall not be used to pay health-related expenses for a candidate, elected officer, or any individual or individuals with authority to approve the expenditure of campaign funds held by a committee, or members of his or her household. "Health-related expenses" includes, but is not limited to, examinations by physicians, dentists, psychiatrists,

psychologists, or counselors, expenses for medications, treatments or medical equipment, and expenses for hospitalization, health club dues, and special dietary foods. However, campaign funds may be used to pay employer costs of health care benefits of a bona fide employee or independent contractor of the committee.

(c)(1) Campaign funds shall not be used to pay or reimburse fines, penalties, judgments, or settlements, except those resulting from either of the following:

(A) Parking citations incurred in the performance of an activity that was directly related to a political, legislative, or governmental purpose.

(B) Any other action for which payment of attorney's fees from contributions would be permitted pursuant to this title. However, campaign funds shall not be used to pay a fine, penalty, judgment, or settlement relating to an expenditure of campaign funds that resulted in either of the following:

(i) A personal benefit to the candidate or officer if it is determined that the expenditure was not reasonably related to a political, legislative, or governmental purpose.

(ii) A substantial personal benefit to the candidate or officer if it is determined that the expenditure was not directly related to a political, legislative, or governmental purpose.

(2) Campaign funds shall not be used to pay a restitution fine imposed under Section 86 of the Penal Code.

(d) Campaign funds shall not be used for campaign, business, or casual clothing except specialty clothing that is not suitable for everyday use, including, but not limited to, formal wear, if this attire is to be worn by the candidate or elected officer and is directly related to a political, legislative, or governmental purpose.

(e)(1) Except where otherwise prohibited by law, campaign funds may be used to purchase or reimburse for the costs of purchase of tickets to political fundraising events for the attendance of a candidate, elected officer, or his or her immediate family, or an officer, director, employee, or staff of the committee or the elected officer's governmental agency.

(2) Campaign funds shall not be used to pay for or reimburse for the costs of tickets for entertainment or sporting events for the candidate, elected officer, or members of his or her immediate family, or an officer, director, employee, or staff of the committee, unless their attendance at the event is directly related to a political, legislative, or governmental purpose.

(3) The purchase of tickets for entertainment or sporting events for the benefit of persons other than the candidate, elected officer, or his or her immediate family are governed by subdivision (f).

(f)(1) Campaign funds shall not be used to make personal gifts unless the gift is directly related to a political, legislative, or governmental purpose. The refund of a campaign contribution does not constitute the making of a gift.

(2) Nothing in this section shall prohibit the use of campaign funds to reimburse or otherwise compensate a public employee for services rendered to a candidate or committee while on vacation, leave, or otherwise outside of compensated public time.

(3) An election victory celebration or similar campaign event, or gifts with a total cumulative value of less than two hundred fifty dollars ($250) in a single year made to an individual employee, a committee worker, or an employee of the elected officer's agency, are considered to be directly related to a political, legislative, or governmental purpose. For purposes of this paragraph, a gift to a member of a person's immediate family shall be deemed to be a gift to that person.

(g) Campaign funds shall not be used to make loans other than to organizations pursuant to Section 89515, or, unless otherwise prohibited, to a candidate for elective office, political party, or committee.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1990, Ch. 1075; amended by Stats. 1991, Ch. 546; amended by Stats. 2006, Ch. 155; amended by Stats. 2006, Ch. 538; amended by Stats. 2007, Ch. 130; amended by Stats. 2014, Ch. 881 and 884.
References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18421.7

§ 89514. Use of Campaign Funds for Attorney's Fees.

Expenditures of campaign funds for attorney's fees and other costs in connection with administrative, civil, or criminal litigation are not directly related to a political, legislative, or governmental purpose except where the litigation is directly related to activities of a committee that are consistent with its primary objectives or arises directly out of a committee's activities or out of a candidate's or elected officer's activities, duties, or status as a candidate or elected officer, including, but not limited to, an action to enjoin defamation, defense of an action to enjoin defamation, defense of an action brought for a violation of state or local campaign, disclosure, or election laws, and an action arising from an election contest or recount.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546.

§ 89515. Use of Campaign Funds for Donations and Loans.

Campaign funds may be used to make donations or loans to bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organizations, where no substantial part of the proceeds will have a material financial effect on the candidate, elected officer, campaign treasurer, or any individual or individuals with authority to approve the expenditure of campaign funds held by a committee, or member of his or her immediate family, and where the donation or loan bears a reasonable relation to a political, legislative, or governmental purpose.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1

§ 89516. Use of Campaign Funds for Vehicle Expenses.

Notwithstanding Sections 89512 and 89513, this section governs the use of campaign funds for vehicle expenses.

(a) Campaign funds shall not be used to purchase a vehicle unless both of the following apply:

(1) Title to the vehicle is held by the committee and not the candidate, elected officer, campaign treasurer, or any other individual or individuals with authority to approve the expenditure of campaign funds held by a committee, or a member of his or her immediate family.

(2) The use of the vehicle is directly related to a political, legislative, or governmental purpose.

(b) Campaign funds shall not be used to lease a vehicle unless both of the following apply:

(1) The lessee is the committee, or a state or local government agency and not the candidate, elected officer, or a member of his or her immediate family; or the lessor is a state or local government agency.

(2) The use of the vehicle is directly related to a political, legislative, or governmental purpose.

(c) Campaign funds may be used to pay for or reimburse the operating costs, including, but not limited to, insurance, maintenance, and repairs, for any vehicle for which campaign funds may be spent pursuant to this section.

(d) Campaign funds may be used to reimburse a candidate, elected officer, his or her immediate family, or any individual or individuals with authority to approve the expenditure of campaign funds held by a committee, or an employee or member of the staff of the committee or of the elected officer's governmental agency, for the use of his or her vehicle at the rate approved by the Internal Revenue Service pursuant to Section 162 of the Internal Revenue Code in connection with deductible mileage expenses under the federal income tax law, if both of the following requirements are met:

(1) The vehicle use for which reimbursement is sought is directly related to political, governmental, or legislative purposes.

(2) The specific purpose and mileage in connection with each expenditure is documented in a manner approved by the Internal Revenue Service in connection with deductible mileage expenses.

(e) For the purposes of this section, use of a vehicle is considered to be directly related to a political, legislative, or governmental purpose as long as its use for other purposes is only incidental to its use for political, legislative, or governmental purposes.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18961

§ 89517. Use of Campaign Funds for Real Property, Appliances or Equipment.

(a) Campaign funds shall not be used for payment or reimbursement for the lease of real property or for the purchase, lease, or refurbishment of any appliance or equipment, where the lessee or sublessor is, or the legal title resides, in whole or in part, in a candidate, elected officer, campaign treasurer, or any individual or individuals with authority to approve the expenditure of campaign funds, or member of his or her immediate family.

(b) Campaign funds shall not be used to purchase real property. Except as prohibited by subdivision (a), campaign funds may be used to lease real property for up to one year at a time where the use of that property is directly related to political, legislative, or governmental purposes.

(c) For the purposes of this section, real property, appliance, or equipment is considered to be directly related to a political, legislative, or governmental purpose as long as its use for other purposes is only incidental to its use for political, legislative, or governmental purposes.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18961

§ 89517.5. Use of Campaign Funds for Security System.

Notwithstanding Section 89517, campaign funds may be used to pay, or reimburse the state, for the costs of installing and monitoring an electronic security system in the home or office, or both, of a candidate or elected officer who has received threats to his or her physical safety, provided that the threats arise from his or her activities, duties, or status as a candidate or elected officer and that the threats have been reported to and verified by an appropriate law enforcement agency. Verification shall be determined solely by the law enforcement agency to which the threat was reported. The candidate or elected officer shall report any expenditure of campaign funds made pursuant to this section to the Commission. The report to the Commission shall include the date that the candidate or elected officer informed the law enforcement agency of the threat, the name and phone number of the law enforcement agency, and a brief description of the threat. No more than five thousand dollars ($5,000) in campaign funds may be used, cumulatively, by a candidate or elected officer pursuant to this subdivision. The candidate or elected officer shall reimburse the campaign fund account for the costs of the security system upon sale of the property where the security equipment is installed, based on the fair market value of the security equipment at the time the property is sold.

History: Added by Stats. 1993, Ch. 1143.

§ 89518. Use of Campaign Funds for Compensation.

(a) Campaign funds shall not be used to compensate a candidate or elected officer for the performance of political, legislative, or governmental activities, except for reimbursement of out-of-pocket expenses incurred for political, legislative, or governmental purposes.

(b) Campaign funds shall not be used to compensate any individual or individuals with authority to approve the expenditure of campaign funds for the performance of political, legislative, or governmental activities, except as provided in subdivision (b) of Section 89513 and for reimbursement of out-of-pocket expenses incurred for political, legislative, or governmental purposes.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546.

§ 89519. Use of Surplus Campaign Funds.

(a) Upon the 90th day after leaving an elective office, or the 90th day following the end of the postelection reporting period following the defeat of a candidate for elective office, whichever occurs last, campaign funds under the control of the former candidate or elected officer shall be considered surplus campaign funds and shall be disclosed pursuant to Chapter 4 (commencing with Section 84100).

(b) Surplus campaign funds shall be used only for the following purposes:

(1) The payment of outstanding campaign debts or elected officer's expenses.

(2) The repayment of contributions.

(3) Donations to any bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, where no substantial part of the proceeds will have a material financial effect on the former candidate or elected officer, any member of his or her immediate family, or his or her campaign treasurer.

(4) Contributions to a political party committee, provided the campaign funds are not used to support or oppose candidates for elective office. However, the campaign funds may be used by a political party committee to conduct partisan voter registration, partisan get-out-the-vote activities, and slate mailers as that term is defined in Section 82048.3.

(5) Contributions to support or oppose any candidate for federal office, any candidate for elective office in a state other than California, or any ballot measure.

(6) The payment for professional services reasonably required by the committee to assist in the performance of its administrative functions, including payment for attorney's fees for litigation that arises directly out of a candidate's or elected officer's activities, duties, or status as a candidate or elected officer, including, but not limited to, an action to enjoin defamation, defense of an action brought for a violation of state or local campaign, disclosure, or election laws, and an action from an election contest or recount.

(c) For purposes of this section, the payment for, or the reimbursement to the state of, the costs of installing and monitoring an electronic security system in the home or office, or both, of a candidate or elected officer who has received threats to his or her physical safety shall be deemed an outstanding campaign debt or elected officer's expense, provided that the threats arise from his or her activities, duties, or status as a candidate or elected officer and that the threats have been reported to and verified by an appropriate law enforcement agency. Verification shall be determined solely by the law enforcement agency to which the threat was reported. The candidate or elected officer shall report any

expenditure of campaign funds made pursuant to this section to the commission. The report to the commission shall include the date that the candidate or elected officer informed the law enforcement agency of the threat, the name and the telephone number of the law enforcement agency, and a brief description of the threat. No more than five thousand dollars ($5,000) in surplus campaign funds may be used, cumulatively, by a candidate or elected officer pursuant to this subdivision. Payments made pursuant to this subdivision shall be made during the two years immediately following the date upon which the campaign funds become surplus campaign funds. The candidate or elected officer shall reimburse the surplus fund account for the fair market value of the security system no later than two years immediately following the date upon which the campaign funds became surplus campaign funds. The campaign funds become surplus campaign funds upon sale of the property on which the system is installed, or prior to the closing of the surplus campaign fund account, whichever comes first. The electronic security system shall be the property of the campaign committee of the candidate or elected officer.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546; amended by Stats. 1993, Ch. 1143; amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2013, Ch. 9, effective July 1, 2014; amended by Stats. 2014, Ch. 884.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18229.1
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18531.2
2 Cal. Code of Regs. Section 18951

Opinions: In re Pirayou (2006) 19 FPPC Ops. 1

§ 89520. Violations.

The remedies provided in Chapter 11 (commencing with Section 91000) shall not apply to violations of this chapter.

History: Added by Stats. 1990, Ch. 84.

§ 89521. Unlawful Honorarium, Gift or Expenditure.

Any person who makes or receives an honorarium, gift, or expenditure in violation of this chapter is liable in a civil action brought by the Commission for an amount of up to three times the amount of the unlawful honorarium, gift, or expenditure.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 2014, Ch. 884.

§ 89522. Campaign Funds; Prohibited Use Under Elections Code.

This chapter shall not be construed to permit an expenditure of campaign funds prohibited by Section 18680 of the Elections Code.

History: Added by Stats. 1991, Ch. 546; amended by Stats. 1994, Ch. 923

Chapter 10. Auditing. § 90000-90007

§ 90000. Responsibility.
§ 90001. Mandatory Audits and Investigations.
§ 90002. Audits and Investigations; Time.
§ 90003. Discretionary Audits.
§ 90004. Periodic Reports; Public Documents.
§ 90005. Confidentiality; Exception.
§ 90006. Audit and Investigation by Commission.
§ 90007. Auditing Guidelines and Standards.
§ 90008. Preelection Auditing.
§ 90009. Injunction to Compel Disclosure.

§ 90000. Responsibility.

Except as provided in Section 90006, the Franchise Tax Board shall make audits and field investigations with respect to the following:

(a) Reports and statements filed with the Secretary of State under Chapter 4 (commencing with Section 84100), Chapter 5 (commencing with Section 85100), and Chapter 6 (commencing with Section 86100).

(b) Local candidates and their controlled committees selected for audit pursuant to subdivision (i) of Section 90001.

History: Amended by Stats. 1987, Ch. 230; amended by Stats. 2004, Ch. 483.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.62
2 Cal. Code of Regs. Section 18993
2 Cal. Code of Regs. Section 18994
2 Cal. Code of Regs. Section 18995

§ 90001. Mandatory Audits and Investigations.

Audits and investigations shall be made pursuant to Section 90000 with respect to the reports and statements of:

(a) Each lobbying firm and each lobbyist employer who employs one or more lobbyists shall be subject to an audit on a random basis with these lobbying firms or lobbyist employers having a 25-percent chance of being audited. When a lobbying firm or lobbyist employer is audited, the individual lobbyists who are employed by the

lobbying firm or the lobbyist employer shall also be audited.

(b) Each statewide, Supreme Court, court of appeal, or Board of Equalization candidate in a direct primary or general election for whom it is determined that twenty-five thousand dollars ($25,000) or more in contributions have been raised or twenty-five thousand dollars ($25,000) or more in expenditures have been made, whether by the candidate or by a committee or committees controlled by the candidate or whose participation in the direct primary or general election is primarily in support of his or her candidacy. Each statewide candidate whose contributions and expenditures are less than twenty-five thousand dollars ($25,000) shall be subject to an audit on a random basis of 10 percent of the number of such candidates.

(c) Each candidate for the Legislature or superior court judge in a direct primary or general election shall be subject to audit by random selection if it is determined that fifteen thousand dollars ($15,000) or more in contributions have been received or fifteen thousand dollars ($15,000) or more in expenditures have been made, whether by the candidate or by a committee or committees controlled by the candidate or primarily supporting his or her candidacy. Random selection shall be made of 25 percent of the Senate districts, 25 percent of the Assembly districts and 25 percent of the judicial offices contested in an election year.

(d) Each candidate for the Legislature in a special primary or special runoff election for whom it is determined that fifteen thousand dollars ($15,000) or more in contributions have been raised or fifteen thousand dollars ($15,000) or more in expenditures have been made, whether by the candidate or by a committee or committees controlled by the candidate or primarily supporting his or her candidacy.

(e) Each controlled committee of any candidate who is being audited pursuant to subdivision (b), (c), or (d).

(f) Each committee, other than a committee specified in subdivision (c) of Section 82013, primarily supporting or opposing a candidate who is being audited pursuant to subdivision (b), (c), or (d) if it is determined that the committee has expended more than ten thousand dollars ($10,000).

(g) Each committee, other than a committee specified in subdivision (c) of Section 82013, whose participation is primarily in support of or in opposition to a state measure or state measures if it is determined that the committee has expended more than ten thousand dollars ($10,000) on such measure or measures.

(h) Each committee, other than a committee defined in subdivision (c) of Section 82013, a controlled committee or a committee primarily supporting or opposing a state candidate or measure, if it is determined that the committee has raised or expended more than ten thousand dollars ($10,000) supporting or opposing state candidates or state measures during any calendar year, except that if the Commission determines from an audit report that a committee is in substantial compliance with the provisions of the act, the committee thereafter shall be subject to an audit on a random basis with each such committee having a 25-percent chance of being audited.

(i) (1) With respect to local candidates and their controlled committees, the Commission shall promulgate regulations which provide a method of selection for these audits.

(2) With respect to candidates for the Board of Administration of the Public Employees' Retirement System, the Commission shall promulgate regulations that provide a method for selection of these audits. The Public Employees' Retirement System shall reimburse the Commission for all reasonable expenses incurred pursuant to this section.

(j) In accordance with subdivisions (a), (b), (c), and (h), the Fair Political Practices Commission shall select by lot the persons or districts to be audited on a random basis. For campaign audits the selection shall be made in public after the last date for filing the first report or statement following the general or special election for which the candidate ran, or following the election at which the measure was adopted or defeated. For lobbying firm and lobbyist employer audits, the selection shall be made in public in February of odd-numbered years.

History: Amended by Stats. 1978, Ch. 1411; amended by Stats. 1979, Ch. 551; amended by Stats. 1984, Ch. 1368; amended by Stats. 1985, Ch. 1183, effective September 29, 1985; amended by Stats. 1986, Ch. 835; amended by Stats. 1994, Ch. 1139; amended by Stats. 1998, Ch. 923.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.62
2 Cal. Code of Regs. Section 18601
2 Cal. Code of Regs. Section 18991
2 Cal. Code of Regs. Section 18992
2 Cal. Code of Regs. Section 18993
2 Cal. Code of Regs. Section 18994
2 Cal. Code of Regs. Section 18995
2 Cal. Code of Regs. Section 18997

§ 90002. Audits and Investigations; Time.

(a) Audits and investigations of lobbying firms and lobbyist employers shall be performed on a

biennial basis and shall cover reports filed during a period of two years.

(b) If a lobbying firm or lobbyist employer keeps a separate account for all receipts and payments for which reporting is required by this chapter, the requirement of an audit under subdivision (a) of Section 90001 shall be satisfied by an audit of that account and the supporting documentation required to be maintained by Section 86110.

History: Amended by Stats. 1976, Ch. 564; amended by Stats. 1977, Ch. 492; amended by Stats. 1978, Ch. 1411; amended by Stats. 1980, Ch. 289; operative January 1, 1982; amended by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 905; amended by Stats. 1988, Ch. 442; amended by Stats. 1994, Ch. 1139; amended by Stats. 2013, Ch. 9, effective July 1, 2014.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.62
2 Cal. Code of Regs. Section 18996

§ 90003. Discretionary Audits.

In addition to the audits and investigations required by Section 90001, the Franchise Tax Board and the Commission may make investigations and audits with respect to any reports or statements required by this title.

History: Amended by Stats. 2004, Ch. 483; amended by Stats. 2013, Ch. 9, effective July 1, 2014.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.62
2 Cal. Code of Regs. Section 18996

§ 90004. Periodic Reports; Public Documents.

(a) The Franchise Tax Board shall periodically prepare reports, which, except as otherwise provided in this section, shall be sent to the Commission, the Secretary of State, and the Attorney General. If the reports relate to candidates for or committees supporting or opposing candidates for the office of Attorney General, the reports shall be sent to the Commission, the Secretary of State, and the District Attorneys of the Counties of Los Angeles, Sacramento, and San Francisco. If the reports relate to local candidates and their controlled committees, the reports shall be sent to the Commission, the local filing officer with whom the candidate or committee is required to file the originals of campaign reports pursuant to Section 84215, and the district attorney for the candidate's county of domicile.

(b) The Franchise Tax Board shall complete its report of any audit conducted on a random basis pursuant to Section 90001 within two years after the person or entity subject to the audit is selected by the Commission to be audited.

(c) The reports of the Franchise Tax Board shall be public documents and shall contain in detail the Franchise Tax Board's findings with respect to the accuracy and completeness of each report and statement reviewed and its findings with respect to any report or statement that should have been but was not filed. The Secretary of State and the local filing officer shall place the audit reports in the appropriate campaign statement or lobbying files.

History: Amended by Stats. 1976, Ch. 564; amended by Stats. 1979, Ch. 531; amended by Stats. 1987, Ch. 230; amended by Stats. 2004, Ch. 591; amended by Stats. 2005, Ch. 22; amended by Stats. 2013, Ch. 9, effective July 1, 2014.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.62
2 Cal. Code of Regs. Section 18993
2 Cal. Code of Regs. Section 18995

§ 90005. Confidentiality; Exception.

A member, employee or agent of the Franchise Tax Board shall not divulge or make known in any manner the particulars of any record, documents, or information that he or she receives by virtue of this chapter, except in furtherance of the work of the Franchise Tax Board or the Commission or in connection with a court proceeding or the lawful investigation of any agency.

History: Amended by Stats. 2013, Ch. 9, effective July 1, 2014.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.62

§ 90006. Audit and Investigation by Commission.

Audits and field investigations of candidates for Controller and member of the Board of Equalization and of committees supporting such candidates shall be made by the Commission instead of the Franchise Tax Board.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.62

§ 90007. Auditing Guidelines and Standards.

(a) The Commission shall adopt auditing guidelines and standards which shall govern audits and field investigations conducted under Section 90001. The guidelines and standards shall be formulated to accomplish the following purposes:

(1) The audits should encourage compliance and detect violations of this title;

(2) The audits should be conducted with maximum efficiency in a cost-effective manner; and

(3) The audits should be as unobtrusive as possible consistent with the foregoing purposes.

(b) In adopting its guidelines and standards the Commission shall consider relevant guidelines and standards of the American Institute of Certified

Public Accountants to the extent such guidelines and standards are applicable and consistent with the purposes set forth in this section.

History: Added by Stats. 1978, Ch. 779, effective September 18, 1978.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.62
2 Cal. Code of Regs. Section 18993
2 Cal. Code of Regs. Section 18995

§ 90008. Preelection Auditing.

(a) It is the intent of the Legislature that the people of California have timely access to information concerning the campaign contributions and expenditures of all committees, corporations, and individuals, and that this information be provided before the election, when it is relevant, in accordance with the requirements of this title. It is the further intent of the Legislature that the Commission ensure that these disclosures are being made, and that this title be liberally construed and any judicial process be expedited to achieve this purpose.

(b) The Commission, and the Franchise Tax Board at the direction of the Commission, may audit any record required to be maintained under this title to ensure compliance with this title prior to an election, even if the record is a report or statement that has not yet been filed.

History: Added by Stats. 2013, Ch. 9, effective July 1, 2014.

§ 90009. Injunction to Compel Disclosure.

(a)To further the purposes of this title, the Commission may seek injunctive relief in a superior court to compel disclosure consistent with this title.

(b) A court shall grant expedited review to an action filed pursuant to subdivision (a) as follows:

(1) The court shall conduct an expedited hearing with an opportunity for the defendant to respond.

(2) Briefs of the parties shall be required pursuant to an expedited schedule.

(c) A superior or appellate court may, at its discretion, grant a stay of an order granting relief pursuant to subdivision (a).

History: Added by Stats. 2013, Ch. 9, effective July 1, 2014.

Chapter 11. Enforcement. § 91000-91015

§ 91000. Violations; Criminal.
§ 91000.5. Administrative Proceedings.
§ 91001. Responsibility for Enforcement.
§ 91001.5. Authority of City Attorneys of Charter Cities.
§ 91002. Effect of Conviction.
§ 91003. Injunction.
§ 91003.5. Conflicts of Interest Violation.
§ 91004. Violations of Reporting Requirements; Civil Liability.
§ 91005. Civil Liability for Campaign, Lobbyist, Conflict of Interest Violation.
§ 91005.5. Civil Penalties.
§ 91006. Joint and Several Liability.
§ 91007. Procedure for Civil Actions.
§ 91008. Judgment on the Merits; Precedence; Dismissal.
§ 91008.5. Civil Action Precluded by Commission Order.
§ 91009. Considerations; Liability.
§ 91010. Campaign Disclosure Violations; Request to Civil Prosecutor.
§ 91011. Statute of Limitations.
§ 91012. Costs; Attorney Fees; Bond.
§ 91013. Late Filing of Statement or Report; Fees.
§ 91013.5. Collection of Penalties.
§ 91013.7. Judgment for Collection of Penalties.
§ 91014. Applicability of Other State Law.
§ 91015. Liability for Violations; Criminal and Civil. [Repealed]

§ 91000. Violations; Criminal.

(a) Any person who knowingly or willfully violates any provision of this title is guilty of a misdemeanor.

(b) In addition to other penalties provided by law, a fine of up to the greater of ten thousand dollars ($10,000) or three times the amount the person failed to report properly or unlawfully contributed, expended, gave or received may be imposed upon conviction for each violation.

(c) Prosecution for violation of this title must be commenced within four years after the date on which the violation occurred.

History: Amended by Stats. 1978, Ch. 1411; amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 91000.5. Administrative Proceedings.

No administrative action brought pursuant to Chapter 3 (commencing with Section 83100) alleging a violation of any of the provisions of this title shall be commenced more than five years after the date on which the violation occurred.

(a) The service of the probable cause hearing notice, as required by Section 83115.5, upon the person alleged to have violated this title shall constitute the commencement of the administrative action.

(b) If the person alleged to have violated this title engages in the fraudulent concealment of his or her acts or identity, the five-year period shall be tolled for the period of concealment. For purposes of this subdivision, "fraudulent concealment" means the person knows of material facts related to his or her duties under this title and knowingly conceals them in performing or omitting to perform those duties, for the purpose of defrauding the public of information to which it is entitled under this title.

(c) If, upon being ordered by a superior court to produce any documents sought by a subpoena in any administrative proceeding under Chapter 3 (commencing with Section 83100), the person alleged to have violated this title fails to produce documents in response to the order by the date ordered to comply therewith, the five-year period shall be tolled for the period of the delay from the date of filing of the motion to compel until the date of the documents are produced.

History: Added by Stats. 1997, Ch. 179.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18610
2 Cal. Code of Regs. Section 18612
2 Cal. Code of Regs. Section 18615

§ 91001. Responsibility for Enforcement.

(a) The Attorney General is responsible for enforcing the criminal provisions of this title with respect to state agencies, lobbyists and state elections. The district attorney of any county in which a violation occurs has concurrent powers and responsibilities with the Attorney General.

(b) The civil prosecutor is primarily responsible for enforcement of the civil penalties and remedies of this title. The civil prosecutor is the Commission with respect to the state or any state agency, except itself. The Attorney General is the civil prosecutor with respect to the Commission. The district attorneys are the civil prosecutors with respect to any other agency. The civil prosecutor may bring any civil action under this title which could be brought by a voter or resident of the jurisdiction. Upon written authorization from a district attorney, the Commission may bring any civil action under this title which could be brought by a voter or resident of the jurisdiction. Under such circumstances, Section 91007 shall not apply to the Commission.

(c) Whether or not a violation is inadvertent, negligent or deliberate, and the presence or absence of good faith shall be considered in applying the remedies and sanctions of this title.

History: Amended by Stats. 1976, Ch. 1161; repealed and reenacted as amended by Stats. 1977, Ch. 230, effective July 7, 1977; amended by Stats. 1979, Ch. 357.

§ 91001.5. Authority of City Attorneys of Charter Cities.

In any case in which a district attorney could act as the civil or criminal prosecutor under the provisions of this title, the elected city attorney of any charter city may act as the civil or criminal prosecutor with respect to any violations of this title occurring within the city.

History: Added by Stats. 1976, Ch. 594, effective August 26, 1976.

§ 91002. Effect of Conviction.

No person convicted of a misdemeanor under this title shall be a candidate for any elective office or act as a lobbyist for a period of four years following the date of the conviction unless the court at the time of the sentencing specifically determines that this provision shall not be applicable. A plea of nolo contendere shall be deemed a conviction for purposes of this section. Any person violating this section is guilty of a felony.

§ 91003. Injunction.

(a) Any person residing in the jurisdiction may sue for injunctive relief to enjoin violations or to compel compliance with the provisions of this title. The court may in its discretion require any plaintiff other than the Commission to file a complaint with the Commission prior to seeking injunctive relief. The court may award to a plaintiff or defendant who prevails his costs of litigation, including reasonable attorney's fees.

(b) Upon a preliminary showing in an action brought by a person residing in the jurisdiction that a violation of Article 1 (commencing with Section 87100), Article 4 (commencing with Section 87400), or Article 4.5 (commencing with Section 87450) of Chapter 7 of this title or of a disqualification provision of a Conflict of Interest Code has occurred, the court may restrain the execution of any official action in relation to which such a violation occurred, pending final adjudication. If it is ultimately determined that a violation has occurred and that the official action might not otherwise have been taken or approved,

the court may set the official action aside as void. The official actions covered by this subsection include, but are not limited to orders, permits, resolutions and contracts, but do not include the enactment of any state legislation. In considering the granting of preliminary or permanent relief under this subsection, the court shall accord due weight to any injury that may be suffered by innocent persons relying on the official action.

History: Amended by Stats. 1976, Ch. 1161; amended by Stats. of 1987, Ch. 628.

§ 91003.5. Conflicts of Interest Violation.

Any person who violates a provision of Article 2 (commencing with Section 87200), 3 (commencing with Section 87300), or 4.5 (commencing with Section 87450) of Chapter 7 is subject to discipline by his or her agency, including dismissal, consistent with any applicable civil service or other personnel laws, regulations and procedures.

History: Amended by Stats. 1986, Ch. 653.

§ 91004. Violations of Reporting Requirements; Civil Liability.

Any person who intentionally or negligently violates any of the reporting requirements of this title shall be liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount not more than the amount or value not properly reported.

History: Amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18427

§ 91005. Civil Liability for Campaign, Lobbyist, Conflict of Interest Violation.

(a) Any person who makes or receives a contribution, gift, or expenditure in violation of Section 84300, 84304, 86203, or 86204 is liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount up to one thousand dollars ($1,000) or three times the amount of the unlawful contribution, gift, or expenditure, whichever amount is greater.

(b) Any designated employee or public official specified in Section 87200, except an elected state officer, who realizes an economic benefit as a result of a violation of Section 87100 or of a disqualification provision of a conflict of interest code is liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount up to three times the value of the benefit.

History: Amended by Stats. 1997, Ch. 455, effective September 24, 1997; amended by Stats. 2000, Ch. 130.

§ 91005.5. Civil Penalties.

Any person who violates any provision of this title, except Sections 84305, 84307, and 89001, for which no specific civil penalty is provided, shall be liable in a civil action brought by the commission or the district attorney pursuant to subdivision (b) of Section 91001, or the elected city attorney pursuant to Section 91001.5, for an amount up to five thousand dollars ($5,000) per violation.

No civil action alleging a violation of this title may be filed against a person pursuant to this section if the criminal prosecutor is maintaining a criminal action against that person pursuant to Section 91000.

The provisions of this section shall be applicable only as to violations occurring after the effective date of this section.

History: Amended by Stats. 1982, Ch. 727; amended by Proposition 208 of the November 1996 Statewide General Election; Repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 91006. Joint and Several Liability.

If two or more persons are responsible for any violation, they shall be jointly and severally liable.

History: Amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18316.6

§ 91007. Procedure for Civil Actions.

(a) Any person, before filing a civil action pursuant to Sections 91004 and 91005, must first file with the civil prosecutor a written request for the civil prosecutor to commence the action. The request shall include a statement of the grounds for believing a cause of action exists. The civil prosecutor shall respond to the person in writing, indicating whether he or she intends to file a civil action.

(1) If the civil prosecutor responds in the affirmative and files suit within 120 days from receipt of the written request to commence the action, no other action may be brought unless the action brought by the civil prosecutor is dismissed without prejudice as provided for in Section 91008.

(2) If the civil prosecutor responds in the negative within 120 days from receipt of the written request to commence the action, the

person requesting the action may proceed to file a civil action upon receipt of the response from the civil prosecutor. If, pursuant to this subdivision, the civil prosecutor does not respond within 120 days, the civil prosecutor shall be deemed to have provided a negative written response to the person requesting the action on the 120th day and the person shall be deemed to have received that response.

(3) The time period within which a civil action shall be commenced, as set forth in Section 91011, shall be tolled from the date of receipt by the civil prosecutor of the written request to either the date that the civil action is dismissed without prejudice, or the date of receipt by the person of the negative response from the civil prosecutor, but only for a civil action brought by the person who requested the civil prosecutor to commence the action.

(b) Any person filing a complaint, cross-complaint or other initial pleading in a civil action pursuant to Sections 91003, 91004, 91005, or 91005.5 shall, within 10 days of filing the complaint, cross-complaint, or initial pleading, serve on the Commission a copy of the complaint, cross-complaint, or initial pleading or a notice containing all of the following:

(1) The full title and number of the case.

(2) The court in which the case is pending.

(3) The name and address of the attorney for the person filing the complaint, cross-complaint, or other initial pleading.

(4) A statement that the case raises issues under the Political Reform Act.

(c) No complaint, cross-complaint, or other initial pleading shall be dismissed for failure to comply with subdivision (b).

History: Amended by Stats. 1985, Ch. 1200; amended by Stats. 1999, Ch. 577, effective September 29, 1999.

§ 91008. Judgment on the Merits; Precedence; Dismissal.

Not more than one judgment on the merits with respect to any violation may be obtained under Sections 91004 and 91005. Actions brought for the same violation or violations shall have precedence for purposes of trial in order of the time filed. Such actions shall be dismissed once judgment has been entered or a settlement approved by the court in a previously filed action. The court may dismiss a pending action without prejudice to any other action for failure of the plaintiff to proceed diligently and in good faith. The action may be so dismissed on motion of the civil prosecutor or any plaintiff in an action based on the same violation.

§ 91008.5. Civil Action Precluded by Commission Order.

No civil action may be filed under Section 91004, 91005, or 91005.5 with regard to any person for any violations of this title after the Commission has issued an order pursuant to Section 83116 against that person for the same violation.

History: Added by Stats. 1984, Ch. 670.

§ 91009. Considerations; Liability.

In determining the amount of liability under Sections 91004 or 91005, the court may take into account the seriousness of the violation and the degree of culpability of the defendant. If a judgment is entered against the defendant or defendants in an action brought under Section 91004 or 91005, the plaintiff shall receive fifty percent of the amount recovered. The remaining fifty percent shall be deposited in the General Fund of the state. In an action brought by the civil prosecutor, the entire amount recovered shall be paid to the general fund or treasury of the jurisdiction.

§ 91010. Campaign Disclosure Violations; Request to Civil Prosecutor.

No request to the civil prosecutor pursuant to Section 91007 shall be made or filed in connection with a report or statement required by Chapter 4 (commencing with Section 84100) until the time when an audit and investigation could be begun under subdivision (c) Section 90002.

History: Amended by Stats. 1992, Ch. 405.

§ 91011. Statute of Limitations.

(a) No civil action alleging a violation in connection with a report or statement required by Chapter 4 (commencing with Section 84100) shall be filed more than four years after an audit could begin as set forth in subdivision (c) of Section 90002, or more than one year after the Franchise Tax Board forwards its report to the commission, pursuant to Section 90004, of any audit conducted of the alleged violator, whichever period is less.

(b) No civil action alleging a violation of any provisions of this title, other than those described in subdivision (a), shall be filed more than four years after the date the violation occurred.

History: Amended by Stats. 1978, Ch. 1411; amended by Stats. 1980, Ch. 742; amended by Stats. 1997, Ch. 455, effective September 24, 1997; amended by Stats. 2004, Ch. 591.

§ 91012. Costs; Attorney Fees; Bond.

The court may award to a plaintiff or defendant other than an agency, who prevails in any action authorized by this title his costs of litigation, including reasonable attorney's fees. On motion of any party, a court shall require a private plaintiff to post a bond in a reasonable amount at any stage of the litigation to guarantee payment of costs.

§ 91013. Late Filing of Statement or Report; Fees.

(a) If any person files an original statement or report after any deadline imposed by this act, he or she shall, in addition to any other penalties or remedies established by this act, be liable in the amount of ten dollars ($10) per day after the deadline until the statement or report is filed, to the officer with whom the statement or report is required to be filed. Liability need not be enforced by the filing officer if on an impartial basis he or she determines that the late filing was not willful and that enforcement of the liability will not further the purposes of the act, except that no liability shall be waived if a statement or report is not filed within 30 days for a statement of economic interest, other than a candidate's statement filed pursuant to Section 87201, five days for a campaign statement required to be filed 12 days before an election, and 10 days for all other statements or reports, after the filing officer has sent specific written notice of the filing requirement.

(b) If any person files a copy of a statement or report after any deadline imposed by this act, he or she shall, in addition to any other penalties or remedies established by this chapter, be liable in the amount of ten dollars ($10) per day, starting 10 days, or five days in the case of a campaign statement required to be filed 12 days before an election, after the officer has sent specific written notice of the filing requirement and until the statement is filed.

(c) The officer shall deposit any funds received under this section into the general fund of the jurisdiction of which he or she is an officer. No liability under this section shall exceed the cumulative amount stated in the late statement or report, or one hundred dollars ($100), whichever is greater.

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1977, Ch. 555; amended by Stats. 1985, Ch. 1200; amended by Stats. 1993, Ch. 1140.

References at the time of publication (see page 3):

Opinions: In re Wood (2000) 13 FPPC Ops. 21
In re Layton (1975) 1 FPPC Ops. 113
In re Rundstrom (1975) 1 FPPC Ops. 188

§ 91013.5. Collection of Penalties.

(a) In addition to any other available remedies, the commission or the filing officer may bring a civil action and obtain a judgment in superior court for the purpose of collecting any unpaid monetary penalties, fees, or civil penalties imposed pursuant to this title. The action may be filed as a small claims, limited civil, or unlimited civil case, depending on the jurisdictional amount. The venue for this action shall be in the county where the monetary penalties, fees, or civil penalties were imposed by the commission or the filing officer. In order to obtain a judgment in a proceeding under this section, the commission or filing officer shall show, following the procedures and rules of evidence as applied in ordinary civil actions, all of the following:

(1) That the monetary penalties, fees, or civil penalties were imposed following the procedures set forth in this title and implementing regulations.

(2) That the defendant or defendants in the action were notified, by actual or constructive notice, of the imposition of the monetary penalties, fees, or civil penalties.

(3) That a demand for payment has been made by the commission or the filing officer and full payment has not been received.

(b) A civil action brought pursuant to subdivision (a) shall be commenced within four years after the date on which the monetary penalty, fee, or civil penalty was imposed.

History: Added by Stats. 1984, Ch. 670; amended by Stats. 2004, Ch. 483.

§ 91013.7. Judgment for Collection of Penalties.

(a) If the time for judicial review of a final Commission order or decision has lapsed, or if all means of judicial review of the order or decision have been exhausted, the Commission may apply to the clerk of the court for a judgment to collect the penalties imposed by the order or decision, or the order as modified in accordance with a decision on judicial review.

(b) The application, which shall include a certified copy of the order or decision, or the order as modified in accordance with a decision on judicial review, and proof of service of the order or decision, constitutes a sufficient showing to warrant issuance of the judgment to collect the penalties. The clerk of the court shall enter the judgment immediately in conformity with the application.

(c) An application made pursuant to this section shall be made to the clerk of the superior

court in the county where the monetary penalties, fees, or civil penalties were imposed by the Commission.

(d) A judgment entered in accordance with this section has the same force and effect as, and is subject to all the provisions of law relating to, a judgment in a civil action and may be enforced in the same manner as any other judgment of the court in which it is entered.

(e) The Commission may bring an application pursuant to this section only within four years after the date on which the monetary penalty, fee, or civil penalty was imposed.

(f) The remedy available under this section is in addition to those available under Section 91013.5 or any other law.

History: Added by Stats. 2013, Ch. 645.

§ 91014. Applicability of Other State Law.

Nothing in this chapter shall exempt any person from applicable provisions of any other laws of this state.

§ 91015. Liability for Violations; Criminal and Civil. [Repealed]

History: Added by Stats. 1984, Ch. 670; repealed by Proposition 208 of the November 1996 Statewide General Election.



Local Candidates, Superior Court Judges, Their Controlled Committees, and Primarily Formed Committees for Local Candidates

Campaign Disclosure Manual 2

California Fair Political Practices Commission
advice@fppc.ca.gov
1 (866) ASK-FPPC / www.fppc.ca.gov
April 2016

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INTRODUCTION

Purpose of this Manual

The purpose of California's Political Reform Act (Act) is to ensure that disclosure of political payments is accurate, timely, and made in a transparent manner. Clear and accurate disclosure is essential for making voters aware of who is paying for political messages so they may evaluate the content and make informed decisions when voting.

In California, the true source of a contribution must be disclosed. This manual sets out the campaign reporting requirements for the following:

- Local candidates
- Superior Court judges and candidates for Superior Court
- Local candidate controlled committees
- Committees primarily formed to support or oppose a local candidate(s)

Since the Political Reform Act was approved by California voters in 1974, there have been more than 200 amendments to the Act's campaign disclosure provisions. This manual has been prepared to assist local candidates and committees in complying with the Act's numerous and often detailed rules. The manual is written in a "user friendly" format so that candidates and committees have a resource guide. At the end of each chapter, a list of statutes and regulations that provide authority for the information in that chapter is provided. The statutes and regulations may be accessed on the FPPC website.

This manual describes the state campaign finance and disclosure laws under the Act that apply to local candidates and committees. Many cities and counties have adopted local campaign ordinances that contain additional restrictions and requirements. Local candidates and committees should check with their local elections office or ethics agency to determine if there are additional local requirements and restrictions, such as contribution limits.

In addition, federal and state tax laws and other rules may also apply. The Appendix contains telephone numbers and website addresses for the Federal Election Commission, the Internal Revenue Service, the California Franchise Tax Board, and the Federal Communications Commission.

State candidates and officeholders, their controlled committees, and committees primarily formed to support or oppose a state candidate(s) should refer to FPPC's Campaign Disclosure Manual 1.

Controlling Law

This manual summarizes key campaign disclosure laws and regulations and draws from years of FPPC staff advice on complying with the Act's campaign disclosure laws. Each committee's activity is different, however, and may raise issues not discussed in this manual. If there are any discrepancies between the manual and the Act or its corresponding regulations, the Act and its regulations will control.

Need Help?

If you need assistance, the Fair Political Practices Commission (FPPC) provides advice by email and through a toll-free telephone advice line. The FPPC does not provide third party advice or advice on past conduct. The FPPC website (www.fppc.ca.gov) contains forms, manuals, and a wealth of other helpful information.

Email Advice	Telephone Advice
advice@fppc.ca.gov	1-866-ASK FPPC (1-866-275-3772)

GETTING STARTED

This chapter outlines the requirements for candidates and committees primarily formed to support or oppose a candidate(s) to start their campaigns. In the Political Reform Act (Act) and this manual, "candidates" includes non-incumbent candidates, officeholders, officeholders running for reelection, and officeholders running for election to another office.

Quick Tip

Elected officials are included as "candidates" under the Act until they have left elective office and terminated any committees.

Before raising or spending money in connection with an election, candidates and committee treasurers should become familiar with the various campaign disclosure forms applicable to the type of campaign or committee involved.

The chapter is broken down by candidates who will raise and spend less than $2,000, candidates who will raise and spend more than $2,000, and committees primarily formed to support or oppose a candidate(s) that are not controlled by the candidate(s) being supported.

Quick Tip

The FPPC's website includes a comprehensive and user-friendly toolkit for new candidates.

In addition to filing the **campaign statements** described in this chapter, most candidates must also file a **Statement of Economic Interests** (Form 700). The Form 700 is used to disclose an individual's personal financial interests that could potentially be affected by the individual's decisionmaking. Candidates must disclose investments and interests in real property held on the day the declaration of candidacy is due, as well as income received during the 12 months prior to the date of filing the declaration of candidacy. The Form 700 candidate statement is due no later than the final filing date for the declaration of candidacy and is filed with the city clerk or county elections office where the declaration of candidacy is filed. The FPPC's website contains additional information about the Form 700.

A. Candidates Raising and Spending Less than $2,000

A candidate who does not plan to raise or spend $2,000 or more in a calendar year, including the candidate's personal funds, must file one or both of the following campaign statements.

- **Form 501** (Candidate Intention Statement). The Form 501 must be filed only if the candidate plans to raise or spend any money, including the candidate's personal funds.

- **Form 470** (Officeholder and Candidate Campaign Statement—Short Form). The Form 470 may be filed by a candidate or officeholder who does not anticipate raising or spending $2,000 or more in a calendar year.

Personal funds used to pay filing or ballot statement fees are not counted toward the $2,000 committee qualification threshold. If a candidate does not raise any money and personal funds are used only to pay filing or ballot statement fees, the candidate is not required to file the Form 501.

If *any* monetary contributions will be received from others, a separate campaign bank account must be established.

If a candidate files the Form 470 covering a calendar year and later in that calendar year receives contributions totaling $2,000 or more, the candidate must file a Form 470 Supplement. The candidate must also file the Form 410 (Statement of Organization) and begin filing the Form 460 (Recipient Committee Campaign Statement). If a bank account has not already been established, the candidate must also establish a campaign bank account.

Quick Tip

Personal funds used to pay filing or ballot statement fees are not counted toward the $2,000 threshold.

Exception: A candidate for a county central committee of a qualified political party who receives contributions of less than $2,000 and who makes expenditures of less than $2,000 is not required to file any campaign statements, including the Form 501 and Form 470. County central committee candidates who raise or spend $2,000 or more in a calendar year are subject to the Act's campaign reporting requirements.

B. Candidates Raising and Spending $2,000 or More

A candidate who plans to raise or spend $2,000 or more in a calendar year, including the candidate's personal funds, must:

- File the **Form 501** (Candidate Intention Statement).
- File the **Form 410** (Statement of Organization).
- Establish a campaign **bank account.**

A candidate or officeholder who would like to use leftover campaign funds from a previous election must redesignate or transfer the funds before they become "surplus funds." (See Chapters 5 and 11.)

As discussed in detail later in the manual, once a candidate controlled committee has raised or spent $2,000 or more, the following reports must also be filed:

- **Form 497** (24-hour Contribution Report). Within 90 days before the election, including the date of the election, if a committee receives a contribution(s) of $1,000 or more from a single source, the Form 497 must be filed within 24 hours.
- **Form 460** (Recipient Committee Campaign Statement). The Form 460 contains an overview of the committee's activity during a specified period. It is used to file semi-annual and preelection statements.

Committees Controlled by Two or More Candidates

If two or more candidates form one committee to support their candidacies for elective office, such as a slate of candidates running for school board or city council, they must:

- Each file the **Form 501**(Candidate Intention Statement).
- File one **Form 410** (Statement of Organization).
- Establish **one bank account** for the committee (each candidate must deposit all contributions and make all expenditures from this bank account).

Committees controlled by two or more candidates file only one **Form 460** (Recipient Committee Campaign Statement) to disclose the committee's activity each time the statement is due.

C. Candidate Controlled Committees – One Bank Account Rule

Under the Act, a candidate or officeholder must establish one controlled committee with one bank account for each election. All contributions must be deposited in and all expenditures must be made from the campaign bank account. The Act's one committee/ one bank account rule for candidates and elected officeholders gives clear disclosure of the candidate or elected officeholder's campaign finances and ensures compliance with applicable local contribution limits, if any. A committee set up by the candidate or officeholder for his or her election is the candidate's controlled committee.

Quick Tip

A candidate or officeholder may only have one committee with one bank account per election.

A candidate controls a committee if he or she has a significant influence on the actions or decisions of the committee or acts jointly with the committee in connection with its expenditures. Under the one committee/one bank account provisions of the Act, a candidate or officeholder who controls a committee for his or her election may not at the same time control a general purpose committee, such as an "Improve River City" committee. In limited circumstances, exceptions to the one committee/one bank account rule exist to permit a local candidate or officeholder to control a ballot measure committee, legal defense fund, or officeholder expense committee (if provided by local ordinance).

D. Committees Primarily Formed to Support or Oppose a Candidate

A "primarily formed committee" is formed to support or oppose a single candidate or a group of candidates all being voted on in the same election but is not controlled by the candidate(s) who is being supported. Primarily formed committees:

- Must file **Form 410** (Statement of Organization).
- Should establish a campaign **bank account**.

Quick Tip

A "primarily formed candidate committee" is a committee not associated with the candidate whose main activity is making independent expenditures for the candidate or against their opponent.

As discussed in detail later in the manual, once a committee has raised or spent $2,000 or more, the following reports must also be filed:

- **Form 497** (24-hour Contribution Report). Within 90 days before the election, including the date of the election, if a primarily formed committee makes a contribution(s) of $1,000 or more to a candidate or ballot measure committee or receives a contribution(s) of $1,000 or more from a single source, the Form 497 must be filed within 24 hours.

- **Form 496** (24-hour Independent Expenditure Report). Within 90 days before the election, including the date of the election, if a primarily formed committee makes an independent expenditure of $1,000 or more, the Form 496 must be filed within 24 hours. The Form 462 (Verification of Independent Expenditures) must also be filed. See Chapter 10 for additional information on the Form 462.

- **Form 460** (Recipient Committee Campaign Statement). The Form 460 contains an overview of the committee's activity during a specified period. It is used to file semi-annual and preelection statements.

A primarily formed committee is not required to file the Form 501. A primarily formed committee with little or no activity may be eligible to file the Form 450 or Form 425 instead of the Form 460. (See Chapter 8.)

Quick Tip

A candidate's own committee for election is not a "primarily formed" committee although it supports one candidate – it is a "candidate controlled" committee.

E. Establishing a Campaign Bank Account

Candidates who anticipate soliciting or receiving contributions from others, or who anticipate spending $2,000 or more of their personal funds in connection with their election, must open a campaign bank account. The account may be established at any financial institution (i.e, bank, credit union) located in California. A candidate's personal funds used to pay the filing fee or the ballot statement fee do not count toward the $2,000 committee qualification threshold.

Under the Act's one bank account provisions discussed above, a candidate or officeholder may only have one controlled committee with one bank account per election. Candidates running for one office while holding another may establish a separate campaign bank account for each office, but may not have more than one bank account per office per election.

Although primarily formed committees are not required to establish a campaign bank account, it is recommended that they do so. Pre-numbered and pre-printed checks with the committee's name are useful in meeting the recordkeeping requirements described in Chapter 2.

Campaign contributions may not be commingled with any individual's personal funds. All contributions must be deposited in, and expenditures must be made from, the campaign bank account. Except as noted below, candidates must first deposit personal funds to be used for the campaign in the campaign bank account before making campaign expenditures, even if the candidate does not expect to be reimbursed.

Quick Tip

The Political Reform Act does not require a federal tax ID number. However, most banks will require one in order to open a campaign bank account. A tax ID number may be obtained on the IRS website, www.irs.gov.

Quick Tip

Campaign funds must be kept separate from personal funds.

Exceptions:

- Candidates may use their personal funds to pay a filing fee or a ballot statement fee without first depositing the funds into the campaign bank account.
- An officeholder may use personal funds to pay officeholder expenses.
- A candidate may contract with a vendor or collecting agent to collect contributions prior to promptly transferring the funds to the candidate's campaign bank account without violating the requirement that the candidate have no more than one bank account. Fees deducted by the vendor are considered expenditures from the campaign bank account at the time they are deducted.

F. Form 501 (Candidate Intention Statement)

Before soliciting or receiving any contributions or making expenditures from personal funds, a candidate must file the Form 501 with the filing officer who will receive the candidate's original campaign statements (i.e., city clerk or county elections). Judicial candidates file the Form 501 with the Secretary of State. A new Form 501 must be filed for each election, even if the candidate is running for reelection to the same office. The Form 501 is considered filed on the date it is postmarked or hand-delivered.

Candidate Intention Statement **Type or Print in Ink.**

CANDIDATE INTENTION STATEMENT

Date Stamp

CALIFORNIA FORM **501**

For Official Use Only

A

Check One: ☒ Initial ☐ Amendment (Explain) _____

_____

1. Candidate Information:

NAME OF CANDIDATE (Last, First, Middle Initial)	DAYTIME TELEPHONE NUMBER	FAX NUMBER (optional)	E-MAIL (optional)
Cole, Rayna	(707) 555-1234	(707) 555-1235	rcole@gmail.com
STREET ADDRESS	**CITY**	**STATE**	**ZIP CODE**
1212 Fourth Avenue	Oakmont	CA	95443

OFFICE SOUGHT (POSITION TITLE)	AGENCY NAME	DISTRICT NUMBER, if applicable.	☒ NON-PARTISAN / PARTY:
City Council	City of Oakmont	1	

OFFICE JURISDICTION

☐ State (Complete Part 2.)

☒ City ☐ County ☐ Multi-County: _____ (Name of Multi-County Jurisdiction) 20XX (Year of Election)

2. State Candidate Expenditure Limit Statement:

(CalPERS and CalSTRS candidates, judges, judicial candidates, and candidates for local offices do not complete Part 2.)

_____ (Year of Election) ***Primary/general election*** _____ (Year of Election) ***Special/runoff election***

(Check one box)

☐ I **accept** the voluntary expenditure ceiling for the election stated above.

☐ I **do not accept** the voluntary expenditure ceiling for the election stated above.

Amendment:

○ I did not exceed the expenditure ceiling in the primary or special election held on: ____/____/____ and I accept the voluntary expenditure ceiling for the general or special run-off election.

(Mark if applicable)

☐ On ____/____/____, I contributed personal funds in excess of the expenditure ceiling for the election stated above.

3. Verification:

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on [Date Required] *(month, day, year)*, Signature [Signature Required] *(Candidate)*

FPPC Form 501 (April/2011)

FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

Completing the Form 501

A Type of Statement

Check the appropriate box to indicate the type of statement being filed:

- Initial: If this is the first Form 501 being filed for the election.
- Amendment: If any changes occur on a previously filed Form 501 (e.g., a change of address). Provide a brief explanation of the change(s).

1 Candidate Information

Provide the candidate's full name, street address (a business address may be used), and a daytime telephone number. A fax number and e-mail address may also be provided.

Office Sought

Enter the title of the office sought (e.g., County Supervisor).

Agency Name

Enter the name of the agency (e.g., County of Riverside).

District Number

Enter the district number or letter, if applicable.

Office Jurisdiction

Check the appropriate box to indicate the jurisdiction of the office being sought:

- Multi-County: Candidates seeking an elective office where the jurisdiction of the agency contains parts of two or more counties (e.g., water district). Enter the name of the multi-county jurisdiction.
- County: Candidates seeking an elective county office (including superior court judge and most school board members).
- City: Candidates seeking an elective city office.

Year of Election

Enter the year of the election for the office being sought. Month and day are not required.

2 State Candidate Expenditure Limit Statement

This section does not apply to local candidates. It applies only to candidates for State Senate and Assembly and candidates seeking a state office.

3 Verification

The Form 501 must be signed by the candidate. It is not considered filed if it is not signed.

Answering Your Questions

A. When may I begin to solicit and receive contributions for my election?

You may solicit and receive contributions once you have mailed or hand-delivered the Form 501.

B. I am only going to pay the required county election fees to get my name on the ballot. No additional money will be raised or spent. Must I file the Form 501?

No. As long as your only expenditures are for the ballot qualification fees and no money will be raised, the Form 501 is not required.

C. Am I required to file the Form 501 when I run for reelection to the same office?

Yes. If you seek reelection to the same office, you are required to file an "Initial" Form 501 prior to raising or spending any money for the new election.

D. Am I required to file a document to withdraw as a candidate?

The FPPC does not administer the laws that govern what candidates must do to appear on a ballot or to remove their names from a ballot. Contact your local filing officer.

E. Am I required to file the Form 501 if I will set up a committee to fight my recall?

No. An officeholder who is the target of a recall is not required to file the Form 501.

F. Am I required to file the Form 501 if I am a replacement candidate in a recall election?

Yes. Replacement candidates must file the Form 501.

G. Are candidates who are seeking election to a particular district or seat (e.g., city council or community college board of trustees) required to specify the district/seat on the Form 501?

Yes. Each district/seat on the city council or the community college board of trustees is considered a specific office. Note: The "district number" is not required for candidates running for mayor or city council at large.

H. I have completed the process to be an official write-in candidate. Do I have any reporting obligations?

Yes. You have the same reporting obligations as any other candidate.

G. Form 470 (Officeholder and Candidate Campaign Statement – Short Form)

The Form 470 must be filed by a candidate or officeholder who does not anticipate raising or spending $2,000 or more in a calendar year. Payments from the candidate's personal funds used to pay filing or ballot statement fees do not count toward the $2,000 committee qualification threshold.

The Form 470 may not be used if the candidate or officeholder has an existing controlled committee established for a past election, future election, or ballot measure (including recalls).

There are special exceptions, discussed below, that apply to judges and unpaid elected officeholders (officeholders who receive salaries of less than $200 per month).

Quick Tip

If the Form 470 is filed and the candidate then raises or spends $2,000 or more in that calendar year, the candidate must file the Form 470 Supplement, the Form 410, and begin filing the Form 460.

When to File the Form 470 in Connection With an Election

Non-Incumbent Candidates

Candidates on ballot in first six months of the calendar year. The Form 470 may be filed with the declaration of candidacy but must be filed no later than the deadline for the first preelection statement.

Candidates on ballot in last six months of the calendar year. If the candidate receives contributions or makes expenditures:

- Before June 30: Form 470 must be filed by July 31.
- After June 30: Form 470 may be filed with the declaration of candidacy but must be filed no later than the deadline for the first preelection statement.

Candidates running in an election in the first three months of the year may be required to file the Form 470 in October, November, or December of the previous non-election year, as well as in the election year. Candidates should review the applicable filing schedule.

Ex 1.1 - Non-incumbent judicial candidate Janice Chambers is listed on the November ballot. She does not intend to raise or spend $2,000 in connection with her election. By June 30, she had received no contributions and her only expenditures were for the filing and ballot statement fees paid for with her personal funds. Janice is required to file Form 470 by the first preelection filing deadline.

Officeholders on the Ballot

If an officeholder will be listed on a ballot during the first six months of the calendar year, the Form 470 (covering the year of the election) may be filed with the declaration of candidacy but must be filed no later than the filing deadline for the first preelection statement required in connection with the election. If the election will be held during the last six months of the calendar year, the Form 470 must be filed no later than July 31.

Ex 1.2 - A city council election will be held in February. The first preelection statement for this election is due in December of the previous year. A candidate that does not meet the $2,000 committee threshold must file the Form 470 by the first preelection statement due date. The second preelection statement is due in January. If the candidate will not raise or spend $2,000 or more during the year of the election, another Form 470 covering the entire calendar year of the election must be filed by the second preelection statement deadline since the Form 470 filed in December of the previous year covered the period ending December 31 of that calendar year.

Judges and Unpaid Elected Officeholders on the Ballot

During an election year, the deadline for filing the Form 470 will depend on the date of the election. Judges and unpaid officeholders running in an election during the first six months of the year may file the Form 470 (covering the year of the election) with the declaration of candidacy but must be filed no later than the filing deadline for the first preelection statement required in connection with the election.

If the election will be held during the last six months of the year, the Form 470 must be filed by July 31 if any funds were raised or spent (other than the candidate's personal funds for a filing or ballot statement fee) between January 1 and June 30. If no contributions were received or expenditures made by June 30, the Form 470 may be filed with the declaration of candidacy but must be filed no later than the filing deadline for the first preelection statement required in connection with the election.

Ex 1.3 - Judge Mercado is listed on the November ballot and anticipates raising and spending less than $2,000 for his reelection. By June 30, he had received no contributions since January 1 and his only expenditures were for the filing and ballot statement fees paid for with his personal funds. The judge is not required to file by the July 31 semi-annual filing deadline, but must file a Form 470 by the first preelection filing deadline.

Officeholders and Judges Not on a Ballot

See Chapter 11 for the reporting obligations of officeholders and judges who are not listed on the ballot.

Where to File Form 470

Candidate/Officeholder	Where to File	What to File
Judges	Secretary of State County of Domicile	Original and one copy One copy
Multi-County Offices (Local agencies with jurisdiction in more than one county)	County with largest number of registered voters County of Domicile, if different	Original and one copy One copy
County offices	County Elections Office	Original and one copy
City offices	City Clerk	Original and one copy

Officeholder and Candidate Campaign Statement - Short Form

A Date of election if applicable: (Month, Day, Year) 6/6/XX

☐ **Amendment** (Explain Below)

Date Stamp

CALIFORNIA FORM 470
For Official Use Only

1 **1. Statement Covers Calendar Year 20** XX .

2 **Officeholder or Candidate Information**

NAME OF OFFICEHOLDER OR CANDIDATE: Rayna Cole

STREET ADDRESS: 1212 Fourth Avenue

CITY: Oakmont | STATE: CA | ZIP CODE: 95443

AREA CODE/DAYTIME PHONE NUMBER: 707-555-1234

OPTIONAL: FAX / E-MAIL ADDRESS: 707-555-1235/ rcole@gmail.com

3 **Office Sought or Held**

OFFICE SOUGHT OR HELD: City Council

JURISDICTION (LOCATION): City of Oakmont | DISTRICT NUMBER (IF APPLICABLE): 1

4 **Committee Information**

List all committees of which you have knowledge that are primarily formed to receive contributions or to make expenditures on behalf of your candidacy.

COMMITTEE NAME AND I.D. NUMBER	COMMITTEE ADDRESS	NAME OF TREASURER
Friends Supporting Rayna Cole for City Council 20XX ID Number 1533XX	1618 C Street Oakmont, CA 95443	Gabriel Stoll

5 **Verification**

I declare under penalty of perjury that to the best of my knowledge I anticipate that I will receive less than $2,000 and that I will spend less than $2,000 during the calendar year and that I have used all reasonable diligence in preparing this statement. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on [Date Required] (DATE) By [Signature Required] (SIGNATURE OF OFFICEHOLDER OR CANDIDATE)

FPPC Form 470/470 Supplement (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Completing the Form 470

A Date of Election

If the candidate or officeholder is running in an election during the calendar year, indicate the month, day, and year of the election.

1 Period Covered

The period covered is always the calendar year.

2 Officeholder or Candidate Information

Provide the candidate/officeholder's full name, street address (a business address may be used), and a daytime telephone number. A fax number and e-mail address may also be provided.

3 Office Sought or Held

Indicate the office being sought or held and provide the location and district number of the office, if applicable.

4 Committee Information

A candidate or officeholder who is aware of a primarily formed committee that is receiving contributions and making expenditures on behalf of his or her candidacy must disclose the primarily formed committee's name, identification number, address, and the name of the treasurer.

Ex 1.4 - Rayna Cole's neighbors formed the Friends Supporting Rayna Cole for City Council 20XX committee. Ms. Cole is aware of the committee but has no involvement with its day-to-day activities. Ms. Cole must disclose the committee's information on her Form 470.

5 Verification

The Form 470 must be signed by the candidate/officeholder. It is not considered filed if it is not signed.

Answering Your Form 470 Questions

A. What reporting period does the Form 470 cover?

The Form 470 is filed once each calendar year and covers the entire calendar year. When you file the Form 470 covering the year of the election with your declaration of candidacy, or on or before the deadline for filing your first preelection statement, you do not need to file any additional campaign statements as long as you do not raise or spend $2,000 or more during the calendar year.

B. If I am a non-incumbent candidate, am I required to file the Form 470 in connection with my election if I am running unopposed, my name does not appear on the ballot, and the only expenditure I make is from personal funds for a filing or ballot statement fee?

No. A Form 470 is not required. However, once you assume office, a Form 470 may be required.

C. If I am in a January election and will not raise or spend $2,000 in connection with that election, when am I required to file Form 470?

You must file Form 470 in November of the preceding year (the deadline for filing your first preelection statement in connection with the January election). In addition, if your second preelection statement is due in January, another Form 470 must be filed because a Form 470 is required for each calendar year. The first Form 470 covers the calendar year preceding the election, and the second Form 470 covers the calendar year in which the election takes place.

D. I am running as a non-incumbent candidate for city council in November. I filed a Candidate Intention Statement (Form 501) and Statement of Organization (Form 410) to form a committee on May 1, but I did not qualify as a committee by June 30th. Should I file the Form 470 or the Form 460 by the July 31 semi-annual due date?

Because you intend to raise $2,000 or more in the calendar year, you should file the Form 460. This allows you to avoid the requirement to file the Form 470 Supplement within 48 hours of raising or spending $2,000 or more. But, it is permissible to file the Form 470 since the committee qualification threshold was not met by June 30th.

E. I am a city council member and I closed my campaign committee in March. May I file the Form 470 for the statement due July 31?

No. You may not file the Form 470 if you had an open committee at any time during the calendar year or intend to have one later in the year. You must continue filing the Form 460 as an officeholder for the remainder of the calendar year. The Form 470 may be filed the following calendar year if you do not have, nor intend to have, a committee for that entire calendar year.

F. I am in a June election this year and filed a Form 470 for last year because I started raising money in December. Am I required to file a 470 Supplement if I receive contributions totaling more than $2,000 in January?

No. The Form 470 Supplement is only required if you file the Form 470 and subsequently raise or spend $2,000 in the same calendar year. Since you filed the Form 470 last year, but did not meet the $2,000 committee qualification threshold until the following calendar year, you are not required to file the Form 470 Supplement. You must file the Form 410 (Statement of Organization) and begin filing the other applicable campaign reports (e.g., Form 460, Form 497).

Form 470 Supplement

If a candidate files a Form 470 covering a calendar year in which the candidate is running in an election (i.e., with the declaration of candidacy, in lieu of a first preelection statement, or for the June 30 semi-annual filing) and later receives contributions totaling $2,000 or more, or makes expenditures totaling $2,000 or more, the candidate must file a Form 470 Supplement.

When and Where to File the Form 470 Supplement

The Form 470 Supplement must be filed within 48 hours of receiving or spending $2,000 or more.

The notification is sent to:

- Secretary of State's Office;
- Each candidate seeking the same office; and
- City or county clerk, or county registrar of voters, if the candidate is running for a city or county office.

The notification must be sent by guaranteed overnight delivery, personal delivery, fax, or email.

The candidate must also file a Statement of Organization (Form 410) and begin filing the Recipient Committee Campaign Statement (Form 460). The 24-hour Contribution Report (Form 497) may also be required.

Officeholder and Candidate Campaign Statement - Form 470 Supplement

SEE INSTRUCTIONS ON REVERSE

☐ **Amendment** (Explain Below)

Date Stamp

CALIFORNIA FORM 470

For Official Use Only

This form is written notification that the officeholder/candidate listed below has received contributions totaling $2,000 or more or has made expenditures of $2,000 or more during the calendar year.

1. Officeholder or Candidate Information

NAME OF OFFICEHOLDER OR CANDIDATE

Rayna Cole

STREET ADDRESS

1212 Fourth Avenue

CITY | STATE | ZIP CODE

Oakmont | CA | 95443

AREA CODE/DAYTIME PHONE NUMBER | OPTIONAL: FAX / E-MAIL ADDRESS

707-555-1234 | 707-555-1235/ rcole@gmail.com

2. Office Sought

OFFICE SOUGHT | DISTRICT NUMBER (IF APPLICABLE)

Oakmont City Council | 1

DATE OF ELECTION (MONTH, DAY, YEAR)

6/6/XX

3. Date Contributions Totaling $2,000 or More Were Received or Date Expenditures of $2,000 or More Were Made

4/1/XX

(MONTH, DAY, YEAR)

FPPC Form 470/470 Supplement (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Completing the Form 470 Supplement

1 Officeholder or Candidate Information

Provide the candidate/officeholder's full name, street address (a business address may be used), and a daytime telephone number. A fax number and e-mail address may also be provided.

2 Office Sought

Indicate the office being sought, the date of the election, and the district number, if applicable.

3 Date $2,000 Threshold Was Met

Provide the date contributions totaling $2,000 or more were received or the date expenditures of $2,000 or more were made.

H. Form 410 – Statement of Organization

A candidate controlled committee or a committee primarily formed to support or oppose a candidate (or group of candidates in the same election) that raises or spends $2,000 or more in a calendar year qualifies as a recipient committee and must file Form 410. The Form 410 identifies the name of the committee and provides the public with information regarding the committee's purpose and its officers.

Annual Committee Fees

All committees that file a Form 410 must pay a $50 fee to the Secretary of State no later than 15 days after the Form 410 is filed. Committees must pay the fee annually by January 15 until the committee terminates. If the annual fee is not paid by the January 15 deadline, the law imposes a $150 penalty, which will require the committee to pay a total of $200 (the $50 annual fee plus the $150 late penalty). Failure to pay the fine will result in a referral to the FPPC's Enforcement Division.

Note: Committees that are created and pay the initial $50 fee in the last three months of a calendar year are not subject to the annual fee in the subsequent year.

If the committee is going to terminate, in order to avoid the fee for the subsequent year, a committee must cease activity by December 31 of the current year and file the terminating Form 410 with the Secretary of State on or before January 31 of the next year. There is no provision for extension of the deadline and fee payment.

When and Where to File the Form 410

File the original and one copy of the Form 410 with the Secretary of State within 10 days of raising or spending $2,000 or more.

Send the Form 410 to:

Secretary of State
Political Reform Division
1500 11th Street, Suite 495
Sacramento, CA 95814

Ex 1.5 - On February 15, a candidate for mayor opened a campaign bank account with a personal loan of $2,500. By February 25, the Form 410 must be sent to the Secretary of State and a copy to the city clerk.

In addition, candidates for local office and committees primarily formed to support or oppose local candidates must file a copy of the Form 410 with the local filing officer (i.e., city clerk or county elections) with whom the committee will file its original campaign statements.

The Form 410 may be filed prior to raising or spending $2,000, but then must be amended within 10 days of reaching the $2,000 threshold to disclose the date the committee qualified.

24-Hour Deadline for the Form 410

A committee that qualifies during the last 16 days before the election must file Form 410 within 24 hours of qualifying. The Form 410 must be provided to the filing officer with whom the committee will file its original campaign disclosure statements (e.g., Form 460) by fax, guaranteed overnight delivery, or personal delivery. In addition, an original Form 410 must be filed with the Secretary of State within 10 days of qualifying as a committee (regular mail may be used).

Committee ID Number

Upon receipt of the Form 410, the Secretary of State's office will assign the committee an identification number. This number is used on all reporting forms. After filing the Form 410, committees may go to the Cal-Access section of the Secretary of State's website to obtain the committee identification number. Contact the Secretary of State's office at (916) 653-6224 with any other questions about obtaining a committee identification number.

Amending the Form 410

When any information on the Form 410 changes, an amendment must be filed within 10 days of the change. This is especially important if the committee has a new treasurer or principal officer(s) since the individuals listed on the most recently filed Form 410 are liable for the committee's activity.

Ex 1.6 - Joe is seeking reelection to the city council. He wishes to use the same committee and bank account. In order to do so, Joe files a Form 410, checking the amendment box and indicating the year of the election. After filing the Form 501 for the new election, Joe is free to raise and deposit campaign contributions into the bank account.

Ex 1.7 - A group of neighbors joined forces to help elect a candidate for mayor. On March 1, the group received 10 checks of $200 each. Because they qualified as a committee on that date, they must mail or personally deliver a Form 410 to the Secretary of State and a copy to the city clerk no later than March 11.

Ex 1.8 - Fourteen days before a local election, a candidate who had previously filed a Form 470 received a contribution of $1,250, bringing the cumulative contributions received to date to $2,150. Because the candidate has now exceeded the $2,000 committee qualification threshold, the candidate must file the Form 410 with the local elections official within 24 hours. The Form 410 must also be filed within 10 days with the Secretary of State. The Form 470 Supplement must be filed within 48 hours as described above.

24-Hour Deadline for Amendments to the Form 410

Changes to important information in the last 16 days before the election require a committee to file an amendment within 24 hours. If, during the last 16 days before the election, any of the following changes occur, the committee must file an amended Form 410 within 24 hours with the filing officer with whom the committee files its original campaign statements:

- The name of the committee.
- The treasurer or other principal officers.
- Any candidate who controls the committee.
- Any committee with which the committee acts jointly.

The amendment provided to the filing officer with whom the committee files its original campaign statements must be delivered by personal delivery, guaranteed overnight delivery, fax, or online transmission (if online filing is available). The originally signed Form 410 amendment must be filed with Secretary of State within 10 days (regular mail may be used).

Statement of Organization
Recipient Committee

Statement Type

Date Stamp

CALIFORNIA FORM 410

For Official Use Only

A

☑ **Initial** Not yet qualified ☐ or — 09/04/20XX Date qualified as committee

☐ **Amendment** List I.D. number: # _____ — _____/_____/_____ Date qualified as committee (If applicable)

☐ **Termination – See Part 5** List I.D. number: # _____ — _____/_____/_____ Date of Termination

1 Committee Information

NAME OF COMMITTEE
Manuel Alvarez for Mayor 20XX

STREET ADDRESS (NO P.O. BOX)
225 Presley Street

CITY | STATE | ZIP CODE | AREA CODE/PHONE
Oakmont | CA | 95443 | (707)555-6868

MAILING ADDRESS (IF DIFFERENT)
P.O. Box 1744, Oakmont, CA 95434

FAX / E-MAIL ADDRESS
707-555-6869/ mrichards@oakmontmail.com

COUNTY OF DOMICILE: San Marino
JURISDICTION WHERE COMMITTEE IS ACTIVE: San Marino

Attach additional information on appropriately labeled continuation sheets.

2 Treasurer and Other Principal Officers

NAME OF TREASURER
Madeline Richards

STREET ADDRESS (NO P.O. BOX)
225 Presley Street

CITY | STATE | ZIP CODE | AREA CODE/PHONE
Oakmont | CA | 95443 | (707)555-6868

NAME OF ASSISTANT TREASURER, IF ANY
Manuel Alvarez

STREET ADDRESS (NO P.O. BOX)
225 Presley Street

CITY | STATE | ZIP CODE | AREA CODE/PHONE
Oakmont | CA | 95443 | (707)555-6868

NAME OF PRINCIPAL OFFICER(S)
N/A

STREET ADDRESS (NO P.O. BOX)

CITY | STATE | ZIP CODE | AREA CODE/PHONE

3 Verification

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on [Date Required] (DATE) By [Signature Required] (SIGNATURE OF TREASURER OR ASSISTANT TREASURER)

Executed on [Date Required] (DATE) By [Signature Required] (SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT)

Executed on _____ (DATE) By _____ (SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT)

Executed on _____ (DATE) By _____ (SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT)

FPPC Form 410 (Dec/2012)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Completing the Form 410

A Statement Type

Check the “Initial” box if this is the first filing and indicate the date on which the committee met the $2,000 threshold or check the “Not Yet Qualified” box. If the “Not Yet Qualified” box is checked, an amended Form 410 must be filed within 10 days of reaching or exceeding the $2,000 threshold to provide the date the committee qualified.

Check the “Amendment” box to amend information on an existing Form 410 (e.g., to report the date the committee qualified as a committee).

1 Committee Information

Provide the full name of the committee.

Candidate Controlled Committees. A committee controlled by a candidate must include in its name the last name of the candidate, the office sought, and the year of the election.

Committees established by an officeholder to defend against a recall attempt must include the term "recall" in the committee name.

Primarily Formed Committees. A committee primarily formed to support or oppose a candidate(s) must include the last name of each candidate, the office sought, the year of the election, and must state whether the committee supports or opposes the candidate(s) (e.g., Committee to Support Sanchez for Kern County Supervisor 20XX).

If a primarily formed committee is sponsored by a business entity, organization, or association, the name of the sponsor must also be included in the name of the committee.

Committee Address

Provide the committee's street address and mailing address. A post office box may be used as a mailing address. The committee may have more than one mailing address.

Quick Tip

The Secretary of State's office may reject the filing of a Form 410 if the committee's e-mail address is not included.

Committee Fax/E-mail Address

Provide the committee's fax number and e-mail address. The e-mail address is required.

County of Domicile and Jurisdiction Where Committee is Active

Indicate the county in which the committee is located and the county in which the committee is active. These may be different.

2 Treasurer and Other Principal Officers

The committee must have a treasurer and may have an assistant treasurer. Provide the names, street addresses, and telephone numbers of the treasurer and assistant treasurer. If a candidate chooses to be his or her own treasurer, list the name, street address,

and telephone number of the candidate.

A primarily formed committee must also list the name of the principal officer(s) and the principal officer's street address. If no individual other than the treasurer is a principal officer, the treasurer must be identified as both the treasurer and the principal officer. A principal officer is an individual that is responsible for the following types of activities:

- Authorizing the content of committee communications.
- Authorizing expenditures.
- Determining the committee's campaign strategy.

A committee may have several principal officers. If there are more than three, a committee need only identify on the Form 410 three individuals serving as principal officers.

Quick Tip

See Chapter 2 for information about the responsibilities of a committee treasurer. The FPPC's website includes a list of committee treasurers that have been fined by the FPPC two or more times.

3 Verification

The treasurer or assistant treasurer must complete the verification. If the committee is controlled by a candidate, the candidate must also sign the verification. The Form 410 is not considered filed if it is not signed by both the treasurer or assistant treasurer and the candidate. If a candidate is his or her own treasurer, the candidate must sign on both lines.

When two or three candidates control a committee, each candidate must sign the verification. If more than three candidates control the committee, one of the candidates may sign on behalf of all controlling candidates.

Bank Account

Report the name and address of the financial institution where the committee's campaign bank account is located, as well as the campaign bank account number. If a bank account has not been opened at the time of filing an "Initial" Form 410, amend the Form 410 within ten days of opening the bank account to provide this information.

4 **Type of Committee** Complete the applicable sections.

Controlled Committee

- List the name of each controlling officeholder, candidate, or state measure proponent. If candidate or officeholder controlled, also list the elective office sought or held, and district number, if any, and the year of the election.
- List the political party with which each officeholder or candidate is affiliated or check "nonpartisan."
- If this committee acts jointly with another controlled committee, list the name and identification number of the other controlled committee.

NAME OF CANDIDATE/OFFICEHOLDER/STATE MEASURE PROPONENT	ELECTIVE OFFICE SOUGHT OR HELD (INCLUDE DISTRICT NUMBER IF APPLICABLE)	YEAR OF ELECTION	PARTY
Manuel Alvarez	Oakmont City Council, District 1	20XX	☑ Nonpartisan
			☐ Nonpartisan

4 Type of Committee

Controlled Committee

Candidate controlled committees must complete this section. A candidate or officeholder's own committee for election to office is his or her "controlled committee." Provide the name of the candidate, office sought (include district number, if applicable), year of the election and, since all local elections in California are non-partisan, check the "Non-Partisan" box in the "Party" column. If two or more candidates form one committee to support their candidacies for elective office, this information must be completed for each candidate.

Primarily Formed Committee

Complete this section for a committee that is not controlled by a candidate or officeholder whose principal activity is raising or spending money to make independent expenditures supporting or opposing a specific candidate or a group of specific candidates all being voted upon in the same election on the same date.

Sponsored Committee

If the committee is sponsored by an entity, provide the name and address of the sponsor. In addition, indicate the industry group or affiliation of the sponsor. Individuals do not sponsor committees.

An entity sponsors a committee if any of the following criteria apply:

- The committee receives 80% or more of its contributions from the entity or its members, officers, employees, or shareholders.
- The entity collects contributions for the committee through payroll deductions or dues from its members, officers, or employees.
- The entity, alone or in combination with other organizations, provides all or nearly all of the administrative services for the committee.
- The entity, alone or in combination with other organizations, sets the policies for contribution solicitation or payment of expenditures from committee funds.

Answering Your Questions

A. Must we wait until $2,000 or more is received to file a Form 410?

No. You may file a Form 410 prior to committee qualification. Check the "Not Yet Qualified" box. Once you have reached the $2,000 threshold, file an amendment to report the date the committee qualified.

B. May our committee use a mail receiving and forwarding service as the committee's street address on the Form 410?

No. Either the committee's street address or the treasurer's street address (home or business) must be provided. A post office box may be used as a mailing address.

C. As a candidate, may I be the designated treasurer on the Form 410?

Yes. You may be the treasurer or assistant treasurer.

D. May more than one candidate control a single committee to run for office?

Yes. Each candidate should file a Form 501 prior to raising or spending any money. For both the Form 410 and Form 460, each candidate must sign the verification, in addition to the treasurer or assistant treasurer. If the committee is controlled by more than three candidates, one candidate may sign on behalf of the other candidates.

E. I am a school board candidate. Prior to attending an FPPC webinar and learning that it was not permitted, I used personal funds to pay for some of my start-up campaign expenses. How is this reported on the Form 460?

So that the activity is properly disclosed, the amount of personal funds used may be reported on Schedule C as nonmonetary contributions (itemize purchases of $100 or more). If you wish to be reimbursed by the committee, you may report the amount on Schedule F as an accrued expense. If you have already been reimbursed by the committee, the amount will be reported on Schedule E as an expenditure. Non-disclosure of the payments is a violation of the Act. All future payments must be made from the campaign bank account; personal funds must be deposited into the account before making expenditures.

F. I am an officeholder and the target of a recall election. I have formed a separate committee to oppose the recall. On the Form 410, what sections do I complete under Part 4 — Type of Committee?

You should complete both the Controlled Committee and Primarily Formed Ballot Measure Committee sections. Be sure to include the word “recall” in the name of the committee.

G. I am running as a replacement candidate on a recall ballot. On the Form 410, what sections do I complete under Part 4—Type of Committee?

You should complete the Controlled Committee section.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

81004	Reports and Statements; Perjury; Verification.
81004.5	Reports and Statements; Amendments.
81007	Mailing of Report or Statement.
82007	Candidate.
82013	Committee.
82016	Controlled Committee.
82025	Expenditure.
82044	Payment.
82047.5	Primarily Formed Committee.
82048.7	Sponsored Committee.
84101	Statement of Organization; Filing.
84102	Statement of Organization; Contents.
84103	Statement of Organization; Amendments.
84106	Sponsored Committee; Identification.
84206	Candidates Who Receive or Spend Less than $2,000.
84207	County Central Committee Candidates Who Receive or Spend Less Than $2,000.
84215	Campaign Reports and Statements; Where to File.
85200	Statement of Intention to be a Candidate.
85201	Campaign Bank Account.
87201	Candidates (Statement of Economic Interests).

Title 2 Regulations

18402	Committee Name.
18406	Short Form for Candidates or Officeholders Who Receive and Spend Less than $2,000 in a Calendar Year.
18419	Sponsored Committees.
18430	Committee Controlled by More Than One Candidate.
18520	Statement of Intention to Be a Candidate.
18521	Establishment of Separate Controlled Committee for Each Campaign Account.
18531.5	Recall Elections.

CHAPTER 2

FINANCES/RECORDKEEPING

One of the fundamental purposes of the Political Reform Act (Act), an initiative passed by the voters, is to ensure that receipts and expenditures in election campaigns are truthfully and fully disclosed. In order to do so, an individual that chooses to act as a committee treasurer, assistant treasurer, or principal officer must know and practice the finance and recordkeeping requirements and responsibilities discussed in this chapter.

A. Committee Treasurer and Principal Officer

Every committee must have a treasurer before the committee may accept contributions or make expenditures. Although there are no restrictions on who may be a treasurer, in order to adequately perform the duties, the treasurer must understand the campaign finance laws and his or her responsibilities under the Act. The candidate controlling the committee may be the treasurer or assistant treasurer for his or her own committee. **No individual should accept the position of a committee treasurer as a mere figurehead.**

Contributions may not be accepted and expenditures may not be made if the treasurer's post is vacant at any time, even if the committee has an assistant treasurer. If the treasurer is unavailable to carry out his or her duties, a new treasurer must be designated and the committee's Statement of Organization (Form 410) amended. The individual listed on the most recent Form 410 filed with the Secretary of State continues to be liable until an amendment is filed to designate a new treasurer.

The committee treasurer or assistant treasurer must sign and verify all reports and statements filed. The verification is signed under penalty of perjury and indicates that:

- The signer has used all reasonable diligence in preparing the statement; and
- To the best of his or her knowledge, the statement is both true and complete.

The signer is legally responsible for the accuracy and completeness of the document, even if it is prepared by a third party, including a professional accountant. An unsigned statement is considered "not filed" and is subject to late fines.

Treasurer Responsibilities

A committee treasurer is required to:

- Establish a system of recordkeeping sufficient to ensure that contributions and expenditures are recorded promptly and accurately in compliance with the Act's recordkeeping and disclosure requirements. (Following the recordkeeping guidelines in this manual ordinarily constitutes compliance with this requirement.)

- Maintain campaign records personally or monitor records kept by others.

- Take steps to ensure all of the Act's requirements are met regarding receipt, expenditure, and reporting of campaign funds.

- Prepare campaign statements personally or carefully review the statements and underlying records prepared by others.

- Correct any inaccuracies or omissions, and inquire about any information that would cause a person of reasonable prudence to question the accuracy of the campaign statements. Among the circumstances that might give rise to an inquiry regarding a contribution are: the size of the contribution; the reported source; the likelihood of that source making a contribution of that size; the manner in which the contribution is recorded in the campaign records; and all other circumstances surrounding receipt of the contribution.

Quick Tip

Reconciling the committee's bank statement with the committee's records regularly will ensure accuracy and make completing the campaign forms easier.

Principal Officer(s)

A primarily formed committee must designate a principal officer(s) on the Statement of Organization (Form 410). The principal officer is also responsible for maintaining detailed accounts, records, bills and receipts necessary to prepare campaign statements. If no individual other than the treasurer has the primary responsibility for approving

the political activity of the committee as described in Chapter 1, the treasurer must be identified as both the treasurer and the principal officer.

B. Candidate/Officeholder Responsibilities

A candidate or officeholder is required to:

- Carefully review the campaign statements prepared for filing by the committee and ensure that the statements are properly filed.
- Correct any inaccuracies and omissions in campaign statements of which the candidate is aware, and check and correct any information on campaign statements which a person of reasonable prudence would question based on all of the surrounding circumstances.
- Make sure that the treasurer is exercising all reasonable diligence in the performance of his or her duties.
- Take whatever steps are necessary to replace the treasurer or raise the treasurer's performance to required standards if the candidate or officeholder knows, or has reason to know, that the treasurer is not exercising all reasonable diligence in the performance of his or her duties.
- Perform with due care any other tasks assumed in connection with the raising, spending, or recording of campaign funds insofar as such tasks relate to the accuracy of information entered on campaign statements.

C. Education

The FPPC provides educational seminars and webinars for candidates and treasurers. In addition, there are several instructive materials available on the website. Candidates and treasurers may also seek advice from FPPC staff by calling the toll-free advice line (866-275-3772) or e-mailing questions to advice@fppc.ca.gov.

D. Committee Audits

Each odd-numbered year, a total of 20 local jurisdictions are randomly selected for mandatory audit. All candidates in the selected jurisdiction are subject to audit if they have raised or spent $2,000 or more. Additionally, 25% of contested Superior Court offices are randomly selected. Candidates who raise or spend $15,000 or more in these selected races are subject to audit. In addition, the FPPC and the Franchise Tax Board are authorized to conduct discretionary audits.

Quick Tip

The candidate and the treasurer may be fined by the FPPC if all reporting and recordkeeping requirements are not met. Violations of the Act are punishable by fines of up to $5,000 per violation.

E. Campaign Bank Accounts

Primarily Formed Committees

A non-candidate controlled "primarily formed committee" is not required to maintain a separate bank account; however, it is recommended that they do so. Pre-numbered and pre-printed checks with the committee's name are helpful in meeting the recordkeeping requirements discussed in this chapter. Committees may not commingle campaign contributions with any individual's personal funds.

Candidate Controlled Committees

Candidates who anticipate soliciting or receiving contributions from others, or who anticipate spending $2,000 or more of their personal funds in connection with their election, **must** open a campaign bank account. A candidate's personal funds used to pay the filing fee or the ballot statement fee do not count toward the $2,000 threshold.

The account may be established at any financial institution (i.e., bank, credit union) located in California. Under the Act's one bank account rule discussed in Chapter 1, a candidate or officeholder may only have one controlled committee with one bank account per election. Candidates running for one office while holding another must establish a separate campaign bank account for each office, but may not have more than one bank account per office per election.

All campaign contributions must be deposited into the campaign bank account and all campaign expenditures must be made from the campaign bank account. Candidates must deposit **personal funds** to be used for the campaign in the campaign bank account before making campaign expenditures.

Quick Tip

The Political Reform Act does not require a federal tax ID number. However, most banks will require one in order to open a campaign bank account. A tax ID number may be obtained on the IRS website, www.irs.gov.

Exceptions:

- Candidates may use their personal funds to pay a filing fee or a ballot statement fee without first depositing the funds into the campaign account.
- An officeholder may use personal funds to pay officeholder expenses.
- A candidate may contract with a vendor or collecting agent to collect contributions prior to promptly transferring the funds to the candidate's campaign bank account without violating the requirement that the candidate have no more than one bank account. Fees deducted by the vendor are considered expenditures from the campaign bank account at the time they are deducted.

Quick Tip

Campaign funds may not be commingled with any individual's personal funds.

Expenditures from Multiple Accounts

A candidate who has more than one campaign committee must make all expenditures in connection with an election from the campaign bank account established for that election, including:

- Campaign strategic planning and fundraising expenses;
- Services and actual expenses of outside political consultants, the campaign treasurer, other staff, pollsters, and other persons who provide services directly in connection with the election;
- Voter registration and get-out-the-vote drives; and
- Payments for mailings, political advertising, yard signs, opinion polls or surveys, and other communications if the payments are either:
    - For a communication that makes reference to the candidate's future election or status as a candidate; or

- Made three months prior to an election for which the candidate has filed a Candidate Intention Statement (Form 501), a declaration of candidacy, or nomination papers with an elections official, or any other documents necessary to be listed on the ballot for an elective office.

Ex 2.1 -Thien Vu is a city council member and still has an open committee from the city council election. She is running for county supervisor in the next election and has opened another bank account and committee for that race. She must use the campaign bank account for her county supervisor campaign to pay for her yard signs and all other expenses related to the upcoming county supervisor election.

Redesignating the Bank Account

Officeholders: An officeholder seeking reelection to the **same office** may use the bank account that was established for the prior election. The account may be redesignated at any time prior to receiving contributions in connection with reelection. The officeholder must file a new Form 501 (Candidate Intention Statement) and an amended Form 410 (Statement of Organization).

Defeated Candidates: A candidate that is defeated in an election may use the same bank account for a future election to seek the same office. The candidate must file a new Form 501 (Candidate Intention Statement) and an amended Form 410 (Statement of Organization). The funds must be redesignated before they become "surplus funds." Campaign funds become surplus on the 90th day following the closing date for the postelection reporting period.

Note: A campaign bank account may not be redesignated if the officeholder/candidate is seeking election to a **different office**. See Chapter 11 for the requirements that must be met in order to use leftover campaign funds for a future election to seek a different office.

Ex 2.2 -John Davis lost the city council election in June. John has $3,500 remaining in his campaign bank account and is considering seeking another city council position in two years. In order to use the remaining $3,500 for the future election, John must file a new Form 501 (Candidate Intention Statement) and redesignate the bank account to the future election by amending his Form 410 (Statement of Organization) to indicate the new office sought and year of election. This must be done within 90 days following the end of the postelection reporting period for an election held during the first six months of the year.

Quick Tip

Campaign funds become surplus on the 90th day following the closing date for the postelection reporting period or on the 90th day following the date of leaving office, whichever occurs last. The postelection reporting period for an election held in the first six months of the year is June 30 and the postelection reporting period for an election held in the latter six months of the year is December 31. Once the funds become surplus, they may not be used for a future election. See Chapter 5 for the permissible uses of surplus funds.

Investments

Campaign funds may be transferred from a campaign bank account to certificates of deposit, interest-bearing savings accounts, money market funds, or similar accounts. The funds must come from a campaign bank account designated for a specific office and be deposited in investment accounts established only for that office. The funds must be redeposited into the same campaign bank account before being used for campaign expenses.

Credit Accounts

One or more credit accounts may be established for each campaign bank account. A single credit card, however, may not be designated for more than one campaign bank account. In addition, payment of charges on a credit account must be made only from the appropriate campaign bank account.

In lieu of establishing a new credit account, a candidate may designate an existing personal credit card with a zero balance as the campaign bank account credit card by listing the card number and date of designation in the campaign records. The candidate must ensure that no personal expenses are charged to this account until after all campaign charges have been paid with funds from the campaign bank account. Once all campaign expenses charged to the account have been paid, the candidate may resume using the card for personal purposes.

Petty Cash

Candidates may use campaign funds to establish a petty cash fund at each campaign office so long as the following conditions are met:

- A petty cash fund may not hold more than $100 at any time.
- No expenditure of $100 or more may be made from the fund.
- The fund may be used only for expenses associated with the election to the specific office or for the expenses of holding the office for which the petty cash fund was established.

- Once the funds are spent, payments made from petty cash must be reported as expenditures.

Legal Defense Fund Committees

The Act permits a local candidate or elected officer to establish a legal defense fund, if the candidate or officer is subject to civil, criminal or administrative proceedings arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officer's governmental duties. Contributions raised for legal defense **must be held in a separate bank account**. Any funds raised may only be spent to defray attorney's fees and other related legal costs, as defined in the Act. (See Regulation 18530.45 for additional information.)

The candidate and the treasurer of the legal defense fund committee are subject to the recordkeeping requirements discussed in this chapter. In addition, separate detailed accounts, records, bills, and receipts, for each legal proceeding, including documentation to support the basis and timing for raising legal defense funds, must be kept.

Recall Elections

An officeholder who is the subject of a recall may use an existing committee (set up for the office he or she currently holds) to receive contributions and make expenditures to oppose the qualification of the recall measure, and if the recall petition qualifies, the recall election.

The officeholder may instead choose to set up a separate committee with a separate bank account. The officeholder and committee treasurer are subject to the recordkeeping requirements discussed in this chapter. See Chapter 11 for additional information about recall elections.

F. Recordkeeping

An accurate and organized record must be kept of all campaign contributions and expenditures. All individuals who handle contributions and make expenditures must be aware of and practice

the recordkeeping procedures required by the Political Reform Act and FPPC regulations outlined in this manual. While others may be involved, the candidate, treasurer, and principal officer(s) as listed on the committee's Statement of Organization (Form 410), remain legally responsible for the accuracy of the records.

Record Retention

Candidates and committees must keep all records, including original source documentation, such as bank statements and other records reflecting account activity, for a period of four years from the date the campaign statement relating to the records was filed.

Ex 2.3 -Sharon Goldstein, a city council member, filed her first campaign statement on January 31, 2014. The records associated with completing that statement, such as receipts and information about contributors, must be retained until January 31, 2018.

Records of Contributions Received and Other Receipts

Two types of records are required for receipts: a **daily record**, showing how much money was received on any given day; and a **contributor record**, with detailed information on each contributor of $25 or more. The daily record requirement may be met simply with bank statements, copies of checks received, or other documentation that provides the required information listed below.

Date Received

A monetary contribution is received on the date the committee, or an agent of the committee, obtains possession or control of the cash, check, or other form of contribution, not the date it is deposited in the bank account. Contributions received by electronic methods such as wire transfer, credit card, or debit account transactions are also received on the date the committee obtains possession or control of the funds. The following list provides examples:

- A contributor makes a contribution over the telephone. The contribution is "received" by the committee on the date the contributor gives his or her debit/credit account information to the committee.

- A contributor makes a contribution via the Internet and the committee reviews the online transaction before the contribution is processed. The contribution is "received" by the committee on the date the committee receives the payment information.

- A contributor makes a contribution via the Internet and the contribution is made by direct deposit without review and before transaction reports are produced. The contribution is "received" by the committee when the committee has possession of the funds.

- A contributor makes a contribution by text message. The contribution is "received" by the committee on the date that the mobile fundraising vendor, acting as agent of the committee, obtains possession or control of the contribution.

- A contributor agrees to make contributions via installment payments by authorizing the committee to periodically charge his or her credit card or withdraw funds from his or her account. The contribution is "received" when the committee, or an agent of the committee, obtains possession or control of the funds for each installment payment. The contribution reported is only the amount of each installment payment when received. Installment payments scheduled to take place in the future, but not yet received, are not reportable.

Receipts Under $25

A daily lump sum total must be kept for contributions received under $25 and miscellaneous receipts under $25.

Contributor Records

Contributions: $25 to $99.99

For each monetary or nonmonetary contribution or loan of $25 or more, the date received, amount of the contribution, and full name and street address, including zip code, of the contributor must be documented. In addition, the total amount received from the contributor over the course of the current calendar year (the "cumulative amount") must be recorded.

Contributions: $100 or More

If contributions totaling $100 or more are received from an individual, in addition to the information required for contributions of $25 or more as described above, the contributor's occupation and employer

must be recorded. If the contributor is self-employed, that fact also must be noted along with the name of his or her business. If a check is received from a business entity, generally the contributor is the business entity, not the person who signs the check.

A contribution of $100 or more must be returned if the contributor's name, street address, and, if the contributor is an individual, his or her occupation and employer are not in the committee's records within 60 days from receipt of the contribution.

Such contributions may be deposited in the committee's bank account pending receipt of the information, in which case they must be reported on the next campaign statement required to be filed (including the Form 497, 24-hour Contribution Report).

The Form 460 must be amended within 70 days from its closing date to disclose the missing contributor information unless the contribution is returned to the donor. The Form 497 need not be amended. The committee also must note in its records the date the contributor information is received, if that date is different than the date the contribution is received.

When a contribution cannot be returned to the contributor within 60 days from the date the contribution was received, the contribution amount must be paid to the general fund of the local jurisdiction in which the committee is based. In the case of a Superior Court judge or a judicial candidate, the contribution must be paid to the Secretary of State for deposit in the State General Fund.

If a contribution is returned to the contributor by check and the check is not cashed by the contributor within 90 days, the contribution amount must be paid within 30 days to the general fund of the local jurisdiction or to the Secretary of State for deposit in the State General Fund.

Ex 2.4 -Stanley Hughes, a city clerk candidate, received a contribution of $100 from Martha Andersen on June 1. The only information he received was her name and address as listed on her check. On his semi-annual statement covering the reporting period through June 30, he reported receiving $100 from Martha, listed her name and address, and indicated that he would amend his statement when he received her occupation and employer information. By July 31 of that same year, even after notifying Martha, Stanley still did not have her occupation and employer information. The committee must return $100 to Martha.

Intermediaries

For contributions of $25 or more made through an intermediary (see Chapter 3), records with the above information for **both** the intermediary and the contributor are required.

Affiliated Entities

Information from affiliated entities (see Chapter 3) that describes the connection of affiliated contributors must be maintained in the records.

Nonmonetary Contributions

If the contribution is nonmonetary and valued at $25 or more, a description and the fair market value of the contribution must be recorded. (See "Valuing Nonmonetary Contributions" in Chapter 3.)

Loans Received

If the contribution is a loan of $25 or more, in addition to the above information for monetary contributions, the following information must be recorded:

- Interest rate of the loan, if any;
- Due date of the loan, if any; and
- Name and street address of any guarantor and the amount guaranteed, if any. The occupation and employer of any individual who guarantees a loan of $100 or more must also be recorded.

If a candidate receives a loan from a commercial lending institution for his or her campaign, the institution is reported as the source of the loan. The candidate does not have to be reported as the guarantor, even if he or she is personally liable.

Documentation for Contributions Received and Other Receipts

The committee must keep copies of all documents reflecting deposits made and all records reflecting campaign bank account balances, such as bank statements, check registers, and passbooks.

The following documents produced or received by the committee also must be kept for receipts of $25 or more: copies of contributor checks; contributor cards; letters of transmittal; notices received from contributors; memoranda or other records that describe the method

used to determine the fair market value of donated goods or services (nonmonetary contributions); and loan agreements or other documents that reflect indebtedness.

Documentation for electronic transactions must include information collected when debiting the contributor's account, such as itemized transaction reports (including the credit card confirmation number), debit/credit account transaction records, and credit card receipts, or vouchers. Documentation of contributions received over the Internet must include a record of the transaction created and transmitted by the cardholder including the cardholder's name and street address and card number.

For contributions or other receipts of $100 or more, copies of any letters or other communications sent by the committee to obtain the documents listed above must be kept.

Expenditures Made

Expenditures: Under $25

A daily lump sum total of all expenditures of less than $25 must be kept.

Expenditures: $25 or More

For expenditures of $25 or more to a single payee, or a series of payments for a single product or service that total $25 or more, the following must be recorded:

- Full name and street address, including zip code, of payee;
- Expenditure amount;
- Date each expenditure was made or, in the case of accrued expenses, the date the goods or services were received; and
- Description of the goods or services received.

Contributions to Other Committees and Independent Expenditures

For expenditures that are contributions to another candidate, officeholder, or committee, or independent expenditures to support or oppose a ballot measure, the amount of the expenditure and the cumulative total paid in that calendar year in connection with the candidate, officeholder, committee, or ballot measure must be recorded.

For all such expenditures of $25 or more, the following information is required:

- Date the contribution or independent expenditure was made;
- Whether the expenditure was an independent expenditure;
- Name of the officeholder or candidate and the office and district he or she holds or for which he or she seeks nomination or election, or the number or letter of the measure and the jurisdiction in which the measure is to be voted on; and
- Cumulative amount spent on behalf of the candidate, measure, or committee.

Quick Tip

See Chapter 3 for a detailed discussion and examples of when a contribution is made. Chapter 6 describes communications that are considered independent expenditures.

Loans Made to Others

The following additional information must be kept for loans made by the committee: interest rate, if any; due date, if any; and full name and street address of anyone guaranteeing the loan or who is liable directly, indirectly, or contingently for the loan. (For restrictions on loans to others, see Chapter 5.)

Expenditures for Gifts, Meals and Travel

A candidate controlled committee that makes an expenditure of $100 or more for a gift, meal, or travel, must keep a dated memorandum or some other form of dated written record containing a brief description of the political, legislative, or governmental purpose of the expenditure, as well as the information described below:

Gifts: The date of the expenditure, a description of the gift, and the name of any recipient who received a benefit of $50 or more.

Meals: The date of the meal, the name of each individual who attended the meal, and whether he or she is a member of the candidate's household or someone who has authority to approve expenditures of campaign funds.

Travel: The dates of travel, the destination, the name of each individual who traveled, and whether he or she is a member of the candidate's household or someone who has authority to approve expenditures of campaign funds.

Documentation for Expenditures

All bank and credit card records for expenditures must be kept.

For expenditures of $25 or more, canceled checks, bills, invoices, or statements; receipts; credit card charge slips; vouchers; contracts; loan agreements; and other documents produced or received by the committee reflecting additional obligations also must be kept. Copies of canceled checks may be retained if the copies contain a legible image of the front and back of the canceled check and the copies are obtained from the financial institution.

If no receipt, voucher, or invoice is available, a voucher should be written as soon as possible with the date and amount of the payment, the name of the payee, and a description of the goods or services received. A voucher is not required for payments under $25.

Quick Tip

Expenditures may be made electronically using a bank account, credit card, debit card, or electronic payment service (e.g., PayPal) so long as detailed records are kept.

G. Mass Mailings,Telephone Calls, and Notices to Contributors of $5,000 or More

The following must be retained for a period of four years following the date the campaign statement relating to the records is filed:

- **Mailers.** A copy of any mass mailing sent by the committee (see Chapter 6).

- **Political Calls.** A script of the call or a copy of the recorded phone message when the committee pays for more than 500 telephone calls to expressly advocate support for or opposition to a candidate or ballot measure (see Chapter 6).

- **Major Donor Notices**. A copy or record of all notifications to contributors of $5,000 or more (see Chapter 3).

Answering Your Questions

A. May the candidate serve as the committee's treasurer?

Yes. The candidate may serve as the treasurer or assistant treasurer.

B. Are there private firms that provide treasurer or campaign reporting services?

Yes. The FPPC does not endorse or recommend any particular private firm. Candidates may find useful information on the websites of the California Political Attorney's Association and the California Political Treasurers Association. By entering a treasurer's name on the FPPC's website, information may be obtained about treasurers that have been fined in an FPPC administrative action or have received warning or advisory letters. There is also a list of committee treasurers that have been fined two or more times by the FPPC.

C. Are there any specific accounting qualifications for someone to be able to serve as treasurer?

No. However, no individual should accept the position as a mere figurehead.

D. What should be done if the treasurer and assistant treasurer, or the candidate, are not able to sign a campaign statement before the deadline?

To ensure that the statement is filed on time, the committee may submit the filing if it is signed by one of the following: the candidate, treasurer, or assistant treasurer. If the candidate's signature is missing, submit an amendment to provide his or her signature as soon as possible. Likewise, if both the treasurer and assistant treasurer are unavailable, submit an amendment to provide the required signature as soon as possible.

E. I do not intend to raise any funds from others and I will not be spending any personal funds on my campaign other than the payments for the filing fee and ballot statement fee. Do I need to open a campaign bank account?

No.

F. I do not intend to raise any funds from others. I will be spending personal funds on my campaign, but I will not be spending $2,000 or more. Do I need to open a bank account?

No.

G. I do not intend to raise any funds from others. I will, however, be spending $2,000 or more of my personal funds on my campaign, not including the amount I spend on my filing fee. Do I need to open a bank account?

Yes. Since you plan to spend $2,000 or more for your campaign, you must open a campaign bank account.

H. I will be raising money from others for my campaign, but I do not intend to raise or spend $2,000 on my campaign during the calendar year. Do I need to open a bank account?

Yes. Since you are raising funds from others, even though you will not be raising or spending $2,000 or more, you are required to open a campaign bank account. Contributions received and personal funds you will use for your campaign must be deposited in the account.

I. Are committee records and source documentation required to be kept on paper, or may the committee use an electronic recordkeeping system?

Electronic records are permitted, provided that all of the required information is collected and recorded in a timely and uniform manner that ensures the accuracy and reliability of the information. Committees are responsible for ensuring that electronic records can be read and/or printed for auditing purposes during the applicable retention period.

J. May a private service, such as PayPal, be used to collect contributions electronically?

Yes, so long as for each contribution of $100 or more, (a) the service is able to provide the name of the contributor, and (b) the committee reports all the information needed to meet the statutory recordkeeping requirements, including the name, address, occupation, and employer of individual contributors of $100 or more. Even if the company deducts a fee from the amount of the contribution, the entire amount of the contribution must be disclosed. The fees charged by the private service are reported as expenditures.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Codes Sections

82047.6	Principal Officer.
84100	Treasurer.
84104	Recordkeeping.
84105	Notification of Contributors.
84302	Contributions by Intermediary of Agent.
84306	Contributions Received by Agents of Candidates or Committees.
84307	Commingling with Personal Funds.
84310	Identification Requirements for Telephone Calls.
85304.5	Legal Defense Fund; Local Candidates and Elected Officeholders.
85700	Donor Information Requirements; Return of Contributions.
90000	Responsibility.
90001	Mandatory Audits and Investigations.
90002	Audits and Investigations; Time.
90003	Discretionary Audits.
90007	Auditing Guidelines and Standards.

Title 2 Regulations

18401	Required Recordkeeping for Chapter 4.
18402.1	Principal Officers.
18421.1	Disclosure of the Making and Receipt of Contributions.
18421.2	Street Address.
18421.3	Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
18421.31	Text Message Contributions.
18421.7	Reporting an Expenditure for a Gift, a Meal, or Travel.
18426.1	Assistant Treasurer.
18427	Duties of Treasurers and Candidates with Respect to Campaign Statements.
18427.1	Notification to Contributors of Filing Obligations.
18432.5	Intermediary.

18440	Telephone Advocacy.
18524	Investment and Expenditure of Candidates' Campaign Funds.
18530.45	Legal Defense Funds – Local Candidates and Officers.
18570	Return of Contributions with Insufficient Donor Information.
18994	Auditing and Investigations.
18995	Standards and Guidelines for Auditing Statements and Reports.

CHAPTER 3

CONTRIBUTIONS

This chapter begins with the definition of "contribution" and provides guidelines necessary for proper reporting, including a discussion on valuing nonmonetary contributions.

The Act does not contain contribution limits for local candidates; however, many cities and counties have adopted campaign ordinances that include contribution limits and other restrictions. Check with your local elections or ethics agency.

A. What is a Contribution?

A "contribution" is a monetary or nonmonetary payment received by a candidate or committee for which the candidate or committee has not provided full and adequate consideration in return. A contribution may take any of the following forms:

- Money (cash, check, credit card, wire transfers, text contributions).
- Nonmonetary items (donated goods or services).
- Payments made by a third party for advertising or other communications coordinated with the committee.
- Loans (including loan guarantees, co-signing, and lines of credit).
- Money, nonmonetary items, and loans from the candidate to his or her own committee or from the candidate's family.
- Enforceable promises to make a payment (for example, a contributor promises, in writing, to pay for specific goods or services and, based on that written promise, the committee expends funds or enters into a legally-enforceable contract to purchase the goods or services).

Quick Tip

Contributions of $100 or more may never be made or received in cash.

B. When is a Contribution Received?

A **monetary** contribution is received on the date the candidate, committee, or an agent of the committee, obtains possession or control of the cash, check, or other item that constitutes the contribution.

When an agent of the committee, such as a campaign consultant, receives a contribution for the committee, the agent must notify the treasurer no later than the closing date of the next campaign statement due. The date of the contribution is the date the agent obtained possession of the contribution.

A **nonmonetary** contribution is received on the **earlier** of the following:

- The date funds were expended by the contributor for the goods or services;
- The date the candidate, committee, or an agent of the committee, obtained possession or control of the goods or services; or
- The date the candidate or committee received the benefit of the expenditure.

A nonmonetary contribution of **employee services** is made by the contributor and received by the candidate or committee on the **payroll date** of the employee. See the discussion later in this chapter for information about how to value a contribution of employee services.

An **enforceable promise** is received on the date the candidate, committee, or an agent of the committee, receives documents verifying that a contributor has made a legally enforceable promise to make a payment. A person makes an "enforceable promise to make a payment" if he or she:

- Guarantees, furnishes security for, endorses or cosigns a loan.
- Makes and delivers a post-dated check.

Ex 3.1 - A committee's campaign consultant received a hand-delivered check at a May 14, Friday evening fundraiser. The check was delivered to the committee's treasurer the following Monday, May 17. The contribution was received on May 14, the day the committee's agent obtained possession of the check.

Ex 3.2 - The committee also contracts with a website service to receive contributions over the Internet. The website service sends the committee's treasurer an e-mail each time a contributor logs on to the website service and enters his or her donor information and credit card number. Logging onto the website service, the treasurer can accept the contribution and receive the funds. The committee reports receipt of the contribution on the date it receives the e-mail because it controls the contribution on that date.

- Establishes a line of credit at a bank or other commercial lending institution for a candidate or committee.

Exceptions: A pledge card is not considered an enforceable promise to make a payment. "Enforceable promise" also does not include a contributor's agreement to make future installment payments through wire transfer, credit card transaction, debit account transaction, or similar electronic payment.

C. Contribution Exceptions

There are many exceptions to the definition of "contribution." In addition to the most common exceptions listed below, Chapter 6 discusses certain types of communications that are not considered contributions.

Volunteer Personal Services: If an individual donates his or her personal or professional services to a campaign (including a volunteer's travel expenses), no contribution has been made or received as long as there is no understanding of reimbursement.

However, if an employer donates employee services to a campaign, and any employee spends more than 10 percent of his or her compensated time in a calendar month performing campaign activity for one or more campaigns, the employer has made a nonmonetary contribution to the committee. Determine the contribution amount by allocating the gross salary to the time spent on campaign activity. See "Employee Time" later in this chapter for additional information.

Home/Office Fundraisers: If a person, other than a lobbyist (or a cohabitant of a lobbyist) or lobbying firm, holds a fundraiser or other campaign event in his or her home or office, the costs incurred by the occupant of the home or office need not be reported as long as the total cost of the event is $500 or less. However, if someone else donates food, beverages, or anything else of value to the event, the fair market value of those donated goods is a nonmonetary contribution. In addition, the donated goods must be counted to determine whether the total cost of the event is $500 or less.

Quick Tip

For the home/office fundraiser contribution exception to apply, the total cost of the event must be $500 or less no matter how many candidates or committees benefit from the event.

Note: The home/office fundraiser exception does not apply to a state lobbyist or to a cohabitant of a state lobbyist. A registered state lobbyist may not make a contribution to an elected state officer or candidate for elective state office if the lobbyist is registered to lobby the official's agency or the agency for which the candidate is seeking election. A fundraiser held in the home of a lobbyist is considered a contribution; therefore, a lobbyist is prohibited from holding a fundraiser in his or her home for a candidate seeking election to a governmental agency that the lobbyist is registered to lobby. A similar prohibition applies to lobbying firms holding fundraisers at their offices.

Quick Tip

A state lobbyist may not hold a fundraiser for a local candidate/ officeholder who is seeking election to a state office.

Social Media – Internet Communications: Uncompensated Internet activity by an individual, such as sending or forwarding electronic messages, social networking, blogging, creating or hosting a website, to support or oppose a candidate or ballot measure is not considered a contribution or expenditure. Certain Internet communications require advertisement disclaimers as outlined in Chapter 6.

Member Communications: Payments made by an organization (including a political party, union, trade association) for certain communications that are sent only to the organization's members, employees, or shareholders, or their families, are not contributions to a candidate endorsed in the communications. For example, if a union sends a mailing to only its membership, supporting your campaign, the cost of the mailing is not a reportable contribution.

Gifts: A payment or other benefit to a candidate or official that is made principally for personal purposes (not political purposes) is a gift unless the candidate or official provides payment or services of equal or greater value. Generally, gifts are subject to annual limits and must be disclosed by the candidate or official on a Form 700 (Statement of Economic Interests). For additional information about gifts, see the fact sheet on the FPPC's website entitled, *Limitations and Restrictions on Gifts, Honoraria, Travel and Loans.*

Payments for Legislative, Governmental, or Charitable Purposes: Behested payments made in connection with a legislative, governmental, or charitable purpose, are not considered to be made for political or personal purposes; therefore, they are not considered

Ex 3.3 - Your neighbor holds a fundraiser in his home for your campaign. As long as the total cost of the event is $500 or less, your committee is not required to report the cost of the event as a nonmonetary contribution.

Ex 3.4 - A business hosts a campaign fundraiser in its conference room. The business spends $450 for beverages. A separate business entity provides the food valued at $200. Since the total cost of the event now exceeds $500, both businesses have made reportable nonmonetary contributions that must be reported by your committee.

Ex 3.5 - Your friends send e-mails to their family and friends and post on their personal social networking sites communications supporting your campaign. Since your friends are not being compensated, these activities are not reportable even if you provided your friends with campaign materials.

contributions or gifts. However, if the payment is made at the behest of an elected official and the payment(s) totals $5,000 or more from a single source in a calendar year, the official is required to file a Form 803 (Behested Payment Report) as described in Chapter 11.

D. Aggregating Contributions

Contributions received from individuals and entities must be added together to determine the total amount that will be treated as received from a single contributor.

The following contributions are aggregated:

- Contributions from an individual's personal funds and contributions made by an entity when the individual directs and controls the entity's contributions.
- Contributions from two or more entities that are directed and controlled by a majority of the same persons.
- Contributions made by entities that are majority owned by any person. Contributions made by the majority owner and all other entities majority owned by that person are aggregated, unless those entities act independently in their decisions to make contributions.

Quick Tip

The term "person" includes an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, and association.

The following examples provide general guidance regarding aggregation of contributions. The FPPC may be contacted for advice related to your specific facts.

Ex 3.6 - Sally Perez contributed $98 from her personal funds and another $98 from the funds of her wholly-owned business, Flowers by Sally Perez, to the Anderson Committee. Because contributions from an individual and his or her business, or from any other account he or she directs and controls, are considered to be from a single contributor, the Anderson Committee must itemize both contributions and report a cumulative amount received from Sally and her business of $196 on its committee campaign statement.

Ex 3.7 - EXtream Snowboards, Inc., made a contribution of $99 to the Johnson Committee. EXtream Snowboards, Inc., is a wholly-owned subsidiary of LeesureTech Industries, which also made a contribution of $99 to the Johnson Committee. If there was coordination between EXtream Snowboards and LeesureTech Industries, their contributions are considered to be from a single contributor. The Johnson Committee must itemize both contributions and report a cumulative amount received of $198 on its campaign statement.

Ex 3.8 - William Smith is a developer with four separate corporations. William makes political contributions from his personal funds and directs and controls the contributions of each of his corporations. William made a contribution of $1,000 from his personal funds and contributions of $2,000 from the funds of each of his corporations to the committee. Because he directed and controlled all of these contributions, they are considered to have been made by a single contributor. The committee must itemize each contribution and show a cumulative amount received of $9,000.

Ex 3.9 - Southwest TeleCom has a greater than 50 percent ownership interest in American TeleCom. Each entity, entirely on its own and with separate decisionmaking bodies, makes a contribution of $1,000 to a committee. The committee does not aggregate these contributions because Southwest TeleCom and American TeleCom acted independently in their decisions to make the contributions.

E. Reporting the Intermediary of a Contribution

An intermediary is a person or entity that makes a contribution on behalf of another person. For example, an employee who is reimbursed for a contribution by his/her employer is not the true source of the funds, but the intermediary of the employer's contribution.

A committee receiving a contribution of $100 or more from an intermediary must report the true source and the intermediary. The campaign statement will identify both the intermediary's and the true source's name and address, and, if applicable, the occupation and employer.

Failure to disclose the true source of a contribution is considered one of the most serious violations of the Political Reform Act.

Ex 3.10 - Berry and Vienna each made a $100 contribution from their personal funds to support Tina Baker for city council, with the understanding that they would be reimbursed by their employer. Berry and Vienna must tell the committee that they are acting as intermediaries on behalf of their employer. The committee must itemize the $200 contribution from the employer and also disclose Berry and Vienna as intermediaries.

Ex 3.11 - An organization collects ten contributions earmarked for a candidate's campaign. The organization deposits the contributions and provides the campaign committee one check from the organization rather than providing ten individual checks. The organization is an intermediary and the individuals are the contributors. Both the true source and the intermediary must be disclosed on the campaign statement.

Candidates and committees are required to check and, if necessary, correct any information regarding the true source of a contribution that a person of reasonable prudence would question based on all of the surrounding circumstances. If there is reason to question the source of a contribution (e.g., there is reason to believe the information contained on the contribution check does not contain the name of the person who is actually making the contribution), the donor should be asked if he or she is acting as an intermediary for the true source of the contribution.

This manual cannot address all scenarios that may need to be questioned, but it is prudent to question unusually large contributions from sources unfamiliar with the candidate or his/her agents; a series of contributions from a single employer; and, significant contributions from a nonprofit organization or multipurpose organization that is not registered as a political committee on the Secretary of State's website.

F. Reporting Various Types of Contributions

Electronic Receipt of Contributions: Contributions may be received by credit card, wire transfer, via the Internet, cell phone text message, telephone, debit account transaction, or similar electronic payment options. All of the reporting and recordkeeping requirements apply to these contributions. Some tips are:

- For contributions of $25 or more, the committee treasurer should make sure that a copy of the credit card voucher or other documentation is sent to the committee as soon as practicable after the contributions are made.

- The entire amount charged to the contributor is reported as a contribution.

- Fees associated with this type of fundraising or deducted by the vendor before the contributions are sent to the committee are reported as expenditures. The fees are not deducted from the amount of each contribution reported.

- Contributions made by text message are received on the date the mobile device company receives the funds from the contributor, not the date the text was sent.

Fundraisers: The full amount (face value) of a fundraiser ticket is a reportable contribution, unless it is a joint committee/charity fundraiser advertised with specific attribution. The costs of the event are not subtracted when determining the amount of the contribution.

Ex 3.12 - Your committee holds a golf fundraiser and charges $200 per person. After the event, you determine that it cost your committee $50 per person to pay the caterer, hall rental, entertainment, invitations, etc. The invitations state that half of the ticket cost will be donated to a charity and half will be contributed to your committee. Report on Schedule A of the Form 460 a $100 contribution from each of the ticket purchasers, as well as the contributor's name, address, occupation, and employer. Do not subtract the per person costs from each ticket sold. The expenses will be reported on Schedule E of the Form 460.

Auctions and Garage Sales: When items are donated for auction or sale at a fundraiser, the donated item is a nonmonetary contribution. (See below for determining the value.) When someone buys an item, the payment is considered a "Miscellaneous Increase to Cash" and is reported as such. If any person or entity pays $100 or more, the payment is itemized.

When someone pays more for an item than it is worth, the amount that is equal to the fair market value is reported as a miscellaneous increase to cash and the amount over the fair market value is reported as a monetary contribution. Each is itemized at $100.

Ex 3.13 - A restaurant donates a dinner for four worth $200 to your committee. At your committee's auction, Gloria Sanchez bids $300 and wins the dinner for four. Itemize $200 as a nonmonetary contribution from the restaurant on Schedule C of the Form 460. Itemize Ms. Sanchez on Schedule I of the Form 460 ($200 miscellaneous increase to cash) and on Schedule A of the Form 460 as a contributor of $100 (the amount over the fair market value).

Bar Receipts: Funds received by selling drinks at a fundraiser at fair market value are reported as miscellaneous increases to cash, not contributions.

Raffle Tickets: Receipts from the sale of raffle tickets at a fundraiser are reported as contributions. Items donated for raffle prizes are reported as nonmonetary contributions. (Note that Penal Code section 319 imposes some restrictions on raffles. Contact your county's district attorney for further information.)

Joint Checking Accounts: Individuals (including spouses) may make separate contributions from a joint checking account. For reporting purposes, the full amount of the contribution is reported as coming from the individual who signs the check. If two or more individuals sign the check, the contribution is divided equally between or among the signers, unless there is an accompanying document signed by each individual whose name is printed on the check that clearly indicates a different apportionment.

Ex 3.14 - Linda and Jerry Nelson have a joint checking account. From this account, Linda signed a $100 check payable to Friends of Joshua Truman. The committee identifies Linda Nelson as the contributor of the full $100.

A check drawn on a joint checking account that is signed by an individual not listed on the check (e.g., an accountant) must be accompanied by a document signed by at least one of the individuals listed on the check stating to whom the check is to be attributed.

Business Accounts: Generally, if a check is drawn on the account of a business entity, the contributor is the business entity, not the person who signs the check.

Minor Children: A contribution made by a child under the age of 18 is presumed to be a contribution from his or her parent or guardian, unless the facts show otherwise, e.g., that the child actually chose to make the contribution.

Text Contributions: For a contribution received by a text message, the contributor is the person who is subscribed to the cell phone number that texted the contribution.

Transfers from a Prior Campaign: Candidates who have more than one campaign bank account and controlled committee may transfer funds from one account/committee to another so long as the funds are not "surplus funds."

Ex 3.15 - Barbara Taylor was defeated in a June election. In order to use the leftover funds for a future election, she must transfer the remaining funds to a new account within 90 days of the postelection reporting period. If the funds are not transferred by that date, they are considered "surplus funds" and may not be used for a future election.

Leftover funds become surplus upon the 90th day after leaving an elective office, or the 90th day following the end of the postelection reporting period following the defeat of a candidate for elective office, whichever occurs last. See Chapter 8 for information about how to report transferred funds.

Chapter 11 includes a discussion about the rules for using leftover campaign funds for a future election.

Contributions from the Candidate: A payment from a joint checking account that bears the name of the candidate and spouse is considered a contribution from the candidate. This is true even if the spouse signs the check.

A contribution received from a spouse's legally separate funds and signed by the spouse is considered to be made by the spouse and is subject to possible contribution limits and other applicable provisions of the Act.

A candidate's business, other than a sole proprietorship, is considered a separate legal entity. Therefore, contributions from the business are not considered to be the candidate's personal funds and may be subject to local contribution limits. Generally, contributions from a candidate's sole proprietorship to the candidate are not considered to be from a separate entity and are therefore not subject to contribution limits, if any. Note: Contributions to another candidate or committee from the candidate and his or her sole proprietorship are aggregated for purposes of contribution limits. (See *Burch* Advice Letter, No. A-14-032.)

Contributions from Other Candidates: Candidates and committees may receive contributions, subject to contribution limits, if any, from other candidates or officeholders.

Quick Tip

There are restrictions on transfers of funds to run for state office. See FPPC's Information Manual for State Candidates (Manual 1) for further information. In addition, candidates and committees should check with the local elections office to determine if there are local contribution limits or other restrictions pursuant to a local campaign ordinance.

Undesignated Contributions: Candidates who are soliciting contributions for more than one office and receive a contribution that has not been designated for a specific office may deposit the contribution in any of their campaign bank accounts. An undesignated monetary contribution must be reported on the campaign statement for the reporting period in which it is received, and must be deposited in the campaign bank account for the controlled committee to which it is being allocated within 30 days of receipt.

Undesignated nonmonetary contributions must be allocated to a particular committee within 30 days of receipt or by the reporting deadline for the reporting period in which the contribution is received, whichever is earlier.

G. Valuing Nonmonetary Contributions

This section provides assistance in determining how to value nonmonetary contributions so that they may be reported accurately. The varieties of nonmonetary contributions are vast, so it is not possible to present all possibilities. Contact the FPPC for assistance.

Fair Market Value: When a nonmonetary contribution is received, the fair market value of the goods or services (the amount it would cost a member of the public to purchase the goods or services) must be reported. If the committee does not know the fair market value of a nonmonetary contribution (e.g., an original piece of artwork), the committee may send an e-mail or a letter requesting that the contributor provide the value of the contribution in writing. The contributor is legally required to provide an amount if the value of the contribution is $100 or more.

Employee Time: If an employer donates the use of an employee to work on campaign activities for one or more campaigns, the amount the individual is paid is reportable as a nonmonetary contribution from the employer if the employee spends more than 10 percent of his or her compensated time in a calendar month working on campaign activity. To determine the contribution amount, the gross compensation is allocated to the time spent on campaign activity. Compensation includes wages paid and any benefits in lieu of wages,

Ex 3.16 - The owner of an electronics store donates an iPad valued at $550 to your committee for sale at an upcoming auction. Although the cost to the owner is less than $550, the nonmonetary contribution is reported at the fair market value amount of $550 (the amount it would cost a member of the public to purchase the iPad).

Ex 3.17 - An accounting firm provides your committee with the services of an accountant. The accountant spends 25 percent of her time working for the campaign. This percentage of her gross compensation is $2,000. The amount of the nonmonetary contribution reported from the accounting firm is $2,000.

such as stock options or an annuity purchase. Compensation does not include routine benefits, such as the employer's payments to a health care or retirement plan.

Discounts: If the committee receives a discount on goods or services it purchases and the discount is not offered to the public in the regular course of business, the discount is a nonmonetary contribution that must be reported.

Private Air Transportation: A person that provides a candidate with a flight in a private airplane is making a nonmonetary contribution. The value is determined by using either the commercial rate to the destination, if available, or the charter rate divided by the number of passengers on the flight.

E-Mail Lists: If a list of e-mail addresses is donated, the fair market value must be reported as a nonmonetary contribution.

Corporate Stock: The contribution of corporate stock must be reported and valued as listed on the stock exchange on the date of receipt. When the stock is sold, the total proceeds of the sale are reported on Schedule I as a miscellaneous increase to cash. If the purchaser is unknown, report the brokerage firm as the source with a notation that the payment represents the sale of stock. Broker's fees must be reported on Schedule E.

Ex 3.18 - Your committee treasurer knows the owner of a printing shop and the owner provides your committee a 50 percent discount on the printing of a brochure that normally would cost $1,200. Your committee must report a nonmonetary contribution of $600 from the printing shop.

H. Valuing Mailings, Telephone Banks, Polls

Generally, the fair market value of a communication is reported as a contribution when it expressly advocates support of or opposition to a candidate and was made at the behest of (or in coordination with) the affected candidate or primarily formed committee.

Multiple Candidates/Measures: If a communication expresses support of or opposition to more than one candidate or ballot measure, the fair market value attributable to each may be calculated by prorating the costs among the featured candidates and ballot measures. The prorated value is based on the amount of space allotted to each candidate or measure supported or opposed in the mailer.

Ex 3.19 - The Express Paper Company agrees to produce a mailing for your committee. The value of the nonmonetary contribution is the amount it would have cost your committee if it had paid fair market value for the mailing, which is likely more than what the actual costs were to the company.

The value of a mailer that supports or opposes candidates and measures being voted on in different jurisdictions may be prorated based on the number of mailers sent to each candidate or ballot measure's jurisdiction.

Political and Non-Political Material: The cost of a communication containing both express advocacy in support of or opposition to a candidate, as well as non-political material, may be prorated. Costs directly associated with the political message are reportable by the candidate, including, for example, compensation paid to employees who spend more than 10 percent of their compensated time in a calendar month producing or mailing the political materials, and the pro rata cost of paper, envelopes, and postage. The allocation may be based on the comparative number of pages or the comparative amount of weight between the political and non-political materials.

Ex 3.20 - A Chamber of Commerce produces and mails a one-page flyer urging voters to vote for supervisor candidate Smith and vote against two ballot measures. Half of the flyer is devoted to supporting candidate Smith and the other half equally opposes the two measures. The Chamber coordinates the mailing with candidate Smith. The total cost of producing and mailing the flyer was $10,000. Candidate Smith must report a nonmonetary contribution of $5,000 from the Chamber.

Bulk Rate Permits: Use of an organization's bulk rate permit is a nonmonetary contribution from the organization. If the committee pays the actual postage costs incurred under the bulk rate permit, the fair market value of the contribution is either:

- The price the organization paid for the bulk mailing permit; or
- The difference in postage costs between the bulk mailing rate and that of regular mail.

Quick Tip

If the organization pays for the costs of the mailing using its bulk rate permit and the committee does not have such a permit, the amount it would have cost to pay for the mailing using regular mail or the cost of the bulk rate mailing plus the cost of a permit should be reported as a nonmonetary contribution.

Phone Banks: Businesses and other entities will sometimes allow a committee to use their phones to call prospective voters during non-business hours. The fair market value of the use of the phones is calculated to determine the amount reported as a nonmonetary contribution, even if only local calls are made. One method to determine the fair market value is to contact organizations that provide phone banks as a business. Note: Disclaimers are required on certain paid telephone calls. (See Chapter 7.)

Polls & Surveys: A person or entity that provides data from a public opinion poll or survey to a candidate or committee is making a nonmonetary contribution if the candidate or committee requests the data or the data are used for political purposes. Standards used by the Federal Election Commission (11 CFR 106.4) may be used for

valuing polling or survey data. The formula is based on the age of the data. The chart below illustrates the fair market value of data based on the number of days that pass from the date the entity originally received the data to the date the data were provided to the candidate or committee.

Age of Data	**Value**
0 - 15 days	Full Value
16 - 60 days	50%
61 - 180 days	5%
More than 180 days	No Value

When only a portion of a survey is provided to or for the benefit of a candidate or committee, the nonmonetary contribution is the prorated portion of the total value of the survey.

Ex 3.21 - A local business association commissioned a public opinion poll to determine voters' attitudes about candidates running for Governor and candidates in a Senate district. The association provided the poll results to a candidate for Governor and certain Senate candidates. Since only a limited number of questions pertained to the Senate district issues, the candidates for Senate who received the poll results may prorate the poll costs to determine the nonmonetary contribution amount they must report.

I. Notification to Contributors of $5,000 or More

Committees that receive one or more contributions totaling $5,000 or more in a calendar year from an individual or entity that made the contribution(s) from personal, business, corporate, or general funds must send the contributor written notice that they may have a filing obligation.

Generally, the notice must be mailed, faxed or e-mailed to the contributor **within two weeks** of receiving contributions totaling $5,000 or more. But, if a contribution of $10,000 or more is received in the 90 days prior to or on the date of the election, the notice must be mailed, faxed or e-mailed to the contributor **within one week.** A copy of each notice or a record of all notices showing the date sent and the name and address of the person receiving the notice must be retained.

The notice does not need to be sent again for subsequent contributions received from the same contributor in the same calendar year. In addition, the notice is not required to be sent if the source of the contribution is a candidate, officeholder, or an existing committee because they already are required to file campaign statements.

The notice may be tailored as long as it contains language substantially similar to the language below:

Major Donors

If your contribution(s) to this committee and to other California state or local committees total(s) $10,000 or more in a calendar year, California law requires you to file a Major Donor Committee Campaign Statement (Form 461). The deadline and location for filing this statement will depend upon the timing and type of contribution(s) you have made. For additional information, visit www.fppc.ca.gov and review the available campaign materials.

Multipurpose organizations including nonprofits

If your organization is a multipurpose group, it may qualify as a major donor committee required to file Form 461 or as a recipient committee required to file the Form 460 disclosing donors. Refer to Government Code Section 84222 and FPPC Regulation 18422 to determine your filing requirements. For additional information, visit www.fppc.ca.gov and review the available campaign materials.

24-Hour Reports

Major donors, nonprofits, and other multipurpose organizations that trigger reporting obligations must also file a 24-hour Contribution Report (Form 497) if you:

- *Make contributions totaling $1,000 or more to a single candidate, any of the candidate's controlled committees, or to a committee primarily formed to support or oppose a candidate or ballot measure during the 90 days prior to the election, or on the date of the election, in which the candidate or ballot measure is being voted on; or*
- *Make contributions totaling $1,000 or more to state or county political party committees during the 90 days prior to a state election, or on the date of the election, including state special elections.*

Quick Tip

Once contributions of $10,000 or more are made, the major donor may be required to immediately file Form 497 (24-hour Contribution Report). Committees should provide donors the link to the appropriate FPPC filing schedule.

Electronic Filing

State committees that make contributions of $25,000 or more must file electronically with the Secretary of State. State committees that are required to file the Form 497 (24-hour Contribution Report) must file this form electronically even if the $25,000 threshold has not yet been met. For more information on the electronic filing requirements, contact the Secretary of State's office at (916) 653-6224. Local committees should contact the local jurisdiction to determine if there are electronic filing requirements.

Late Filing Penalties and Fines

Failure to file campaign statements may result in late filing penalties of $10/day (state committees may be fined $20/day if they must file electronically and on paper) and fines of up to $5,000 per violation.

FPPC Assistance

For assistance with your filing obligations, contact the Fair Political Practices Commission toll-free at (866) ASK-FPPC, send an e-mail to advice@fppc.ca.gov, or refer to their website: www.fppc.ca.gov.

J. Returning Contributions

There are several provisions in the Act and FPPC regulations that regulate the return of contributions. The general rule is that a committee may return all or part of a contribution to the contributor so long as the return is reasonably related to a political, legislative, or governmental purpose.

General Rules: If a contribution is deposited, cashed or negotiated, it must be disclosed on the next campaign statement, even if it is subsequently returned. If a contribution is not deposited, cashed, or negotiated, it is not required to be reported under the following circumstances:

- **Outside the 90-Day Election Period:** A contribution is not required to be reported (by the donor or the committee receiving the funds) if it is not deposited, cashed, or negotiated and it is returned to the contributor before the closing date of the campaign statement on which it would otherwise be reported.

- **During the 90-Day Election Period:** A contribution of $1,000 or more received during the 90 days before an election, including the date of the election, is not required to be reported (by the donor or the committee receiving the funds) if it is not deposited, cashed, or negotiated and it is returned to the contributor within 24 hours of receipt.

Missing Contributor Information: A contribution of $100 or more must be returned within 60 days of receipt if the committee has not obtained the contributor's name, address, and, in the case of a contributor who is an individual, his or her occupation and employer. If the committee returns the contribution for lack of information, and the check is not cashed by the contributor within 90 days, the committee must, within the next 30 days, forward the amount to the general fund of the local jurisdiction.

Answering Your Questions

A. Our committee is holding a $200 per person dinner fundraiser. The actual cost of the event to our committee will be $75 per person. When someone pays $200 to attend the dinner, do we subtract the $75 cost to our committee and report receiving a $125 contribution?

No. Report the full amount paid for the fundraiser ticket ($200) as the contribution. The costs to the committee will be reported on Schedule E (Expenditures) of the Form 460.

B. When we send out a fundraising letter, are we required to put our committee identification number on the invitation?

There is no requirement to include the committee identification number, but it is highly recommended. Many campaigns do so because others need the information for their own reporting forms.

C. We would like to hold a raffle at our next fundraiser. Are there any restrictions on raffles?

The Political Reform Act does not restrict raffles; however, Penal Code 319 does prohibit certain raffles. The Penal Code is interpreted and enforced by each county's district attorney. Contact the local district attorney where the raffle will be held for further information. Of course, be sure all of the reporting and recordkeeping requirements are met.

D. If my next door neighbor spends $1,000 on an event to help raise funds for two different candidates and the event is held in her home, has she made a contribution to each committee?

Yes. The total cost of a home fundraiser must be $500 or less or the event will qualify as a nonmonetary contribution. This is true no matter how many committees benefit from the event.

E. If I hold a fundraiser in my home for my candidacy, and the total cost is $500 or less, would the home/office fundraiser exception apply, meaning nothing would need to be reported on the Form 460?

No. A candidate must deposit any personal funds that will be used to promote his or her election into the campaign bank account. Therefore, any expenditures made for the fundraiser must be reported on your Form 460.

F. May a nonprofit organization hold a joint fundraiser with a political committee?

Yes. However, any costs incurred by the nonprofit organization which are not reimbursed by the political committee would be considered to be a nonmonetary contribution from the nonprofit to the political committee. The nonprofit organization should contact the IRS for any possible restrictions based upon the organization's tax status.

G. Is volunteer work provided by some people considered a nonmonetary contribution because of the volunteer's profession, such as free legal advice provided by a lawyer or bookkeeping done by a CPA?

No. Volunteer personal services, regardless of the profession of the individual, are not reportable so long as the individual providing the services is not paid by a third party.

H. Three candidates wish to conduct individual polls. A polling firm has offered a reduced rate because all three polls can be combined using one very large sample. Are the candidates receiving contributions from the polling firm because of the discounted fee, and are the candidates making contributions to each other?

To the extent each candidate pays only his or her share of the cost of the poll, the candidates are not making contributions to each other. Additionally, if the polling firm provides the discount as part of its standard business policy of providing discounts in similar situations and does not provide the discount for political purposes, the candidates will not receive a contribution from the polling firm.

I. A committee receives a contribution from a joint checking account signed by one of the individuals. The contribution exceeds local limits. If the committee later receives a document stating that the contribution is from both individuals, may the contribution be reported that way?

No. A document must accompany the contribution at the time the contribution is received in order for the contribution to be reported from both individuals. This is true for contributions made by check or electronic means.

J. If a potential donor takes me out to dinner to discuss my school board campaign and pays for my meal, do I report the meal as a nonmonetary contribution?

No. Because there is a personal benefit to you, the payment for the meal would be considered a gift to you, not a contribution.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82015	Contribution.
82018	Cumulative Amount.
82025	Expenditure.
82025.5	Fair Market Value.
82036	Late Contribution.
82047	Person.
84105	Notification of Contributors.
84211	Contents of Campaign Statement.
84216	Loans.
84300	Cash and In-Kind Contributions; Cash Expenditures.
84302	Contributions by Intermediary or Agent.
84306	Contributions Received by Agents of Candidates and Committees.
85308	Family Contributions.
85311	Affiliated Entities; Aggregation of Contributions.
85312	Communications to Members of an Organization.
85700	Donor Information Requirements; Return of Contributions.

Title 2 Regulations

18215	Contribution.
18215.1	Contributions; When Aggregated.
18215.2	Uncompensated Internet Activity by Individuals that is not a Contribution or Expenditure.
18216	Enforceable Promise to Make a Payment.
18225	Expenditure.

18421.1	Disclosure of the Making and Receipt of Contributions.
18421.3	Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
18421.31	Text Message Contributions.
18423	Payments for Personal Services as Contributions and Expenditures.
18427.1	Notification to Contributors of $5,000 or More.
18428	Reporting of Contributions and Independent Expenditures Required to be Aggregated.
18430	Committee Controlled by More Than One Candidate.
18432.5	Intermediary.
18523	Nondesignated Contributions or Loans.
18531.7	Payments for Communications – Section 85312.
18533	Contributions from Joint Checking Accounts.

CHAPTER 4

CONTRIBUTION RESTRICTIONS

Although the Political Reform Act (Act) is primarily a disclosure law, there are several important restrictions and prohibitions on receiving contributions. This chapter reviews these restrictions and prohibitions, as well as some that are contained in laws other than the Political Reform Act.

In addition, while the receipt of campaign contributions generally will not create a conflict of interest for an elected officeholder in the performance of his or her duties, contributions may be the source of a conflict of interest for officeholders or candidates who are also appointed to certain boards or commissions. The section on "Disqualification and Campaign Contributions" covers this area of the law.

A. Local Contribution Limits

The Political Reform Act does not contain contribution limits for local candidates, but provides that cities and counties may adopt contribution limits applicable to their elections. Many California cities and counties have adopted campaign ordinances that include contribution limits and other disclosure provisions.

Quick Tip

Check with your local elections office to determine if local campaign finance rules apply to your campaign.

The FPPC's website lists cities and counties with local campaign finance rules and links to the ordinances. For questions about local contribution limits, candidates and committees should contact their city clerk, county elections office, or their City Attorney's or County Counsel's office.

B. Restrictions under the Political Reform Act

Reporting the True Donor

If a contribution of $100 or more is received from a single source in a calendar year, the source must be identified on the committee's Form 460. If a contribution is received through an intermediary, both the intermediary and the true source of the contribution must be identified. (See Chapter 3 for additional information about intermediaries.)

Failure to disclose the true source of a contribution is often referred to as campaign money laundering, which is a serious violation of the Act. One type of common violation is when an employer reimburses individual employees for contributions so that the committee receiving the contributions discloses the employees rather than the true source of the contribution (the employer) on campaign disclosure reports.

Another occurrence is when a person (organization, business, individual) makes a contribution to another person with the condition, agreement or understanding that the payment will be subsequently used for political purposes, such as a contribution to another committee. It is a violation for persons to conceal their identities by contributing through another person.

Committee treasurers must inquire about any information that a person of reasonable prudence would question based on all available information. It is not possible to describe every situation that might trigger a duty for a treasurer to inquire if a contribution is identified correctly. Some examples are the size of the contribution, the reported source, and the likelihood of that source making a contribution of the size reported.

If it is discovered that a committee received a contribution and the donor and intermediary were not properly identified, the contribution must be paid to the Secretary of State for deposit in the State General Fund. When the action is brought under a local campaign ordinance, a local committee may pay the contribution to the local jurisdiction for deposit in its general fund.

Ex 4.1 - A committee receives contributions of $1,000 each from ten different individuals in the same week. The committee treasurer and campaign fundraiser did not make specific solicitations to the individuals. Upon the treasurer's request, the individuals state that they all work for the same employer. The committee treasurer has a duty to inquire to determine if the employer reimbursed the employees.

Cash Contributions

The committee may not accept a cash contribution of $100 or more. Such a contribution will not be deemed "received" if it is not deposited or spent and is returned to the contributor prior to the end of the reporting period of the campaign statement on which the contribution would otherwise be reported. Even if the contribution is inadvertently deposited, it is not deemed "received" if it is refunded within 72 hours of receipt. However, a cash contribution of $1,000 or more that is received in the 90 days before the election, including the date of the election, that is inadvertently deposited must be refunded within 48 hours in order to not be deemed "received."

Quick Tip

Even if change is immediately provided, a committee may not accept $100 or more in cash from a single source. For example, if the committee is holding a fundraiser and charging $50 per person, an attendee may not pay with a $100 bill. The payment must be made by personal check, debit card, or credit card.

Anonymous Contributions

Anonymous contributions of $100 or more are prohibited. If the committee receives a cash contribution of $100 or more from an unknown source, it must be sent to the Secretary of State for deposit in the State General Fund.

Contributions Made by Money Orders/Cashier's Checks/ Traveler's Cheques

Contributions of $100 or more made by money order, cashier's check, or traveler's cheque are prohibited and must be returned to the contributor, or, if made anonymously, sent to the Secretary of State for deposit in the State General Fund.

All monetary contributions of $100 or more must be made by written instrument (such as a check) containing the name of the donor and drawn from the account of the donor or the intermediary. Contributions may also be received by credit card (including over the Internet), wire transfer, or other electronic means. (See Chapter 3.)

Contributor's Legal Name

Contributions must be made in the name by which the contributor is identified for legal purposes.

Commingling Funds

Campaign funds may not be commingled with any individual's personal funds; they must be kept in an account separate from any account that contains personal funds. In general, campaign funds may not be used for personal expenses. (See Chapter 5 for information about the use of campaign funds.)

Quick Tip

Campaign contributions must be kept separate from personal funds and may not be used for personal expenses.

Contributions Delivered in State Office Buildings

A contribution may not be delivered to or received by another person, personally or through an agent, in the State Capitol or any other state office building for which the State of California pays the majority of the rent. "Personally delivered" includes the delivery of a copy or facsimile of a contribution, and the original or a copy of a contribution transmittal letter. This prohibition does not apply to contributions received or delivered in a legislative district office or those sent by postal mail.

Contributions from State Lobbyists

A state lobbyist may not make a contribution to an elected state officer or a candidate for elective state office if the lobbyist is registered to lobby the governmental agency of the elected officer or the agency to which the candidate is seeking election. The lobbyist also may not contribute to a local committee controlled by a state officer or candidate for elective state office.

State Lobbyist and Lobbying Firm Fundraisers

A fundraiser held in the home of a state lobbyist is considered a contribution; therefore, a lobbyist or a cohabitant of a lobbyist is prohibited from holding a fundraiser in his or her home for a candidate seeking election to a governmental agency that the lobbyist is registered to lobby. This includes a local candidate/officeholder that is seeking election to a state office. A similar prohibition applies to lobbying firms holding fundraisers at their offices.

Contributions from Foreign Governments or Foreign Principals

Committees are prohibited from soliciting or accepting contributions from a foreign government or foreign principal in connection with a candidate or ballot measure in any state or local election. (52 U.S.C. Section 30118 and Government Code Section 85320 of the Act.)

For purposes of this prohibition, a "foreign principal" includes:

- A foreign political party.
- An individual outside the United States, unless the individual is a United States citizen.
- A corporation outside of the United States, unless it is organized or created by the laws of the United States or any place subject to the jurisdiction of the United States, and its principal place of business is within the United States.
- A foreign partnership, association, corporation, or organization.
- A domestic subsidiary of a foreign corporation if the decision to contribute or expend funds is made by an officer, director, or management employee of the foreign corporation who is not a citizen of the United States or a lawfully-admitted permanent resident of the United States.

Contributions, expenditures, or independent expenditures made by a lawfully-admitted permanent resident (e.g., a "green card" holder) of the United States are permitted.

Soliciting Contributions from Public Employees

Government Code Section 3205 prohibits a local candidate from knowingly, directly or indirectly, soliciting a political contribution from any employees of his or her agency or from a person on an employment list of that agency. There is an exception for solicitations that are made to a significant segment of the public. For further information, contact the Attorney General's office at (800) 952-5225 or the local district attorney.

C. Public Funds and Public Resources

The Political Reform Act prohibits the payment of public moneys, in the form of matching funds or cash subsidiaries, for the financing of elections, except for elections in charter cities and counties. In addition, laws outside the Act prohibit the use of public resources,

such as office equipment, staff time, etc., for campaign or personal purposes. (Education Code Section 7054; Gov. Code Section 8314; Penal Code Section 426; and *Vargas v. City of Salinas* (2009) 46 Cal 4th 1.)

Quick Tip

Using public resources for campaign purposes is prohibited.

Government Code Section 54964 prohibits an officer, employee or consultant of a local agency from expending or authorizing the expenditure of any local agency funds to support or oppose a candidate or ballot measure. For further information about laws outside the Act, contact the Attorney General's office at (800) 952-5225 or the local district attorney.

D. Campaign Contributions and Disqualification

Generally, campaign contributions received in connection with an elective office do not serve as the basis for disqualifying an official from voting on a matter affecting the contributor. However, if an elected official or candidate also holds a position on an appointed board or commission, he or she may be restricted from soliciting or receiving campaign contributions from persons with business before the board or commission. He or she may be subject to Government Code Section 84308 which:

- Prohibits an officer from soliciting, accepting, or directing campaign contributions of more than $250 from any party, participant, or agent of a party or participant, while a proceeding involving a license, permit, or other entitlement for use is pending before the officer's agency and for three months following the date of that decision. This prohibition applies even when the contribution is for another candidate.

- Requires disclosure of all such campaign contributions and also requires an official's disqualification from making decisions in certain proceedings in which the official is acting in an appointed position if the official has received more than $250 in campaign contributions from a party or participant within 12 months preceding the decision.

Ex 4.2 - Three city councilmembers and two county supervisors serve on the Local Agency Formation Commission (LAFCO). Since the councilmembers and supervisors were appointed to the commission, they may not vote on a LAFCO issue if they have received a contribution in the last 12 months of more than $250 from someone who is a party, participant, or agent in the proceeding.

Ex 4.3 - A planning commissioner serves as the treasurer for a councilmember's campaign. The planning commissioner may not solicit, accept, or direct a campaign contribution of more than $250 for the councilmember's campaign from a party, participant, or agent whose proceeding is pending before the planning commission.

Who is Covered?

Generally, appointed board members, commissioners, or individuals who head state or local government agencies and who make decisions in proceedings involving licenses, permits, or other entitlements for use are subject to Section 84308. Common positions include:

- Planning Commissioners
- Local Agency Formation Commission (LAFCO) members
- Members of redevelopment agencies which are not entirely comprised of elected members of the same agency
- Transportation Authority members
- Air Quality Management District members
- Waste Management Authority members
- California Coastal Commissioners

Ex 4.4 - Sarah is a city council candidate. She also is an appointed member of the city's planning commission. Christopher has a permit request pending before the planning commission. Under Section 84308, Sarah is prohibited from soliciting or receiving any contribution of more than $250 from Christopher or Christopher's agent.

Ex 4.5 - Sarah wins the election and resigns her position on the planning commission. Since she is now serving solely in an elected position, she is not required to disqualify herself from making decisions on the city council by virtue of receiving contributions of more than $250 from any person.

Exempted Agencies

Section 84308 does not apply to the following agencies:

- Judicial branch
- Legislature
- Board of Equalization (Gov. Code Section 15626 applies)
- Constitutional officers
- Local agencies whose members are elected by the voters (e.g., board of supervisors, city council, or school board)
- Committees of an agency that are comprised solely of elected members of the same agency (e.g., city councilmembers who serve on the city's budget and finance committee)
- Elected members of an agency, all of whom also serve as the governing body of another agency (i.e., city councilmembers who also serve on the city's redevelopment agency board)

In determining whether a board or commission is exempt for purposes of Section 84308, the focus should be on the actual make-up of the board or commission. For example, the governing board of a sanitation district may consist of both elected and appointed members, but which, in fact, consists solely of the board of supervisors, is exempt under Section 84308.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82015	Contribution.
84300	Cash and In-Kind Contributions; Cash Expenditures.
84301	Contributions Made Under Legal Name.
84302	Contributions by Intermediary or Agent.
84304	Anonymous Contributions.
84307	Commingling with Personal Funds.
84308	Contributions to Officers; Disqualification.
84309	Transmittal of Campaign Contributions in State Office Buildings.
85700	Donor Information Requirements; Return of Contributions.
85701	Laundered Contributions.
85702	Contributions from Lobbyists.
85704	Prohibition on Earmarking.

Title 2 Regulations and Opinion

18432.5	Intermediary.
18438.1	Officers and Agencies Under Government Code Section 84308.
18438.5	Aggregated Contributions Under Government Code Section 84308.
18438.6	Solicitation, Direction, and Receipt of Contributions Under Government Code Section 84308.
18438.7	Prohibitions and Disqualification Under Government Code Section 84308.
18438.8	Disclosure Under Government Code Section 84308.
18439	Definition of “Personally Deliver.”
18572	Lobbyist Contributions – Making a Contribution Defined.

Pelham Opinion (2001) 15 FPPC Ops. 1

Use of Campaign Funds

The use of campaign funds by candidates, elected officials, and others who control the expenditure of campaign funds, is strictly regulated. The expenditure of campaign funds must be reasonably related to a political, legislative, or governmental purpose.

If an expenditure confers a substantial personal benefit on the candidate, officeholder, or any individual authorized to approve campaign expenditures, the expenditure must be directly related to a political, legislative, or governmental purpose. A substantial personal benefit means an expenditure of campaign funds which results in a direct personal benefit with a value of more than $200.

The following are examples of specific expenditures and the rules regarding the use of campaign funds for such purposes. If the examples are not helpful, contact the FPPC for assistance about whether or not a specific use of campaign funds is permissible by sending an e-mail with specific facts to advice@fppc.ca.gov.

Quick Tip

The FPPC has fined committees for payments made from a campaign account that were used for the following personal purposes: auto care services, doctor visits, clothing, and personal life insurance premiums.

A. Campaign Expenditures

Election Night Celebrations

Costs associated with election night celebrations or similar campaign events are considered to be directly related to a political, legislative, or governmental purpose; therefore, campaign funds may be used.

Attorneys' Fees

Generally, attorneys' fees and other costs related to administrative, civil, or criminal litigation may only be paid with campaign funds if the litigation is directly related to activities of the committee that are consistent with its primary objectives. Campaign funds may be used to pay for expenses related to the following:

- Action to halt defamation;
- Defense of an action to halt defamation;
- Defense of an action for violation of state or local campaign, disclosure, or election laws;
- Litigation to secure a place on the ballot or challenge the wording of the ballot pamphlet;
- Contested election;
- Election recount; and
- Compliance expenses (for example, completing campaign disclosure reports).

Reimbursements

If a bank account is required (see Chapter 1), the candidate must deposit personal funds in the campaign bank account and make expenditures from that account instead of spending personal funds for the campaign and later seeking reimbursement from campaign funds. However, any other individual (e.g., a volunteer or campaign worker) may make expenses from personal funds and be reimbursed, so long as the expenses are incurred for political, legislative, or governmental purposes and repayment is made within 45 days. An officeholder may use personal funds and be reimbursed for "officeholder" expenses. (See Chapter 8 for specific reporting rules and deadlines for reimbursements.)

Ex 5.1 - The candidate's spouse buys bagels for the morning shift of volunteer workers. After providing the treasurer with a receipt for bagels, the treasurer may reimburse the spouse for his expenses so long as the reimbursement is made within 45 days of the payment.

Automobile Lease or Purchase

When making payments associated with leasing, purchasing, or operating a vehicle, such as insurance, maintenance, and repairs, the campaign committee must be the lessee or hold title to the vehicle. Additional titleholders may not be the candidate, officeholder, treasurer, or any other person who may approve campaign expenditures, or a member of any such person's immediate family (spouse or registered domestic partner and dependent children). Additional lessees may not be the candidate, officeholder, treasurer, or a member of any of these persons' immediate family.

Reimbursed Automobile Expenses

Campaign funds may be used to reimburse an officeholder, candidate, immediate family member, treasurer, and committee staff for use of a personal vehicle if the use is directly related to a political, legislative, or governmental purpose. Documentation should be kept which includes the trip's purpose and mileage in a manner approved by the Internal Revenue Service for deducting mileage expenses. The rate for reimbursement may not exceed that allowed under Internal Revenue Code Section 162. For more details, the Internal Revenue Service may be contacted at (800) 829-1040 (www.irs.gov).

Clothing

Clothing is a personal expense. The committee may not use campaign funds to pay for a candidate's business or casual clothing. Specialty clothing, such as formal wear worn by an officeholder or candidate, may be purchased with campaign funds if the use of such clothing is directly related to a political, legislative, or governmental purpose.

Ex 5.2 - A candidate has been asked to attend a formal event honoring the mayor. Since he does not own a tuxedo, he may rent one with campaign funds since the event is directly related to a political purpose.

Contributions to Other Candidates and Committees

Candidates may make contributions to other candidates and committees unless prohibited by local rules. Contributions to certain state committees are subject to limitations.

Ex 5.3 - A fundraiser will be held to raise funds for a veteran's memorial at the local civic center. The committee is permitted to donate campaign funds because the payment has a political, legislative, or governmental purpose.

Donations

Campaign funds may be used to make donations or loans to bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organizations as long as the donation or loan is reasonably related to a political, legislative, or governmental purpose. In addition, the donation may not personally benefit the officeholder, candidate, committee treasurer, or any individual with authority to approve the expenditure of campaign funds, or any such person's immediate family member (spouse or registered domestic partner and dependent children).

Ex 5.4 - Your committee would like donate funds to a homeless shelter where your spouse is a salaried employee. It is determined that a substantial part of the proceeds would benefit your spouse; therefore, this expenditure is not permissible.

Equipment and Appliances

Campaign funds may be used to buy, lease, or refurbish equipment or appliances, but only if their use is directly related to a political, legislative, or governmental purpose. As with restrictions on vehicles, the committee must hold title, or be the lessee, on the equipment; no individual may be listed as owner or lessee.

Ex 5.5 - When the printer breaks down, the treasurer goes out and buys a new one. While shopping, the treasurer finds a great buy on a big screen TV. While the printer is a permissible expense, since it will be used to communicate with the voters, the television does not serve a directly-related political, legislative, or governmental purpose and, therefore, may not be paid for with campaign funds.

Fines, Penalties, Judgments, and Settlements

Generally, campaign funds may be used to pay the following fines, penalties, judgments, and settlements:

- Parking citations received while performing political, legislative, or governmental activities.
- Fines assessed in relation to situations in which the use of campaign funds to pay for an attorney is allowed (discussed above).
- Fines imposed for late filing of campaign statements and Statements of Economic Interests (Form 700).

But campaign funds of any amount may not be used to pay a fine, penalty, judgment, or settlement relating to an improper use of campaign funds or an action involving bribery under Penal Code Section 86.

Ex 5.6 - Your treasurer was two days late in filing the committee's first preelection statement and the filing officer fined the committee $20. The committee may pay the fine with campaign funds.

Food

A committee may use campaign funds to purchase a meal with a cost of $200 or less, so long as the expenditure is reasonably related to a political, legislative, or governmental purpose. However, if the aggregate cost of the meal is more than $200, the expense must be directly related to one of these purposes. When a candidate controlled committee reports itemized expenditures for gifts, meals, or travel, specific details must be included as described in Chapter 8.

Ex 5.7 - An officeholder attends a dinner sponsored by the police department to honor a local good Samaritan. Since the expenditure is directly related to a governmental purpose, the campaign may pay for her attendance even if the total cost is more than $200.

Future Election

Campaign funds leftover after an election may be redesignated for a future election to seek the **same office** so long as the funds are not "surplus funds." In addition, campaign funds leftover after an election may be transferred to a new bank account for a future election to seek a **different office** so as the funds are not "surplus funds." There is a discussion on when leftover funds become "surplus funds" at the end of this chapter. See Chapter 11 for the other requirements that must be met in order to use the funds for election to a future office.

Gifts

Unless directly related to a political, legislative, or governmental purpose, personal gifts may not be paid for with campaign funds. However, gifts of less than $250 in a calendar year to campaign employees or workers are permitted because they are considered to be directly related to a political, legislative, or governmental purpose. When a candidate controlled committee reports itemized expenditures for gifts, meals, or travel, specific details must be included as described in Chapter 8.

Health-Related Expenses

A committee may use campaign funds to pay for health care benefits for its employees or independent contractors. However, campaign funds may not be used to pay for other health-related expenses such as health club dues, special dietary foods, or medical check-ups.

Independent Expenditures

Candidates are prohibited from using campaign funds to make independent expenditures to support or oppose other candidates, or to make contributions to other committees for the purpose of making independent expenditures to support or oppose other candidates.

Loans

Campaign funds may be used to make loans to other political committees, subject to applicable limits, if any. Transfers from a local candidate's committee to his or her state committee must be attributed

to the original contributors. See Campaign Disclosure Manual 1 for state candidates for more information on transfers and attribution.

Campaign funds may also be used to make loans to bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organizations, so long as the loan does not personally benefit the officeholder, candidate, committee treasurer, or any individual with authority to approve the expenditure of campaign funds, or any such person's immediate family member. The loan must be reasonably related to a political, legislative, or governmental purpose. Campaign funds may not be loaned to an individual or to an entity other than those described above.

Professional Services

When the committee reasonably requires the services of professionals, such as accountants or attorneys, their fees may be paid with campaign funds as these expenditures are considered to be directly related to a political, legislative, or governmental purpose. (See below for restrictions on salary and compensation.)

Real Property

The committee may not purchase real property. It may, however, lease property for up to one year, so long as its use is directly related to a political, legislative, or governmental purpose. The candidate, officeholder, committee treasurer, any individual with authority to approve the committee's expenditures, or an immediate family member of any of these persons may not be a lessee or sublessor, or hold legal title to the leased property.

Refunding Contributions

The return of contributions to contributors is permitted.

Returning Contributions Lacking Contributor Information

When a contribution of $100 or more is received in a calendar year from a single contributor, the committee must disclose the contributor's name and address, and, if the contributor is an individual, his or her occupation and employer. If the committee does not have this information in its records within 60 days of receipt of the contribution, it must be returned to the contributor. (See Chapter 2.)

Salary and Compensation

The candidate or officeholder, or any individual authorized to approve the committee's expenditures, may not receive a salary or other compensation from the committee for the performance of political, legislative, or governmental activities. The committee may pay for professional services such as an accountant, however, even if the accountant has authority to sign committee checks.

A spouse or domestic partner of an elected officer or a candidate for elective office may not receive, in exchange for any services rendered, compensation from campaign funds held by a controlled committee of the officer or candidate.

Ex 5.8 - Paula Greene, a member of Supervisor Howard's staff, is also the treasurer of the Supervisor's campaign committee. Ms. Greene does all recordkeeping for the committee and completes the committee's campaign reports. She also has authority to approve committee expenditures. Campaign funds may be used to pay Ms. Greene for services she provides as committee treasurer. Funds may not be used to supplement or pay her government salary.

Security Systems

A candidate may use campaign funds to purchase an electronic security system. To do so, the candidate must have received threats to his or her physical safety because of his or her status as a candidate or elected official and the incidents must be verified by an appropriate law enforcement agency. No more than $5,000 may be spent and a report to the FPPC is required.

Tickets for Entertainment and Sporting Events

Campaign funds may not be used to purchase entertainment and sporting event tickets for use by the candidate or officeholder, or staff of the committee, unless attendance at the event is directly related to a political, legislative, or governmental purpose.

Ex 5.9 - Candidates for the office of mayor have been offered the chance to speak during half-time at the local college football game. Campaign funds may be used to purchase tickets for the candidates and committee staff to attend, but only because they will be speaking.

Tickets to Political Fundraisers

A committee may purchase tickets to political fundraisers (subject to any applicable contribution limits) for the candidate, officeholder, or his or her immediate family, or an officer, director, employee, or staff of the committee or the officeholder's governmental agency.

Travel

A committee may use campaign funds to pay for travel or accommodations for the candidate or officeholder, any individual with authority to approve the committee's expenditures, or staff of the committee so long as the standards set by Internal Revenue Code Sections 162 and 274 (deduction of travel expenses for tax purposes) are complied with. Contact the Internal Revenue Service at (800) 829-1040 for more information. When a candidate controlled committee reports itemized expenditures for gifts, meals, or travel, specific details must be included as described in Chapter 8.

Airline Mileage Programs

Some airlines have mileage programs that allow individuals to earn free tickets or other awards. These mileage credits and awards belong to the individual traveler, not the committee. The committee is not required to report either the receipt of the mileage credit awards or the redemption of the credits.

B. Surplus Funds

There are restrictions on how campaign funds held by an elected officeholder or candidate may be spent once the funds become "surplus." Surplus funds may not be used for a future election. See Chapter 11 for information about all requirements that must be met in order to use leftover campaign funds for a future election before the funds become surplus.

Campaign funds held by an officeholder become surplus on the 90th day after the officeholder leaves the office for which the funds were raised, or on the 90th day after the end of the postelection reporting period following his or her defeat, whichever occurs last. Campaign

funds held by a non-incumbent defeated candidate become surplus on the 90th day after the postelection reporting period following the election. The end of the postelection reporting period is June 30 for elections held during the first six months of the calendar year and December 31 for elections held during the last six months of the calendar year.

Surplus funds may only be used to make the following expenditures:

- Payments for outstanding campaign debts or officeholder expenses.
- Refunds to contributors.
- Donations to a bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, provided no substantial part of the proceeds will have a material financial effect on the candidate, on any member of the candidate's immediate family (spouse or registered domestic partner and children), or the campaign treasurer.
- Contributions to a political party committee, so long as the funds are not used to make contributions in support of or opposition to a candidate for elective office. (The funds must be used for the party's or committee's overhead expenses.)
- Contributions to support or oppose any candidate for federal office, any candidate for elective office in a state other than California, or any ballot measure.
- Payments for professional services or attorneys' fees for litigation that arises out of campaign or election activities.
- Payment for an electronic security system. Contact the FPPC for information about specific requirements that must be met.

Answering Your Questions

A. Are there private firms that provide treasurer or campaign reporting services?

Yes. The FPPC does not endorse or recommend any particular private firm. Candidates may find useful information on the websites of the California Political Attorney's Association and the California Political Treasurers Association.

B. I am a candidate for a local office. It appears that I won't have any problem winning my seat. I would like to return some of my contributions to my contributors. May I do this?

At any time during the campaign, you may return all or part of a contribution to your contributors.

C. I am a candidate. I make long-distance phone calls on my home phone to request support from organizations statewide. How may I pay for them?

When the bill arrives and there are additional charges that can be directly attributed to the campaign activity, the committee should pay for that portion. If the personal charges are not changed by the campaign activity, there is no reporting required.

D. May I use campaign funds to pay a babysitter for the evenings that I am out campaigning?

You may use campaign funds to pay a babysitter, but only up to $200 per event.

E. As a candidate, I will be using my personal car to get around during the campaign. Is mileage considered a reportable contribution if I do not want to be reimbursed?

No. Incidental use of your personal car for campaign purposes is not considered a contribution and is not reportable.

F. May I use campaign funds to have an additional telephone line put in my home?

Yes, as long as the additional phone line is used for campaign purposes only. If, after the campaign, you choose to retain the additional phone line for personal purposes, you must pay the campaign what it would cost to install an additional line at that time.

G. Is it permissible to use campaign funds to pay an independent contractor (e.g., the campaign consultant) additional money if I win my election?

Yes. You may use campaign funds to pay a contractor for fees that are part of the written contract.

H. May I host a victory party or give bonuses to my campaign workers?

Yes. In most cases, the bonuses would be considered gifts and would be limited to $250 per calendar year.

I. I lost my election and have funds remaining. May I, a non-incumbent, use the leftover funds to run again in two years?

If you wish to use funds left over from an unsuccessful race for a future election to the same office, file a new Form 501 and amend your existing Form 410 within 90 days after the end of the postelection reporting period. For elections occurring in the first six months of the calendar year, the end of the postelection reporting period is June 30. For elections occurring in the last six months of the calendar year, the end of the postelection reporting period is December 31. If you plan to run for a different office, file a new Form 501, transfer the funds to a new campaign bank account, and file a new Form 410. If the funds become "surplus," they may not be used for a future election.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82025	Expenditure.
82044	Payment.
84307.5	Fundraising Payments Made to a Spouse or Domestic Partner.
85201	Campaign Bank Account.
85501	Prohibition on Independent Expenditures by Candidate Controlled Committees.
85700	Donor Information Requirements; Return of Contributions.
89511	Campaign Funds Held by Candidates and Committees.
89511.5	Use of Personal Funds for Incumbent Elected Officers.
89512	Expenditures Associated with Seeking or Holding Office.
89513	Use of Campaign Funds for Specific Activities.
89514	Use of Campaign Funds for Attorney's Fees.
89515	Use of Campaign Funds for Donations and Loans.
89516	Use of Campaign Funds for Vehicle Expenses.
89517	Use of Campaign Funds for Real Property, Appliances or Equipment.
89517.5	Use of Campaign Funds for Security System.
89518	Use of Campaign Funds for Compensation.
89519	Use of Surplus Campaign Funds.

Title 2 Regulations

18526	Reimbursement of Expenditures.
18570	Return of Contributions with Insufficient Donor Information.
18951	Surplus Funds.
18960	Direct Personal Benefit Defined.
18961	Incidental Use.

COMMUNICATIONS

CHAPTER 6

Campaigns reach the voters through political communications including television, radio, and Internet advertising, mailers, billboards, precinct-walking, and flyers. The Political Reform Act (Act) requires that committees report most payments in connection with political communications as direct expenditures, nonmonetary contributions to the campaign, or independent expenditures. As discussed below, however, certain types of communications may not be reportable at all, or may be subject to special reporting requirements. This chapter reviews common communications in a campaign and how payments for the communications are reported.

The Act also requires "paid for by" disclaimers on campaign ads to inform voters who is paying for the communication. Chapter 7 discusses the disclaimer requirements that apply to communications, including mass mailings, made by candidate controlled committees for their own election and communications made by non-controlled committees that are primarily formed to support or oppose a candidate.

A. Payments for Communications Made by Candidate's Campaign

In most cases, a candidate's campaign committee will be funding the bulk of the communications to elect that candidate to office. When a candidate's campaign committee makes expenditures for communications in furtherance of the candidate's election, the committee simply reports these direct expenditures. The expenditures are reported on the committee's Form 460, Schedule E, as described in Chapter 8.

Quick Tip

Communications paid for by a candidate's controlled committee to support the candidate's own election are direct campaign expenditures, reported on Form 460 Schedule E.

B. Payments for Communications Made by Others

Generally, when someone other than the candidate or his or her committee pays for a communication that expressly advocates support of the candidate, and the communication is coordinated with or "made at the behest" of the affected candidate, the candidate has received a **nonmonetary contribution** that must be reported by the candidate's controlled committee.

Payments for communications expressly advocating support of or opposition to a candidate, which are not coordinated with or made at the behest of the candidate, are **independent expenditures**, and the affected candidate is not required to report the payments; however, the person making the independent expenditure may have reporting obligations.

Whether a communication is a contribution, an independent expenditure, or some other type of reportable payment depends on several facts, including whether the communication "expressly advocates" support of or opposition to a clearly identified candidate or ballot measure. The information and examples below may be of assistance in making that determination. However, it is impossible to address all of the types of communications in a campaign. If presented with specific facts, FPPC staff may provide assistance.

Quick Tip

If a third party pays for communications supporting or opposing the election of a candidate, these may be nonmonetary contributions to the candidate, if coordinated with the candidate, or independent expenditures.

Communications paid for by a candidate's controlled committee to support his or her own candidacy, or to oppose his or her opponent, are direct campaign expenditures, not contributions or independent expenditures.

In most cases, communications paid for by a non-candidate controlled committee primarily formed to support or oppose a candidate are considered contributions or independent expenditures.

1. Coordinated Communications - Nonmonetary Contributions

When someone other than the candidate or his or her committee pays for a communication that is coordinated with or "made at the behest" of the candidate or his or her committee, the payment for the communication is a nonmonetary contribution to the affected candidate.

Coordination – "Made at the Behest"

A payment is coordinated with or "made at the behest" of the candidate or committee under each of the following situations:

- It is made at the request, suggestion, or direction of, or in cooperation, arrangement, consultation, concert, or coordination with the candidate or committee on whose behalf, or whose benefit the expenditure is made.

- The candidate or committee has made or participated in making any decision about the content, timing, location, mode, intended audience, volume of distribution, or frequency of placing the communication.
- A creator, producer, or distributor of the communication, or the person paying for the communication has had a discussion with the candidate or committee regarding the content, timing, location, mode, intended audience, volume of distribution, or frequency of placing the communication.

There is a rebuttable presumption that an expenditure is **coordinated or "made at the behest"** of a candidate or committee if:

- **Committee's Needs.** It is based on information about the candidate's or committee's campaign needs or plans provided by the candidate or committee to the person making the expenditure, such as information concerning campaign messaging, planned expenditures, or polling data.
- **Agent.** It is made by or through any agent of the candidate or committee in the course of the agent's involvement in the current campaign. "Current campaign" means the period beginning 12 months prior to the date of the primary or special election in which the candidate is on the ballot for an elective office and ending on the date of the general or special runoff election for that office.
- **Common Consultants.** The person making the expenditure retains the services of a person who provides the candidate or committee with professional services related to campaign or fundraising strategy for the current campaign.
- **Republication.** The communication replicates, reproduces, republishes, or disseminates, in whole or substantial part, a communication, including video footage, designed, produced, paid for, or distributed by the candidate or committee.
- **Fundraising.** The committee making the expenditure is primarily formed to support the candidate or oppose their opponent and in the course of the current campaign, the candidate who benefits from the expenditure solicits funds for or appears as a speaker at a fundraiser for the committee making the expenditure.

Quick Tip

When a communication that expressly advocates support of a candidate is paid for by someone other than the candidate or his or her committee, and the communication is "made at the behest" of the affected candidate, the candidate must report the payment as a nonmonetary contribution.

- **Former Staff.** The person making the expenditure is established, run, or staffed in a leadership role, by an individual who previously worked in a senior position or advisory capacity on the candidate's or officeholder's staff within the current campaign.

- **Candidate's Family.** The person making the expenditure is established, run, staffed in a leadership role, or principally funded by an individual who is an immediate family member of the candidate.

However, an expenditure is **not considered to be coordinated** or made at the behest of a candidate or committee based solely on any of the following circumstances:

- **Interview.** A person interviews the candidate on issues affecting the person making the expenditure.

- **Photograph or Press Release.** The person making the expenditure has obtained a photograph, biography, position paper, press release, or similar material from the candidate or the candidate's agents.

- **General Request for Support.** The person makes the expenditure in response to a general, non-specific request for support by a candidate or committee, provided that there is no discussion with the candidate or committee prior to the expenditure relating to details of the expenditure.

- **Meeting with Members or Employees.** The person making the expenditure has invited the candidate or committee representative to make a public appearance before the person's members, employees, shareholders, or their families, provided that there is no discussion with the candidate or committee prior to the expenditure related to details of the expenditure.

- **Prior Contribution.** The person making the expenditure has made a contribution to the candidate or committee.

- **Informed after the Expenditure is Made.** A person informs a candidate or committee that the person has made an expenditure, provided that there is no exchange of information, not otherwise available to the public, relating to details of the expenditure.

- **Expenditure Benefits Another Candidate or Committee.** The expenditure is made at the request or suggestion of the candidate or committee for the benefit of another candidate or committee.

- **Hyperlink.** The communication includes a hyperlink to the Internet website or other social media page of a candidate or ballot measure committee.

FPPC Regulation 18225.7, summarized above, specifies when a communication is considered independent versus made at the behest of a candidate or committee. Because the determination is based on specific facts, persons are encouraged to contact the FPPC for guidance.

2. Independent Expenditures

An independent expenditure is a payment for a communication that:

- **Expressly advocates** the election or defeat of a **clearly identified candidate** or the qualification, passage or defeat of a clearly identified measure, and

- The communication is **not coordinated** with or "made at the behest" of the affected candidate or committee.

Clearly Identified Candidate

A communication clearly identifies a candidate when it uses the candidate's name, photograph, or status as a candidate or officeholder. If a communication includes a group of candidates and refers to some well-defined characteristic of the group, the candidates are clearly identified even if it does not use specific names.

Express Advocacy

A communication expressly advocates support of or opposition to a clearly identified candidate under the following scenarios:

- **Magic Words.** The communication uses words such as "vote for," "elect," "support," "cast your ballot," "vote against," "defeat," or "reject."

- **Unambiguously Urges.** The communication is made within 60 days prior to an election, it refers to a clearly identified candidate, and when taken as a whole, it unambiguously urges a particular result in an election. The message must be susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate.

A committee or person making independent expenditures must be aware that the communication cannot be coordinated with the affected candidate or measure committee. If there is coordination, the payments are reported as contributions.

Quick Tip

When a communication that expressly advocates support of a candidate is not "made at the behest" of the affected candidate, the payment is considered an independent expenditure and the candidate does not report the payment. The person making the payment may have reporting obligations.

Ex 6.1 - An individual paid $4,000 for a newspaper ad stating "Vote for Autumn Gomez." The communication expressly advocates support for a clearly identified candidate and must be reported either as a contribution if it was made at the candidate's behest or as an independent expenditure if it was not made at the candidate's behest.

Later, the same individual paid $2,000 for post card-sized flyers that simply stated, "Vote on Election Day." This communication is not reported as a contribution or independent expenditure because it did not expressly advocate support of or opposition to a candidate or measure.

Ex 6.2 - Friends of Gomez, a non-candidate controlled committee primarily formed to support Autumn Gomez's candidacy, printed campaign literature stating, "Vote for Autumn Gomez." The communication included a copy of a photograph the committee obtained from the public information counter at Ms. Gomez's campaign headquarters. Ms. Gomez did not in any way coordinate with the committee in producing the campaign literature. Therefore, the committee made an independent expenditure, not a contribution to Ms. Gomez's campaign.

On the other hand, if the committee contacted Ms. Gomez and arranged for a professional photographer to meet with her for the purpose of taking photographs for the mailer, the committee would be making a nonmonetary contribution to her campaign.

Ex 6.3 - During Curt Anthony's campaign, two newspaper advertisements supporting Mr. Anthony were published without his knowledge or consent. Since the payments for these communications were not coordinated with him or made at his behest, they were independent expenditures by the person(s) funding the ads and were not reportable by Mr. Anthony's campaign. The person(s) who paid for the ads may have a filing obligation.

C. Other Communications

Endorsements

An endorsement of a candidate may become a contribution or an independent expenditure when a payment is made in connection with the endorsement.

Frequently, a candidate will publish his or her endorsement by another official. As long as the communication does not advocate the election of the endorsing official (or the defeat of that official's opponent), a payment made to communicate the endorsement is not a contribution to the endorsing candidate or official, even though the endorsement was made at the behest of both individuals.

If a candidate pays for a communication supporting his or her own candidacy that also supports or opposes a ballot measure, the payment is not a contribution or independent expenditure made in connection with the ballot measure.

If a candidate pays for a communication that supports another candidate, and the payment is not made at the behest of the endorsed candidate, the payment is not considered to be an independent expenditure if: (1) the candidate paying for the communication also is included in the communication; (2) the non-paying candidate is listed on the same ballot as the paying candidate; and (3) the communication is targeted only to potential voters in the paying candidate's district.

Ex 6.4 - The president of a police officers' association announces at its annual meeting that the association endorses John Law for county sheriff. Merely making an oral endorsement is not a contribution to or independent expenditure for John Law.

Closer to the election, at the request of candidate John Law, the association mails a special flyer to the voters announcing its endorsement of him. Since the mailing was made at the behest of the candidate, the association has now made a nonmonetary contribution to John Law.

Ex 6.5 - A city council candidate paid for a mailing which quoted the mayor's verbal endorsement of his candidacy. Although the mayor was also on the ballot, the flyer was not a contribution to the mayor.

Ex 6.6 - Emmelyn Chin, a city council member running for reelection, sent out a flyer to registered voters in her district asking them to support her candidacy. The flyer also encouraged the voters to vote for Lorraine Sweet for Governor, although this endorsement was not made at Ms. Sweet's behest. Because the gubernatorial election and city council election would appear on the same ballot for those living in Ms. Chin's district (and the flyer was sent only to voters in that district), the payment for the flyer is not an independent expenditure.

Social Media – Internet Communications

Paid Advertisements on the Internet. A paid advertisement that a candidate or committee places on the Internet is reportable under the Act. A candidate or committee that pays to place a communication on another person's website must report the expenditure on a campaign statement. Similarly, a candidate must report a payment to purchase e-mail addresses or any payment for general or public advertisements on Internet sites.

Quick Tip

See Chapter 7 for the disclaimer and sender identification requirements for mass mailings sent by a candidate-controlled committee or a committee primarily formed to support or oppose a candidate.

Uncompensated Individuals' Internet Activity. When an individual who is not compensated by a candidate or committee sends communications over the Internet (e.g., e-mails, social networking, blogging, website postings, and hyperlinks) that support or oppose a candidate or measure, these activities do not constitute reportable contributions or expenditures. Regulation 18215.2 creates a "safe harbor" for uncompensated individuals' political activity on the Internet.

Ex 6.7 - John is running for State Assembly and his neighbor George posts his support for John's candidacy on Facebook. In his Facebook post, George includes a picture of John that he got from John's website. The communication is not reportable because George was not paid for his Facebook post.

Paid Blogger. The safe harbor for an individual's uncompensated Internet activity does not apply to a blogger a committee pays to support or oppose a candidate or measure. The committee must report payments to that individual. The safe harbor also does not apply to a blogger who receives a majority of his or her advertisement revenue from a single candidate or committee because he or she is not considered to be providing uncompensated personal services.

Ex 6.8 - Camille is running for local office and she pays Julia to post a message on Julia's blog supporting Camille's candidacy. Camille's committee must report the payment as an expenditure on the Form 460.

D. Non-Contributions

There are some communications that are not considered to be contributions to the candidate or the candidate's controlled committee.

Debates

If a nonpartisan organization hosts a debate or other forum and invites at least two opposing candidates, a payment for the event is not a contribution to the candidates.

Similarly, a payment for a debate or forum sponsored by a political party or a committee affiliated with a political party is not a contribution if a majority of the candidates for the party's nomination are invited to participate.

Ex 6.9 - The League of Women Voters invited all candidates for city council to speak at a forum. Only one candidate attended, but since at least two candidates running for the same office were invited, the cost of the forum is not a contribution to the candidate who attended.

Meetings

A payment made by a bona fide service, social, business, trade, union, or professional organization for reasonable overhead expenses associated with a regularly-scheduled meeting at which a candidate speaks is not a contribution if the organization pays no additional costs in connection with the speaker's attendance.

Ex 6.10 - At a union's regularly-scheduled monthly meeting, one candidate was invited to solicit votes. The union did not incur any additional costs in connection with the speaker's presentation, so no contribution was made.

Non-Political Communications

A payment made at the behest of a candidate for a communication by the candidate or any other person is not a contribution to the candidate if the communication:

- Does not contain express advocacy;
- Does not refer to the candidate's election campaign, or his or her opponent's qualifications for office; and
- Does not solicit contributions to the candidate or to third persons for use in support of or opposition to the candidate.

Member Communications

Payments made by an organization or its sponsored committee for a communication that supports or opposes a candidate are not contributions or expenditures as long as the communication is made only to the organization's members, employees, or shareholders, or the families of its members, employees, or shareholders. The payments may not be for general public advertising, such as billboards, newspaper ads, or radio or television ads. If the organization's sponsored committee makes the payments, the committee would report the payments as being made for general member communications.

Ex 6.11 - Your campaign consultant asks a labor organization to send a mailing supporting your election. The mailing will be sent only to the organization's membership. The mailing is not a contribution to you. Later, the campaign consultant asks the organization to send the mailing to all registered voters in your district. The mailing to the voters is a contribution to you.

Payments made by a political party for a communication that supports a candidate are not contributions to the candidate as long as the communication is distributed only to the party's members, employees, and families of its members and employees. The party must report the payments, however, as if they were contributions or independent expenditures.

Ex 6.12 - The Green Party pays for a mailing supporting your candidacy to all of its members five days before your election. The cost of the mailing exceeds $1,000. The Party must file a Form 497 (24-hour Contribution Report). You are not required to disclose the mailing as a contribution.

News Stories

A payment for the cost of publishing or broadcasting a news story, commentary, or editorial is not a contribution when the payment is made by a federally regulated broadcast outlet or a regularly published newspaper, magazine or other periodical of general circulation that routinely carries news, articles, and commentary of general interest.

Voter Registration

A payment made at the behest of a candidate as part of voter registration or get-out-the-vote activities is not a contribution if the communication does not expressly advocate support of or opposition to the candidate.

Ex 6.13 - At the behest of an elected official, an organization paid for a voter registration booth at a local fair. No other literature was distributed at the booth. The payment for the voter registration booth was not a contribution to the official.

Voting Records

An entity may publish the voting records of public officials. As long as only the voting records are published, the communication is not considered a contribution or an independent expenditure.

Answering Your Questions

A. A labor union pays for a mailing advocating the election of a candidate for city council. The mailing list includes both union members and non-union members and 20% of the mailing costs are attributed to non-union members. Must the candidate report the full cost of the mailing as a non-monetary contribution?

No. The candidate may pro-rate the cost and report as a nonmonetary contribution only the mailing costs for the non-union members.

B. A representative of an environmental organization interviewed a candidate for county supervisor about issues affecting the environment. Later, the candidate learned that the organization paid for a radio advertisement advocating the election of that candidate. Must the candidate report a nonmonetary contribution?

No. An expenditure is not made at the behest of a candidate just because a person interviews the candidate on issues affecting the person making the expenditure. As long as the candidate did not coordinate with the organization to produce the advertisement in any other way, the organization made an independent expenditure, not a contribution to the candidate.

C. I was elected to the city council in November. May I assist an independent expenditure committee that supported my candidacy in retiring its debt now that the election is over?

No. An "independent expenditure" is made without the coordination, cooperation, or consultation of the candidate. If you assist the committee, the expenditures are not considered independent.

D. I am a law enforcement officer running for city council. Is it permissible to wear my law enforcement uniform in my campaign literature?

The Political Reform Act does not contain restrictions related to a candidate wearing a law enforcement uniform; however, other laws may apply. Candidates should contact the District Attorney or City Attorney.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82015	Contribution.
82025	Expenditure.
82031	Independent Expenditure.
82044	Payment.
82047	Person.
84211	Contents of Campaign Statement.
84310	Identification Requirements for Telephone Calls.
84503	Advertisement for or Against Ballot Measures.
84506	Independent Expenditures; Advertisements.
85312	Communications to Members of an Organization.

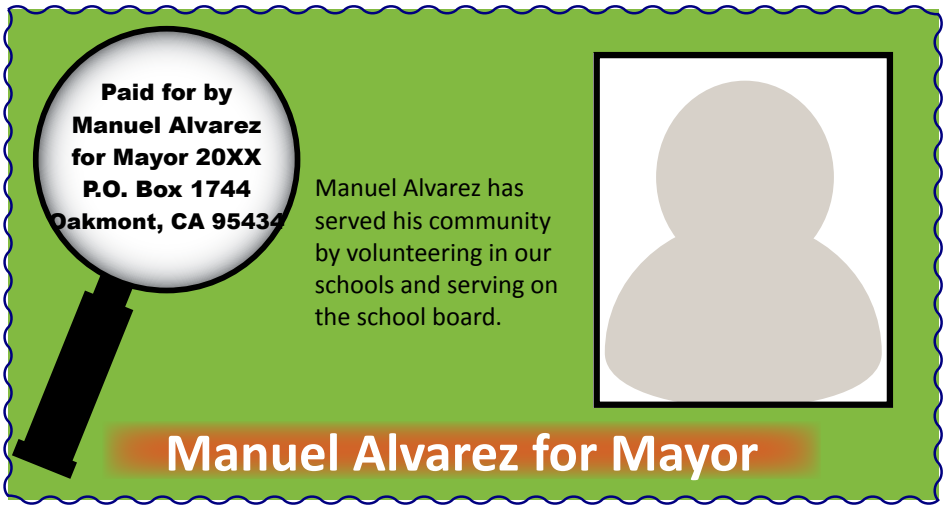
Title 2 Regulations

18215	Contribution.
18215.2	Uncompensated Internet Activity by Individuals that is not a Contribution or Expenditure.
18225	Expenditure.
18225.7	Made At the Behest of.
18450.1	Definitions. Advertisement Disclosure.
18531.7	Payments for Communications – Section 85312.

ADVERTISEMENT DISCLAIMERS

This chapter describes the disclaimers required by the Political Reform Act (Act) on mass mailings and other advertisements made by candidate controlled committees and committees primarily formed to support or oppose a candidate. A disclaimer is the portion of a political message that identifies the person or entity who paid for or authorized the communication. The basic disclaimer for most communications is "paid for by [committee name]." The disclaimer ensures that the committee paying for the ad is identified. The Act does not regulate the truth or accuracy of political communications given that the First Amendment provides broad protection for political speech.

Disclaimer Example:



A. Which Communications Require an Ad Disclaimer?

Candidate Controlled Committees

Under the Act, a candidate controlled committee must include a disclaimer on mass mailings and certain telephone calls advocating the candidate's own election. In addition, radio and television advertisements require a "paid for by" disclaimer or sponsor identification under Federal Communications Commission (FCC) rules. The Act does not require a specific disclaimer on other communications, such as billboards and yard signs, when they are paid for by a candidate controlled committee in support of the

candidate's own campaign. However the FPPC recommends placing "paid for by [committee name]" and the committee's ID number on all public campaign materials.

Primarily Formed Committees Making Independent Expenditures

Under the Act, committees that are primarily formed to support or oppose a candidate must include a disclaimer on the following communications:

- Mass mailings, including e-mails
- Paid telephone calls
- Radio ads
- Television ads
- Electronic media ads
- Newspaper ads
- Billboards
- Yard signs
- Door hangers
- Flyers
- Posters

Quick Tip

Check with your local elections office for rules on the placement of campaign signs and any local advertisement disclaimer rules. Also check the rules on placing temporary political signs in California's Outdoor Advertising Act Sec. 5405.3, on the Department of Transportation's website.

Advertisement Disclaimer Exceptions

Generally, a disclaimer is not required on the following advertisements:

- Regular-size campaign buttons and bumper stickers, pins, or magnets
- Pens, pencils, rulers, mugs, potholders, key tags, golf balls and similar small campaign promotional items where a disclaimer cannot be conveniently printed
- T-shirts, caps, hats, and other articles of clothing

- Skywriting and airplane banners
- Committee checks and receipts

B. How Must the Disclaimer Appear?

Disclaimers on political ads must be clear and conspicuous so they may be easily understood by the public. Written disclaimers must be printed clearly and legibly. Spoken disclaimers must be clearly audible and intelligible. Disclaimers must also be written or spoken in the same language used in the advertisement. The charts on the following pages specify requirements for color contrast, print font size, and the amount of time the disclaimer is required to appear on screen.

C. Advertisement Disclaimers for Communications by Candidate Committees for their own Election

The disclaimer on a communication made by a candidate's committee for his or her own election must include "paid for by [committee name]," unless otherwise noted in the chart below.

Communication	Manner of Display
All mass mailings - more than 200 sent within a calendar month (including emails and faxes)	• Candidate's committee name/address (as on file with Form 410) on outside of mailing (if no Form 410 on file, use candidate name/address) • Only committee name (no address) required on electronic messages • "Paid for by" must be in the same color and size as the name/address and immediately in front of or above the name/address • If sent by more than one candidate/committee: ◦ Also on at least one insert in the mailing • No less than 6 point type/contrasting print color • Return envelopes (if included in solicitation) – committee's name, address and ID number are recommended but not required

Telephone calls advocating candidate's own election (500 or more) - made by: • Vendors ("robo" calls) or • Paid individuals other than the candidate, campaign manager or volunteers	• Any time during the message • Must identify the candidate that paid for the call or an organization authorizing the call that files campaign reports • Must state that the call is "paid for by" or "authorized by" the identified candidate or organization *Examples: This call was paid for by City Council Member Jones; This call was authorized by (name of committee)* • No ID required on telephone calls personally dialed by candidate, campaign manager or volunteers
The Political Reform Act does not require a specific disclaimer on the following communications paid for by a candidate's campaign committee in support of his or her own campaign, although the FPPC recommends placing "paid for by *committee name*" and the committee ID number on all public campaign materials.	
Newspaper, radio and television ads	• Radio and television advertisements require "paid for by" or sponsor identification under FCC rules • Check the Elections Code for newspaper ad requirements
Electronic media (Websites, blogs, Twitter feeds, faxes, social media pages - e.g., Facebook)	• "Paid for by *committee name*" and committee ID number are recommended but not legally required
Billboards, yard signs, business cards, door hangers, flyers, and posters	• "Paid for by *committee name*" and committee ID number are recommended but not legally required

D. Advertisement Disclaimers for Independent Expenditure Ads Made by Committees Primarily Formed to Support or Oppose a Candidate

When a committee primarily formed to support or oppose a candidate pays for an advertisement that is an independent expenditure, the advertisement disclaimer must include all of the following, unless otherwise noted:

- "Paid for by [committee name]";
- A list of the committee's top two donors of $50,000 or more during the 12-month period prior to the expenditure, if any; and
- The following statement: "This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office."

Communication	Manner Display
All mass mailings - more than 200 sent within a calendar month (see note)	• **Committee name/address** (on file with Form 410 or 461) on outside of mailing in no less than 14-point, bold, sans serif type • **"Paid for by"** must be in the same color and size as the name/address and immediately in front of or above the name/address • **IE disclaimer in box.** The required statement ("[t]his advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office") must be located one quarter of an inch from the recipient's name and address in a box. The box's outline must have a 3.25 line weight. So the statement is clearly readable, contrasting colors must be used for the background of the ad and the box outline, text and background
Telephone calls - more than 200 made by vendors ("robo" calls) or paid individuals	• Disclaimer must state that the call is "paid for by" committee name • Must be at least 3 seconds either at the beginning or end of the call
Radio	• Must be at least 3 seconds either at the beginning or end of the ad
Television	• Both written and spoken at the beginning or end of ad • Not less than 4 seconds • Size and contrasting color must be legible to average viewer • Exception - no spoken disclosure required if written statement is shown for at least 5 seconds on a 30 second broadcast or 10 seconds on a 60 second broadcast

Electronic Media **1. Websites, blast e-mails and Facebook posts** **2. Ads of limited size** (micro bar, button ad, ads limited to 500 characters or less) **3. SMS texts** **4. Electronic ads sent in an audio format** **5. Electronic ads sent in a video format**	1. Disclaimer statement must be in the same font size as majority of text and displayed conspicuously near the ad 2. Ad must provide disclaimer via rollover, link, or other connection to website with the disclaimer 3. Include the committee ID number and if technically possible link to the committee's campaign statement on Secretary of State's website 4. Same requirements as for radio ads above 5. Same requirements as for television ads above
Newspaper Ads	• 14-point, bold, sans serif type in contrasting color • Also check the Elections Code
A Billboard **Yard Signs** (more than 200)	• 5% of height of advertisement in contrasting color
Door hangers, flyers, posters, and oversized campaign buttons and bumper stickers (buttons 10" across or larger and stickers 60 sq inches or larger) (all more than 200)	• 14-point, bold, sans serif type in contrasting color

Note: Two display rules exist for mass mailings paid for by an independent expenditure. A mass mailing must have the committee name and address on the outside of an envelope in 6-point type; while the manner of display for the ad disclaimer requires the committee name in no less than 14-point, bold, sans serif type. A one-page mailer may combine the display rules with both the committee name and address in no less than 14-point, bold, sans serif type although the address may be at 6-point type.

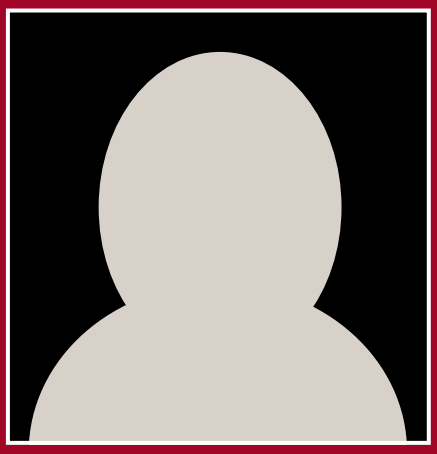
Disclaimer Example:

**Paid For By Public Safety Workers and Educators to Re-Elect Supervisor Woods 20XX,
Major Funding by International Workers Association
P.O. Box 505
Sacramento, CA 95825**

This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office.

Jayne Brown
4225 Main Street
Ione, CA 95640

Jason Woods has our back in Sacramento



* * *

Fighting to Restore Public Safety

Working to Expand Quality Early Education Programs

Working Across Party Lines to Achieve Results

* * *

E. Mass Mailings – E-Mails and Postal Mailings

A "mass mailing" is made when more than 200 substantially similar pieces of mail have been sent within a calendar month. A mass mailing also includes more than 200 substantially similar messages distributed to the public within a calendar month through electronic mail ("e-mail"). Solicitation letters, notices of fundraising events, newsletters sent by the candidate or committee, and other types of campaign literature are common types of mass mailings.

Quick Tip

The committee ID number is not required to be included on mass mailings, but the FPPC recommends that committees include the committee name and ID number on all public campaign materials.

E-Mail Disclaimers

E-mails must include the committee's name and the words "paid for by" immediately adjacent to and above, or immediately adjacent to and in front of, the required identification. The disclaimer must be in no less than 6-point type and in a color that contrasts with the background (Example: no light blue disclaimers on a blue background).

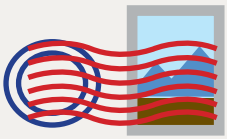
From: Rreynolds@yahoo.com
To: Voter1@gmail.com
Cc:
Subject: Reynolds for City Council 20XX

Don't forget to vote for Reynolds on Tuesday! This message was paid for by Reynolds for City Council 20XX.

Postal Mailing Disclaimers

A mass mailing sent by a candidate controlled committee must include the words "paid for by" immediately adjacent to and above, or immediately adjacent to and in front of, the name and address of the committee on the outside of each piece of postal mail. The disclaimer must be in no less than 6-point type and in a color that contrasts with the background (Example: no light blue disclaimers on a blue background). A post office box may be used as the address only if the committee's street address is on its Statement of Organization (Form 410) on file with the Secretary of State.

Paid For By
Roxie Reynolds for City Council 20XX
1615 Skate Street
Torrance, CA 90503



Jordan Cooper
315 S. Fairfield Street
Torrance, CA 90503

Mailings Sent by More than One Candidate Controlled Committee

A mass mailing sent by more than one candidate controlled committee must include the words "paid for by" immediately adjacent to and above, or immediately adjacent to and in front of, the name and address of the committee that is paying the greatest share of the mass mailing including costs for designing, printing, and postage. This disclaimer must appear on the outside of each piece of mail. If two or more committees pay equally for the mailer, the name and address of at least one of the committees must be shown on the outside and the names and addresses of all committees must appear on at least one insert. The disclaimer must be in no less than 6-point type and in a color that contrasts with the background (Example: no light blue disclaimers on a blue background). A post office box may be used as the address only if the committee's street address is on its Statement of Organization (Form 410) on file with the Secretary of State.

Quick Tip

If two or more candidate controlled committees pay equally for a mass mailing, the names and addresses of each of the committees must appear on at least one insert.

Committees Primarily Formed to Support or Oppose a Candidate

A mass mailing paid for by a primarily formed committee as an **independent expenditure** supporting or opposing a candidate must include the words "paid for by" immediately adjacent to and above, or immediately adjacent to and in front of, the name and address of the committee. It must also include the following statement: "This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office."

Two display rules exist for mass mailings paid for by an independent expenditure. The committee name must appear in no less than 14-point, bold, sans serif type, but the address required on the outside of the envelope may appear in 6-point type. For a one-page mailer, committees may combine the display rules and use 14-point, bold, sans serif type for both the committee name and address even though the address may be displayed in 6-point type.

The disclaimer must also list the committee's top two contributors of $50,000 or more during the 12-month period prior to the expenditure, if any. If the committee can show that contributions received from the two highest contributors have been used for expenditures unrelated to the candidate featured in the communication, the committee may disclose the contributors making the next largest cumulative contributions of $50,000 or more.

Quick Tip

A mass mailing paid for by an independent expenditure must include a statement that the mailing was not authorized by a candidate or a committee controlled by a candidate.

Recordkeeping for Mass Mailings

For each mass mailing, the following information must be retained in the committee's records for a period of four years:

- A sample of the mailing;
- A record of the date of the mailing;
- The number of pieces sent; and
- The method of postage used.

F. Telephone Calls

Calls Made by Candidate Controlled Committees for their own Election

If a candidate controlled committee pays for **500 or more** similar telephone calls made by vendors ("robo" calls) or paid individuals advocating the candidate's own election, the name of the organization that authorized the call must be disclosed to the recipient of the call. If the organization authorizing the call does not have filing obligations under the Act, the name of the candidate that paid for the call must be disclosed to recipients. The disclosure must include the words "paid for by" or "authorized by." The disclaimer is not required for telephone calls personally dialed by the candidate, campaign manager, or volunteers.

Calls Made by Committees Primarily Formed to Support or Oppose a Candidate

If a primarily formed committee pays for **more than 200** similar telephone calls that expressly advocate support for or opposition to a candidate, the name of the committee must be disclosed to recipients. The disclosure must include the words "paid for by" or "authorized by." If the call is an independent expenditure, the disclaimer must also include the following statement: "This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office." The disclaimer must also include the committee's top two contributors of $50,000 or more during the 12-month period prior to the expenditure, if any.

Quick Tip

Anonymous robocalls are a violation of the Act. Committees are prohibited from contracting with a vendor for political calls that does not disclose who paid for or authorized the calls.

Ex 7.1 - City Councilmember Reitz pays a vendor to make calls to 1,500 local voters to encourage them to reelect her to the city council. The disclaimer must state that the telephone calls were paid for by the candidate's committee. For example, "[t]his call was paid for by Reelect City Councilmember Reitz 20XX."

Ex 7.2 - At City Councilmember Reitz's request, Citizens for Better Schools (a general purpose committee) pays a vendor to make calls to 1,500 local voters to encourage them to reelect Councilmember Reitz to the city council. The disclaimer must identify the committee paying for the call or the candidate authorizing the call. For example, "[t]his call was paid for by Citizens for Better Schools" or "[t]his call was authorized by Councilmember Reitz."

Recordkeeping for Telephone Calls

A committee must retain for a period of four years the following records for each telephone call:

- If the message was live, a script of the call.
- If the message was recorded, a copy of the recording.

G. Electronic Media Ads

The Act does not require a specific disclaimer on electronic media ads, including websites, Internet ads, and mobile ads paid for by a candidate's committee for his or her own election. However, the FPPC recommends placing "paid for by [committee name]" and the committee ID number on all public campaign materials.

Committees primarily formed to support or oppose a candidate making independent expenditures for electronic media ads are subject to the "paid for by [committee name]" requirement and additional disclaimer requirements as described in the chart earlier in this chapter. In general, the required disclaimer must be displayed in full. For example, a Facebook post must include the full disclaimer.

An abbreviated disclaimer may be used in electronic media messages only if it is impracticable or extremely difficult to include the full disclaimer information (such as severe size, space, or character-limits constraints) and when other methods of displaying the information (such as a rollover display or click through to a webpage with disclosure information) are not available. For example, an abbreviated disclaimer may be used if a campaign sends blast text messages to voters.

H. Newspaper, Radio and Television Ads

The Act does not require a specific disclaimer on newspaper, radio, and television ads paid for by a candidate's committee for his or her own election. However, the FCC requires that radio and television ads include "paid for by" or sponsor identification. Committees primarily formed to support or oppose a candidate making independent expenditures for a newspaper, radio, or television ad to support or oppose a candidate are subject to the "paid for by [committee name]" disclaimer and other requirements as described in the chart earlier in this chapter. For newspaper ad requirements, candidates and committees should also check the Elections Code.

I. Paid Spokespersons for Ballot Measure Ads

Generally, candidate controlled committees and primarily formed committees spend campaign funds only in connection with the candidate's election. However, there may be times when a committee wants to pay for an advertisement to support or oppose a ballot measure.

The Act requires specific disclosure when any committee uses a paid spokesperson in an advertisement to support or oppose a ballot measure. The committee must (1) file a Paid Spokesperson Report, Form 511, for an individual's appearance in a ballot measure advertisement and (2) include a disclaimer on the ad in the following situations.

$5,000 payment to an individual in an ad: The committee makes expenditures totaling $5,000 or more for an individual's appearance in an advertisement to support or oppose the qualification, passage or defeat of a state or local ballot measure.

> **Disclaimer on ad:** "(Spokesperson's name) is being paid by this campaign or its donors."

Any payment to an individual in an ad portraying a professional (nurse, doctor, firefighter, scientist, engineer, lawyer, etc.): The committee makes expenditures of any amount to an individual for his or her appearance in an ad supporting or opposing the qualification, passage or defeat of a state or local ballot measure that states or suggests that the individual is a member of an occupation that requires licensure, certification, or other specialized, documented training to engage in that occupation.

> **Disclaimer on ad:** "Persons portraying members of an occupation in this advertisement are compensated spokespersons not necessarily employed in those occupations."

> ***Note:*** If the individual in the ad is actually a member of the occupation portrayed, the committee may omit this disclaimer, and shall maintain documentation of the individual's license or certification for the occupation. Upon request from the FPPC, the committee must provide documentation of an individual's occupation by electronic means within 24 hours.

The advertisements include print, television, and radio ads, as well as telephone messages. The disclaimers on the ads must be shown in highly visible font for print or television ads, or spoken in a clearly audible manner for radio ads or telephone messages.

Quick Tip

If the committee pays for a spokesperson in an advertisement to support or oppose a ballot measure, the committee may also be required to file the Form 511 (Paid Spokesperson Report). See Chapter 10.

J. Updating a Disclaimer

Advertisement disclaimers must be revised if a committee's name changes or there is a new $50,000 donor. Television, radio, electronic media, or "robo" calls must be amended within five calendar days. Print media, mass mailings, or other tangible items must be amended every time an order to reproduce is placed.

K. Penalties

Failure to comply with the Act's disclaimer requirements may result in fines of up to $5,000 per violation. In addition, any person who violates the disclaimer requirements for ballot measure and independent expenditure advertisements may be liable for fines of up to three times the cost of the advertisement, including placement costs.

Answering Your Questions

A. Are the disclaimer rules the same for candidate controlled committees and committees primarily formed for candidates that will be making independent expenditures?

No. Stricter disclaimer rules apply to independent expenditure advertisements because it is less clear to the public who is responsible for these ads. The Act requires disclaimers on a broader range of advertisements when they are paid for by a committee making independent expenditures. (See the ad disclaimer charts in this chapter for additional information.)

B. A committee primarily formed for a candidate has agreed to pay for several types of communications (yard signs, a billboard, door hangers) to advocate support of the candidate. The advertisements are prepared by the candidate's campaign consultant. What disclaimers are required, if any?

The Act does not require a disclaimer for these advertisements since they are not independent expenditures. The primarily formed committee must provide the candidate with the value of the advertisements and both committees must report the amount as a nonmonetary contribution.

C. If a business entity includes a copy of a candidate's flyer in its regular monthly mailing, is the candidate required to be identified on the outside of the mailer?

No. The candidate's name and address must be identified on the flyer only.

D. If a committee has more than one address, can any of the addresses be used on mass mailings?

Any address that is on the committee's Statement of Organization (Form 410) on file with the Secretary of State may be used.

E. A committee pays for a candidate's mailing as a nonmonetary contribution. Must the committee paying for the mailing or the candidate's committee be identified on the outside of the mailing?

The committee that pays for the mailing must be identified on the outside of the mailing.

F. If a committee is sending a postcard-type mailing, may the name of the committee appear only once?

Yes. The name must appear only once. The committee's address must also be included.

G. Where on the outside of the mailing must the candidate or committee identification be placed?

There is no specific requirement for the location of the sender identification as long as it appears on the outside of the mailing. The words "paid for by" must be immediately adjacent to and above, or immediately adjacent to and in front of, the committee name and address.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82031	Independent Expenditure.
82041.5	Mass Mailing.
82044	Payment.
82047	Person.
84305	Requirements for Mass Mailing.
84310	Identification Requirements for Telephone Calls.
84506	Independent Expenditures; Advertisements.
84511	Ballot Measure Ads; Paid Spokesperson Disclosure.
85312	Communications to Members of an Organization.

Title 2 Regulations

18215	Contribution.
18225	Expenditure.
18225.7	Made At the Behest of.
18401	Required Recordkeeping for Chapter 4.
18435	Definition of Mass Mailing and Sender.
18440	Telephone Advocacy.
18450.1	Definitions. Advertisement Disclosure.
18450.4	Content of Disclosure Statements. Advertisement Disclosure.
18450.5	Amended Advertising Disclosure.
18450.11	Spokesperson Disclosure.
18523.1	Written Solicitation for Contributions.
18531.7	Payments for Communications – Section 85312.

Committee Reports – Form 460

Generally, candidate controlled committees and committees primarily formed to support or oppose a candidate(s) use the Recipient Committee Campaign Statement (Form 460) to report campaign activity for all semi-annual and preelection statements. The Form 460 is the main campaign disclosure statement and provides the public with an overview of the committee's activity, including money coming in and money going out, during a specified reporting period.

The statement must include all activity during the specified reporting period, even if it was previously reported. For example, a contribution that was already reported on the Form 497 (24-hour Contribution Report) must still be reported on the committee's next Form 460.

A primarily formed committee may file the Form 450 (Committee Campaign Statement – Short Form) instead of the Form 460 if, during the reporting period, the committee:

- Has not received a contribution that must be itemized (a cumulative amount of $100 or more from a single source);
- Has not received any other payment of $100 or more (miscellaneous increases to cash);
- Has no outstanding loans made or received; and
- Has no accrued expense (unpaid bills).

A primarily formed committee that has not received any contributions and has not made any expenditures during the six-month period covered by a semi-annual statement may file the Form 425 (Semi-Annual Statement of No Activity).

This chapter discusses how to complete the Form 460 and provides examples for each type of campaign activity that may have to be reported. The Forms 450 and 425 are available on the FPPC's website and include detailed instructions for completing the forms.

Quick Tip

A committee controlled by a candidate must use the Form 460 to report its campaign activity – the short Form 450 or Form 425 may not be used.

COVER PAGE

Recipient Committee Campaign Statement Cover Page
(Government Code Sections 84200-84216.5)

Type or print in ink.

Date Stamp

CALIFORNIA FORM 460

Page XX of XX

For Official Use Only

SEE INSTRUCTIONS ON REVERSE

A **Statement covers period**
from 7/1/XX
through 12/31/XX

B **Date of election if applicable:**
(Month, Day, Year)

1 **Type of Recipient Committee:** **All Committees – Complete Parts 1, 2, 3, and 4.**

- [x] Officeholder, Candidate Controlled Committee
  - ○ State Candidate Election Committee
  - ○ Recall
  - *(Also Complete Part 5)*
- [ ] General Purpose Committee
  - ○ Sponsored
  - ○ Small Contributor Committee
  - ○ Political Party/Central Committee
- [ ] Primarily Formed Ballot Measure Committee
  - ○ Controlled
  - ○ Sponsored
  - *(Also Complete Part 6)*
- [ ] Primarily Formed Candidate/ Officeholder Committee
  - *(Also Complete Part 7)*

2 **Type of Statement:**

- [ ] Preelection Statement
- [x] Semi-annual Statement
- [ ] Termination Statement
  (Also file a Form 410 Termination)
- [ ] Amendment (Explain below)
- [ ] Quarterly Statement
- [ ] Special Odd-Year Report

3 **Committee Information**

I.D. NUMBER: 12344XX

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)
Manuel Alvarez for Mayor 20XX

STREET ADDRESS (NO P.O. BOX)
225 Presley Street

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Oakmont	CA	95443	707-555-6868

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX
P.O. Box 1744

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Oakmont	CA	95434	707-555-6868

OPTIONAL: FAX / E-MAIL ADDRESS
707-555-6869/mrichards@oakmontmail.com

Treasurer(s)

NAME OF TREASURER
Madeline Richards

MAILING ADDRESS
225 Presley Street

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Oakmont	CA	95443	707-555-6868

NAME OF ASSISTANT TREASURER, IF ANY
Manuel Alvarez

MAILING ADDRESS
225 Presley Street

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Oakmont	CA	95443	707-555-6868

OPTIONAL: FAX / E-MAIL ADDRESS
707-555-6869/mrichards@oakmontmail.com

4 **Verification**

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on [Date Required] (Date) By [Signature Required] (Signature of Treasurer or Assistant Treasurer)

Executed on [Date Required] (Date) By [Signature Required] (Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor)

Executed on _____ (Date) By _____ (Signature of Controlling Officeholder, Candidate, State Measure Proponent)

Executed on _____ (Date) By _____ (Signature of Controlling Officeholder, Candidate, State Measure Proponent)

FPPC Form 460 (January/05)

FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)
State of California

A. Completing the Form 460 Cover Page

A Statement Covers Period

If this is the first statement of the calendar year, the "from" date should be January 1. Otherwise, this date should be the day after the closing date of the most recently filed campaign statement. The closing date depends on the type of statement being filed (e.g., semi-annual, preelection). The period covered will be identified on the filing schedule for the specific election.

B Date of Election

When filing a preelection statement in connection with an election, provide the date of the election.

1 Type of Recipient Committee

Check the appropriate box to indicate the type of committee:

- Officeholder/Candidate Controlled Committee: Complete Cover Page Parts 1, 2, 3, 4, and 5.
- Primarily Formed Candidate/Officeholder Committee: Complete Cover Page Parts 1, 2, 3, 4, and 7.

2 Type of Statement

Check the appropriate box to indicate the type of statement being filed (e.g., semi-annual, preelection).

3 Committee Information and Treasurer(s)

This entire section must be completed and should include the same information as provided on the committee's most recently filed Statement of Organization (Form 410). If the committee has not yet received an identification number from the Secretary of State, enter "pending" in the "I.D. Number" box.

4 Verification

All campaign statements are signed under penalty of perjury and must be verified by the committee treasurer or the assistant treasurer named on the committee's Statement of Organization (Form 410). The verification states that the signer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete. The Form 460 is not considered filed if it is not signed.

If an officeholder or candidate controls the committee, he or she also must sign the verification. If two or three officeholders or candidates control the committee, each of them must sign the verification. If more than three officeholders or candidates control the committee, one may sign the verification on behalf of the others.

Some local agencies may require local candidates and committees to file campaign statements electronically. The electronic filing system must include a procedure for filers to comply with the requirement that they sign the statements under penalty of perjury.

Recipient Committee
Campaign Statement
Cover Page — Part 2

Type or print in ink.

COVER PAGE - PART 2

CALIFORNIA FORM 460

Page XX of XX

5 **Officeholder or Candidate Controlled Committee**

NAME OF OFFICEHOLDER OR CANDIDATE
Manuel Alvarez

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)
Mayor, City of Oakmont

RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) | CITY | STATE | ZIP
4245 McDow Street | Oakmont | CA | 95443

Related Committees Not Included in this Statement: *List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.*

COMMITTEE NAME	I.D. NUMBER
Friends Supporting Alvarez for Mayor 20XX	12399XX
NAME OF TREASURER	CONTROLLED COMMITTEE?
Karen Lucci	☐ YES ☑ NO

COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)
10 Main Street

CITY | STATE | ZIP CODE | AREA CODE/PHONE
Oakmont | CA | 95443 | 707-111-2222

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE?
	☐ YES ☐ NO

COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)

CITY | STATE | ZIP CODE | AREA CODE/PHONE

6 **Primarily Formed Ballot Measure Committee**

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	☐ SUPPORT ☐ OPPOSE

Identify the controlling officeholder, candidate, or state measure proponent, if any.

NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT

OFFICE SOUGHT OR HELD	DISTRICT NO. IF ANY

7 **Primarily Formed Candidate/Officeholder Committee** *List names of officeholder(s) or candidate(s) for which this committee is primarily formed.*

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	☐ SUPPORT ☐ OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	☐ SUPPORT ☐ OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	☐ SUPPORT ☐ OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	☐ SUPPORT ☐ OPPOSE

Attach continuation sheets if necessary

FPPC Form 460 (January/05)
FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)
State of California

B. Completing the Form 460 Cover Page – Part 2

5 Officeholder or Candidate Controlled Committee

Provide the name of the officeholder or candidate controlling the committee and indicate the office sought or held, including the location and district number, if any. If more than one candidate controls the committee, include the required information for all controlling candidates in an attachment.

Related Committees Not Included in this Statement

If the officeholder or candidate controls any other committees (i.e., ballot measure committee, legal defense fund committee, another

election committee), those committees must be listed. If the candidate is aware of any primarily formed committees that exist to receive contributions or to make expenditures on behalf of his or her candidacy, those committees must also be listed.

6 Primarily Formed Ballot Measure Committee

Candidate controlled committees and primarily formed candidate/officeholder committees do not complete Part 6.

7 Primarily Formed Candidate/Officeholder Committee

Provide the name(s) of the officeholder(s) or candidate(s), the office(s) sought or held, and indicate whether the committee is supporting or opposing the officeholder(s) or candidate(s).

Campaign Disclosure Statement
Summary Page

SEE INSTRUCTIONS ON REVERSE

Type or print in ink.
Amounts may be rounded to whole dollars.

SUMMARY PAGE

Statement covers period
from 7/1/XX
through 12/31/XX

CALIFORNIA FORM 460

Page XX of XX

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

1 Contributions Received

		A Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	B Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions	*Schedule A, Line 3*	$ 6,773	$ 100,000
2. Loans Received	*Schedule B, Line 3*	9,000	11,000
3. SUBTOTAL CASH CONTRIBUTIONS	*Add Lines 1 + 2*	$ 15,773	$ 111,000
4. Nonmonetary Contributions	*Schedule C, Line 3*	6,500	6,500
5. TOTAL CONTRIBUTIONS RECEIVED	*Add Lines 3 + 4*	$ 22,273	$ 117,500

2 Expenditures Made

6. Payments Made	*Schedule E, Line 4*	$ 40,950	$ 75,750
7. Loans Made	*Schedule H, Line 3*	1,000	1,000
8. SUBTOTAL CASH PAYMENTS	*Add Lines 6 + 7*	$ 41,950	$ 76,750
9. Accrued Expenses (Unpaid Bills)	*Schedule F, Line 3*	1,550	3,550
10. Nonmonetary Adjustment	*Schedule C, Line 3*	6,500	6,500
11. TOTAL EXPENDITURES MADE	*Add Lines 8 + 9 + 10*	$ 50,000	$ 86,800

3 Current Cash Statement

12. Beginning Cash Balance	*Previous Summary Page, Line 16*	$ 39,500
13. Cash Receipts	*Column A, Line 3 above*	15,773
14. Miscellaneous Increases to Cash	*Schedule I, Line 4*	3,000
15. Cash Payments	*Column A, Line 8 above*	41,950
16. **ENDING CASH BALANCE**	*Add Lines 12 + 13 + 14, then subtract Line 15*	$ 16,323

If this is a termination statement, Line 16 must be zero.

4

17. LOAN GUARANTEES RECEIVED — *Schedule B, Part 2* — $ 10,000

Cash Equivalents and Outstanding Debts

5 18. Cash Equivalents	*See instructions on reverse*	$ 1,000
6 19. Outstanding Debts	*Add Line 2 + Line 9 in Column B above*	$ 14,550

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

	1/1 through 6/30	7/1 to Date
20. Contributions Received	$	$
21. Expenditures Made	$	$

Expenditure Limit Summary for State Candidates

22. Cumulative Expenditures Made*
(If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy)	Total to Date
__/__/__	$
__/__/__	$

*Amounts in this section may be different from amounts reported in Column B.

FPPC Form 460 (January/05)
FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

C. Completing the Form 460 Summary Page

The Summary Page provides an overview of the committee's financial activities, including all contributions received and expenditures made during the period covered by the statement. The Summary Page also includes the cumulative totals for contributions received and expenditures made during the calendar year. Although the Summary Page is located at the beginning of the Form 460, it should be completed last. Totals from certain schedules are carried forward to the Summary Page.

Quick Tip

Complete the Summary Page after all other schedules have been completed. Totals from some of the schedules are carried forward to the Summary Page.

A Column A – Total This Period

This column reflects the committee's activity through the current reporting period as reported on Schedules A through I. If there is no activity to report on a particular schedule, enter a zero or the word "none" on the appropriate line in Column A. There should be no blank lines.

B Column B – Total to Date

This column generally reflects the cumulative totals since January 1 of the current calendar year. However, there is an exception if a committee is required to file a preelection statement in one year in connection with an election held in another year, such as elections held in January or early February. In this case, the cumulation period begins on January 1 of the year before the election and ends on the closing date of the semi-annual statement filed after the election.

Add the totals from Column B of the committee's last campaign statement (if any) to the corresponding amounts in Column A to calculate the Column B totals for the current statement. If this is the first report being filed for a calendar year, only carry forward the amounts for loans and accrued expenses reported on Lines 2, 7, and 9 of Column B from the committee's last statement. (Note: The amounts reported on Lines 2, 7, and 9 of Column B should be the same as the total outstanding amounts disclosed in column (d) of Schedules B, H, and F, respectively, of the current report.)

When loans (Schedules B and H) and accrued expenses (Schedule F) are paid, the figures to be carried forward from the schedules to Lines 2, 7, and 9 of Column A may be negative numbers. In this case, be sure to show them as negative figures on the Summary Page (e.g., with a minus sign (-) or in parentheses), and subtract them when totaling Columns A and B.

Quick Tip

Loans and accrued expenses must be reported on each campaign statement until the amounts are paid off or forgiven.

1 Lines 1-5 (Contributions Received)

Collectively, these lines represent contributions received: monetary, nonmonetary, and loans.

2 Lines 6-11 (Expenditures Made)

Collectively, these lines represent expenditures made: payments, loans made, accrued expenses (bills that are still outstanding), and nonmonetary adjustments.

3 Lines 12-16 (Current Cash Statement)

The Current Cash Statement section should accurately reflect the committee's cash condition position at the end of the reporting period. If deposits or expenditures have been made that have not cleared the bank account, the committee's bank balance may not match the ending cash balance.

Beginning and ending cash balances should include the total amount of funds in the committee's campaign checking and savings accounts, plus any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks and bonds, etc.

Line 12 (Beginning Cash Balance)

The beginning cash balance must be the same as the ending cash balance reported on Line 16 of the previously filed statement. If this is the first statement of the calendar year and no previous statement has been filed but money was raised or spent in the previous reporting period, enter the amount of cash on hand on December 31. Otherwise, enter zero.

Line 13 (Cash Receipts)

This amount represents the total of all monetary contributions and loans received during the reporting period. Nonmonetary contributions should not be included.

Line 14 (Miscellaneous Increases to Cash)

This amount represents increases to the committee's cash position that are not contributions, loans, or repayments of loans made to others. Miscellaneous increases to cash include, for example, interest received from a bank account, refunds received from vendors, and proceeds from the sale of campaign property or auction items. The amount is carried forward from Schedule I.

Together, Lines 13 and 14 reflect all money that has been received during the current reporting period.

Line 15 (Cash Payments)

This amount represents the total amount the committee has spent during the reporting period, including loans made and any accrued expenses paid.

Line 16 (Ending Cash Balance)

This amount represents the total of Lines 12, 13, and 14 minus Line 15. The amount reported on Line 16 must equal the total amount of cash the committee has in its campaign bank account and the amount of all funds held in interest bearing accounts, certificates of deposit, money market accounts, shares in government bonds, or any other investments that can be readily converted to cash.

If this is a termination statement, Line 16 must be zero.

4 Line 17 (Loan Guarantees Received)

This amount represents the total of all loan guarantees, endorsements, or security received during the period. The amount is carried forward from Schedule B, Part 2.

5 Line 18 (Cash Equivalents)

This amount includes investments that cannot be readily converted to cash, as well as the balance due on all outstanding loans the committee has made to others.

Do not include any amount that is invested in interest bearing accounts, certificates of deposit, money market accounts, or any other investments that can be readily converted to cash. These amounts should be part of the ending cash figure reported on Line 16.

6 Line 19 (Outstanding Debts)

This amount is the total of all money owed by the committee. Using Column B, add Line 2 (loans received) and Line 9 (accrued expenses).

Lines 20, 21, & 22

These lines are for certain state candidates only. Local committees do not complete these sections.

Answering Your Summary Page Questions

A. Is there any circumstance where Line 16, Ending Cash Balance, would be a negative amount?

If you report a negative amount on Line 16, this means that either you have made a mathematical error in your calculations or the committee's bank account is overdrawn. Rounding off also may cause a small negative in the cash on hand balance.

B. Is there any circumstance where an amount in Column A would be negative?

Yes. When loans and accrued expenses are paid down, the amount reflected in Column A may be a negative amount.

C. What should I do if I am unable to balance my accounting records by the filing deadline?

Since the Political Reform Act does not provide for filing deadline extensions, complete the form as accurately as you can and file by the deadline. You should file an amendment with the corrections as soon as possible.

D. What is the most common mistake made on the Form 460 Summary Page?

Loan repayments are often reported twice, once on Schedule B and again on Schedule E. When the committee makes a loan repayment, it should only be reported on Schedule B.

D. General Rules for Reporting Contributions Received on Schedule A

Chapter 3 provides detailed information on the following topics, as well as other contribution reporting rules. The information below is a short summary of some of the most common reporting rules.

$5,000 Contributor – Major Donor Notice

If contributions totaling $5,000 or more are received from a single source in a calendar year, a "major donor" notice must be sent to the contributor within two weeks. If a contribution of $10,000 or more is received from a single source within 90 days before the election or on the date of the election, the notice must be sent within one week. Do not send the notice if the contribution is from another recipient committee.

Joint Checking Account

If a check is received that is imprinted with two individuals' names, report the contribution from the person who signed the check. However, if both individuals signed the check, or one signed the check but both have signed an accompanying document indicating that the contribution is from both, then report 50 percent of the contribution amount from one individual and 50 percent from the other, unless the document attributes specific amounts to each contributor.

Ex 8.1 -Sarah Gomez made a $500 contribution to your committee and notified you that she would later be reimbursed by her employer, Hilltop Dairy. Your committee will report Hilltop Dairy as the source of the contribution and must also disclose Sarah as the intermediary.

Intermediary

If a contribution of $100 or more is received from a person who is acting as an intermediary for the true source of the contribution, disclose both the true source of the contribution and the intermediary. Failure to report the true source of a contribution is a serious violation of the Political Reform Act.

Contributions from Family Trusts

If a contribution is received from a family trust account, it is attributed to the person who directed the contribution.

Aggregating Contributions

There are a variety of situations in which contributions from two or more contributors must be aggregated for reporting purposes. For example, when an individual who is the sole proprietor of a company makes a contribution from company funds and another contribution from personal funds, these contributions are added together for reporting purposes. Additional information and several examples are included in Chapter 3.

If contributions that must be aggregated are received from a major donor (i.e., an individual or business entity that makes contributions totaling $10,000 or more in a calendar year), the major donor must notify each committee to which it makes a contribution of the name under which the major donor is filing its campaign statement (Form 461). When reporting the contribution received, the recipient of the contribution must identify the name under which the major donor is filing its Form 461 and the name of the contributor, if it is different.

Ex 8.2 -Temple Construction is a subsidiary of Temple Enterprises. Contributions made by the two entities must be aggregated and they qualify as a major donor. Your committee receives a contribution from Temple Construction. Temple Construction is required to notify you that its contribution is reported on a campaign statement filed under the name of Temple Enterprises. Your committee must identify both names on its report and, if you receive contributions from both entities, the contributions must be aggregated for purposes of reporting cumulative amounts.

Contributor Information

If a committee receives a contribution of $100 or more, but does not receive the required contributor information (name, address, and if the contributor is an individual, his or her occupation and employer) within 60 days of receiving the contribution, the committee must return the contribution to the contributor. Contributions may be deposited in the committee's bank account pending receipt of the information, in which case they must be reported on the next campaign statement (Form 460) filed. The campaign statement must be amended within 70 days from its closing date to disclose the missing contributor information, unless the contribution was returned to the donor.

See the chart below for examples of acceptable ways to report an individual's occupation and employer.

Individual Donor Information

(Contributors of $100 or more)

Complete

- Retired
- Consultant, A Better Business Agency
- Self-Employed, No Separate Business Name
- Homemaker or Student
- Private Investor: stocks & bonds
- Lawyer, Ortiz & Smith

Incomplete

- Manager
- Next Door Neighbor
- Friend
- ABBA (no acronyms)
- Business Person
- Entrepreneur
- Investor

Contributions of $100 or more **must be returned within 60 days** if individual's name, street address, occupation, and employer are not obtained.

Calendar Year Cumulation Exception

The cumulation period for a statement is generally January 1 through December 31 of the current calendar year. However, there is an exception if a committee is required to file a preelection statement in one calendar year in connection with an election held in the next calendar year, such as elections held in January or early February. In this case, the cumulation period begins on January 1 of the year before the election and ends on the closing date of the semi-annual statement filed after the election.

Ex 8.3 - A city calls a February 4 special election to fill a vacant city council position. Candidates running in the February 4 election are required to file two preelection statements in connection with the election. The first preelection statement is due in December of the year prior to the year in which the election will be held. In this case, the cumulation period begins on January 1 of the year before the election and ends on the closing date of the semi-annual statement filed after the election.

Returned Contributions

Not Deposited: A contribution need not be reported if it is not cashed, negotiated, or deposited and is returned to the contributor before the closing date of the campaign statement on which it would otherwise be reported. A contribution of $1,000 or more received in the 90 days prior to the election, or on the date of the election, need not be reported if it is not cashed, negotiated, or deposited and is returned to the contributor within 24 hours of receipt.

Deposited, Negotiated, or Returned After Closing Date: A contribution that is cashed, negotiated, or deposited, and is not returned prior to the closing date of the campaign statement, must be reported on Schedule A. If the contribution is returned within 30 days

of receipt, and within the reporting period, the return may be shown as a negative figure on Schedule A. Otherwise, the return of the contribution must be reported on Schedule E.

Returned for Insufficient Funds: If the committee deposits a check and the check is returned from the bank due to insufficient funds, both the receipt and the return of the contribution may be reported on Schedule A (the return will be reported as a negative amount) if the committee returns the check to the contributor during the same reporting period. Otherwise, the return of the contribution must be reported on Schedule E.

Transfers

If campaign funds are transferred from one of a candidate's controlled local election committees to another, the transfer is reported by the receiving committee on Schedule I, not on Schedule A.

Enforceable Promises

If a contribution is received in the form of an "enforceable promise" that has not been paid during the period, report the contribution as a memo entry on Schedule A.

Disclose the date of the promise, all of the required information about the contributor, and the amount promised, but do not include the amount in the summary totals. When the contributor makes the actual payment, fully disclose the contribution on Schedule A, if the payment is made to the committee, or on Schedule C, if the contributor pays the vendor directly, and include the amount in the appropriate summary section.

Installment Payments

Contributions may be received as installment payments made at regular intervals over a period of time via credit card, debit card, wire transfer, or similar electronic means. When a contributor authorizes a series of installment payments, the contribution is reported as received when the committee, or agent of the committee, obtains possession or control of the funds for each installment payment.

Schedule A
Monetary Contributions Received

Type or print in ink.
Amounts may be rounded to whole dollars.

SCHEDULE A

Statement covers period
from 7/1/XX
through 12/31/XX

CALIFORNIA FORM 460

Page XX of XX

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

1 DATE RECEIVED	2 FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	3 CONTRIBUTOR CODE *	4 IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	5 AMOUNT RECEIVED THIS PERIOD	6 CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	7 PER ELECTION TO DATE (IF REQUIRED)
9/2/XX	Joey's Super Market 500 North Mesa Street Oakmont, CA 95443	☐IND ☐COM ☑OTH ☐PTY ☐SCC		$5,000	$5,000	
10/15/XX	Martin Developers 1650 Wingfield Road Oakmont, CA 95443	☐IND ☐COM ☑OTH ☐PTY ☐SCC		$198	$198	
	Intermediaries: Marcus Brown $99 325 Richmond Road, Oakmont, CA 95443	☑IND ☐COM ☐OTH ☐PTY ☐SCC	Bookkeeper, Martin Developers			
	Ashley Green $99 448 Harbor Drive Oakmont, CA 95443	☑IND ☐COM ☐OTH ☐PTY ☐SCC	Sales Representative, Martin Developers			
12/15/XX	Angel Trujillo 6688 Fourth Avenue Oakmont, CA 95443	☑IND ☐COM ☐OTH ☐PTY ☐SCC	Requested	$75	$300	
			SUBTOTAL $	5,273		

8 Schedule A Summary

1. Amount received this period – itemized monetary contributions. (Include all Schedule A subtotals.) ..... $ 5,273
2. Amount received this period – unitemized monetary contributions of less than $100 ..... $ 1,500
3. Total monetary contributions received this period. (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) ..... **TOTAL $** 6,773

*Contributor Codes
IND – Individual
COM – Recipient Committee (other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

FPPC Form 460 (January/05)
FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

E. Completing the Form 460 Schedule A (Monetary Contributions Received)

Schedule A is used to report monetary contributions received by the committee, except for loans received, which are reported on Schedule B. Payments received for repayments on loans made to others are reported on Schedule H. Payments received that are not contributions, loans, or repayments of loans made to others, are reported as miscellaneous increases to cash on Schedule I.

1 Date Received

Enter the date the committee obtained possession or control of the contribution. For instance, in the case of a check, report the date the check was received, which may differ from the date the check was written and the date the check was deposited.

For contributions received by electronic transaction (such as credit card, debit account, or wire transfer, including those received over the Internet), report the date the committee received or had control of the credit/debit account information or other payment information, or the date the committee received or had control of the funds, whichever is earlier. Chapter 2 provides several examples of different types of contributions and when they are deemed "received."

2 Contributor Information

Itemize persons that have contributed to the committee a cumulative amount of $100 or more during the calendar year. Provide each contributor's full name, street address, city, state, and zip code. **Note:** Many local agencies require itemization at a lower threshold so check with your elections office.

If the contributor is a recipient committee, report that committee's identification number. If an identification number has not yet been assigned or is unknown, report the full name, street address, city, state, and zip code of that committee's treasurer.

If a contribution is received through an intermediary, provide the name, street address, city, state, zip code, and, if applicable, occupation and employer, of both the intermediary and the true source of the contribution. (See Chapter 3.)

Ex 8.4 - Wade Murphy contributed $25 to your committee during the first reporting period of the calendar year. On your committee's first campaign statement, Wade's contribution was not required to be itemized. During the second reporting period, Wade contributed $99 to your committee. Since his cumulative contributions for the calendar year are now $100 or more, Wade must be itemized on the next campaign statement. The $99 contribution will be reported under "amount received this period" and $124 will be reported as the "cumulative to date" total. His name, address, occupation, and employer must also be disclosed.

3 Contributor Code

For each itemized contributor, check the appropriate box to indicate whether the contributor is an individual, a committee, "other" (such as a business entity), or a political party. (The code "SCC" is for small contributor committees and is applicable only to state candidates and committees.)

4 Occupation and Employer Information

If the contributor is an individual, provide the individual's occupation and the name of his or her employer. If the individual is self-employed, provide the name of his or her business. Do not leave this column blank. If the information has not yet been obtained, enter "requested" or similar language and amend Schedule A when the information has been received.

As explained in Chapter 2, a contribution of $100 or more must be returned if the contributor's name, street address, and if the contributor is an individual, his or her occupation and employer are not in the committee's records within 60 days of receipt of the contribution.

5 Amount Received This Period

Report the amount of the contribution.

6 Cumulative to Date

Enter the cumulative amount of contributions (including monetary contributions, nonmonetary contributions, loans, and loan guarantees) received from the contributor. Contributions from a single source are generally cumulated from January 1 through December 31 of the current calendar year. However, there is an exception to calendar year cumulation if the committee is required to file a preelection statement in one calendar year in connection with an election held in the next calendar year. See "Calendar Year Cumulation Exception" under Section D., General Rules for Reporting Contributions Received on Schedule A.

The amount listed in the "Cumulative to Date Calendar Year" column will differ from the "Amount Received This Period" column if the committee has received other contributions, including nonmonetary contributions, loans, or loan guarantees from the same source during the calendar year. Once a committee has received $100 or more from a contributor in a calendar year, all future contributions received from that contributor in that calendar year, regardless of the amount, must be itemized.

Quick Tip

Once a committee has received $100 or more from a contributor in a calendar year, all future contributions received from that contributor in that calendar year, regardless of the amount, must be itemized.

7 Per Election to Date

The “Per Election to Date” column is generally for state candidates and committees that are subject to contribution limits. The Political Reform Act does not contain contribution limits for local candidates and committees; however, local ordinances may include limits and other restrictions and reporting requirements. Local candidates and committees should check with the local elections office about reporting obligations under local laws.

8 Schedule A Summary

Complete the Schedule A Summary section by entering the total amount of itemized contributions ($100 or more) received this period on Line 1 and the total amount of unitemized contributions (less than $100) received this period on Line 2. Add Lines 1 and 2 and enter that amount on Line 3. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Line 2.

SCHEDULE B - PART 1

Schedule B – Part 1
Loans Received

Type or print in ink.
Amounts may be rounded to whole dollars.

Statement covers period
from 7/1/XX
through 12/31/XX

CALIFORNIA FORM **460**

Page XX of XX

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

1 FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	2 IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	a (a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	b (b) AMOUNT RECEIVED THIS PERIOD	c (c) AMOUNT PAID OR FORGIVEN THIS PERIOD *	d (d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	e (e) INTEREST PAID THIS PERIOD	f (f) ORIGINAL AMOUNT OF LOAN	g (g) CUMULATIVE CONTRIBUTIONS TO DATE
American Credit Union 350 South Park Street Oakmont, CA 95443 †☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		$ -0-	$ 10,000	☐ PAID $ -0- ☐ FORGIVEN $ -0-	$ 10,000 7/1/XX DATE DUE	5 % RATE $ 250	$ 10,000 7/1/XX DATE INCURRED	CALENDAR YEAR $ N/A PER ELECTION ** $ N/A
Manuel Alvarez 4245 McDow Street Oakmont, CA 95443 †☑ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC	Editor, Oakmont Weekly	$ 2,000	$ -0-	☑ PAID $ 1,000 ☐ FORGIVEN $ -0-	$ 1,000 N/A DATE DUE	-0- % RATE $ -0-	$ 2,000 1/15/XX DATE INCURRED	CALENDAR YEAR $ 2,000 PER ELECTION ** $ N/A
	SUBTOTALS	$ 10,000	$ 1,000	$ 11,000	$ 250 (Enter (e) on Schedule E, Line 3)			

3 Schedule B Summary

1. Loans received this period ..... $ 10,000
   (Total Column (b) plus unitemized loans of less than $100.)
2. Loans paid or forgiven this period ..... $ 1,000
   (Total Column (c) plus loans under $100 paid or forgiven.)
   (Include loans paid by a third party that are also itemized on Schedule A.)
3. Net change this period. (**Subtract** Line 2 from Line 1.) ..... **NET** $ 9,000
   (May be a negative number)
   Enter the net here and on the Summary Page, Column A, Line 2.

†Contributor Codes
IND – Individual
COM – Recipient Committee (other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

*Amounts forgiven or paid by another party also must be reported on Schedule A.
** If required.

FPPC Form 460 (January/05
FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

F. Completing the Form 460 Schedule B – Part 1 (Loans Received)

Schedule B is used to report activity on loans received by the committee. Outstanding loans are reported on each campaign statement until they are paid off or forgiven. Schedule B has two parts:

- Part 1 lists loans received or outstanding, and the repayment, forgiveness, or payment by a third party of a loan previously received.
- Part 2 lists information about loan guarantors, if any.

Quick Tip

If the committee has drawn on a line of credit, it is reported as a loan.

1 Lender Information and Contributor Code

Provide the full name, street address, city, state, and zip code, of each lender of $100 or more. For each itemized lender, check the appropriate box to indicate whether the lender is an individual, a committee, "other" (such as a business entity), or a political party. (The code "SCC" is for small contributor committees and is applicable only to state candidates and committees.)

Financial Institution

If a financial institution (i.e., bank or credit union) has made a loan to the committee, or the committee has drawn on a line of credit from a financial institution, report the institution as the lender, even if the candidate has established the line of credit.

Quick Tip

A loan received from a commercial lending institution in the normal course of business is reportable on Schedule B but is not considered a contribution. Contributor codes and cumulative amounts are only required for loans that are contributions.

2 Individual Lender

If the lender is an individual (including a candidate or officeholder using personal funds to make a loan to his or her committee), provide the individual's occupation and the name of his or her employer. If the individual is self-employed, provide the name of his or her business. Do not leave this column blank. If this information has not yet been obtained, enter "requested" or similar language and amend Schedule B, Part 1, when the information is received. (See Chapter 2 for information about the requirement to return contributions/loans if the name, address, occupation, or employer information is not received.)

Quick Tip

A candidate or officeholder who deposits personal funds into his or her own campaign bank account may report the funds as a loan on Schedule B or as a contribution on Schedule A.

Quick Tip

Report each loan separately, even if the committee has received more than one loan from a single source.

Loan Amounts

a Outstanding Balance Beginning This Period

Enter the outstanding loan balance at the beginning of this reporting period (Column (d) of the last report filed). If the loan was received this period, enter zero.

b Amount Received This Period

Enter the amount received from the lender during this reporting period. If this loan was received in a previous reporting period, enter zero.

c Amount Paid or Forgiven This Period

Enter the amount of any reduction of the loan during this reporting period. Check the appropriate box to indicate whether the reduction was a payment or forgiveness. When the lender forgives all or part of a loan, or a third party makes a payment on a loan, also report the lender or third party on Schedule A as a contributor. Enter zero if no payments were made during this reporting period.

d Outstanding Balance at Close of This Period

Enter the outstanding balance of the loan at the close of this reporting period. Enter the due date, if any.

e Interest Paid This Period

Enter the interest rate and the amount of interest paid on the loan during this reporting period. If the lender is not charging interest, indicate "none" on the "interest rate" line. Interest paid is reported separately from payments made on the loan principal. Interest payments are also transferred to the Schedule E Summary.

f Original Amount of Loan

Enter the original amount of the loan and the date it was received. If this is the first time the loan is being reported, this is the same amount as reported in Column (b).

g Cumulative Contributions to Date

Enter the cumulative amount of contributions (including loans, loan guarantees, monetary and nonmonetary contributions) received from the lender. Contributions from a single source are generally cumulated from January 1 through December 31 of the current calendar year. However, there is an exception to calendar year cumulation if the committee is required to file a preelection statement in one calendar year in connection with an election held in the next calendar year. See "Calendar Year Cumulation Exception" under Section D., General Rules for Reporting Contributions Received on Schedule A.

The “Per Election to Date” column is generally for state candidates and committees that are subject to contribution limits. The Political Reform Act does not contain contribution limits for local candidates and committees; however, local ordinances may include limits and other restrictions and reporting requirements. Local candidates and committees should check with the local elections office about reporting obligations under local laws.

3 Schedule B Summary

Complete the Schedule B Summary by entering the total amount of loans **received** this period on Line 1 and the total amount of loans **paid or forgiven** on Line 2. Subtract Line 2 from Line 1 and enter the difference (net change this period) on Line 3. The amount on Line 3 will be a negative amount when the loans paid or forgiven this period are more than the amount of new loans received. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Line 2.

Outstanding Loans Received (Summary Page – Column B, Line 2)

Loans received are carried forward on future statements until they are paid off or forgiven. To determine the amount for Column B, Line 2 of the overall Summary Page, add the amount from Column A, Line 2 of this statement to the amount of Column B, Line 2 of the previous statement. If the amount in Column A, Line 2 is a negative number, subtract it from the amount in Column B, Line 7 of the previous statement.

SCHEDULE B - PART 2

Schedule B – Part 2
Loan Guarantors

Type or print in ink.
Amounts may be rounded to whole dollars.

Statement covers period
from 7/1/XX
through 12/31/XX

CALIFORNIA FORM 460

Page XX of XX

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

1 FULL NAME, STREET ADDRESS AND ZIP CODE OF GUARANTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	2 CONTRIBUTOR CODE	3 IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	4 LOAN	5 AMOUNT GUARANTEED THIS PERIOD	6 CUMULATIVE TO DATE	7 BALANCE OUTSTANDING TO DATE
Joseph Alvarez 445 C Street Oakmont, CA 95443	☑ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC	Realtor, Alvarez and Mitchell Realty	LENDER: American Credit Union DATE: 7/1/XX	$10,000	CALENDAR YEAR $ 10,000 PER ELECTION (IF REQUIRED) $ N/A	$10,000
			SUBTOTAL $	10,000	Enter on Summary Page, Line 17 only.	

G. Completing the Form 460 Schedule B – Part 2 (Loan Guarantors)

1 Guarantor Information

If someone other than the controlling candidate co-signs, endorses, or provides security for a loan of $100 or more, enter the full name, street address, city, state, and zip code, of the guarantor.

Lines of Credit

If a third party establishes a line of credit of $100 or more for the committee, enter the third party's full name, street address, city, state, and zip code, as the guarantor.

2 Contributor Code

For each itemized guarantor, check the appropriate box to indicate whether the guarantor is an individual, committee, "other" (i.e., business entity), or a political party. (The code "SCC" is for small contributor committees and is applicable only to state candidates and committees.)

3 Individual Loan Guarantor

If the guarantor is an individual, provide the individual's occupation and the name of his or her employer. If the individual is self-employed, provide the name of his or her business. Do not leave this column

blank. If this information has not yet been obtained, enter "requested" or similar language and amend Schedule B, Part 2, when the information is received.

4 Loan/Lender

Enter the name of the lender or the entity at which a line of credit was established and the date of the loan or the date the line of credit was established.

5 Amount Guaranteed This Period

Enter the amount guaranteed this period, if applicable. For lines of credit, enter the full amount established or secured by the guarantor during the period. (Report amounts **drawn** on a line of credit on Schedule B — Part 1.)

6 Cumulative to Date

Enter the cumulative amount of contributions (including loans, loan guarantees, monetary and nonmonetary contributions) received from the guarantor. Contributions from a single source are generally cumulated from January 1 through December 31 of the current calendar year. However, there is an exception to calendar year cumulation if the committee is required to file a preelection statement in one calendar year in connection with an election held in the next calendar year. See "Calendar Year Cumulation Exception" under Section D., General Rules for Reporting Contributions Received on Schedule A.

Quick Tip

Loan guarantees are not included in the Schedule B Summary, but are carried forward in a lump sum to Line 17 of the overall Summary Page.

The "per election" information is generally only required for state candidates and committees that are subject to contribution limits. The Political Reform Act does not contain contribution limits for local candidates and committees; however, local ordinances may include limits and other restrictions and reporting requirements. Local candidates and committees should check with the local elections office about reporting obligations under local laws.

7 Balance Outstanding to Date

Report the outstanding balance for which the guarantor is liable at the close of the reporting period.

H. General Rules for Reporting Nonmonetary Contributions Received on Schedule C

Schedule C is used to report nonmonetary contributions received by the committee. Nonmonetary contributions are goods or services provided to the committee for which it does not pay the fair market value.

The fair market value is the amount the committee would pay for the goods or services on the open market – whatever it would cost any member of the general public to obtain the same goods or services. (See Chapter 3 for assistance in determining the fair market value of a nonmonetary contribution.)

Ex 8.5 - A restaurant donates food for a committee fundraiser. The cost of the food if purchased by the committee would be $1,000. The committee must report $1,000 as the fair market value of the contribution even though the cost to the restaurant was less than the fair market value.

Examples of Nonmonetary Contributions

- Items donated for a garage sale, raffle, or auction.
- Poll results.
- Signs, postage, and printing.
- Food and entertainment provided for a fundraiser.
- Discounts or rebates that are not extended to the general public.
- Mailing lists, mailings, and other advertising.
- Forgiveness of an accrued expense by the creditor.
- Use of an office, automobile, or airplane.
- Mail production, postage, printing, shipping, data and graphics.
- Phone banking and public communications.
- Media consulting services.
- Video services.
- Staff time and expenses.
- Banner ads.

- Precinct walking and door hangers.
- Food for volunteers.
- Slate mailer/slate cards.
- Campaign materials, flyers for rally, buttons, t-shirts.
- Corporate stock.
- Compensation paid by an employer to an employee who spends more than 10 percent of his or her compensated time in a calendar month working on campaign activities for one or more campaigns. Compensation includes gross wages paid and any benefits in lieu of wages, such as stock options or an annuity purchase. Compensation does not include standard benefits, such as the employer's payments to a retirement or health plan.

(See Chapter 3 for exceptions, such as volunteer personal services, home/office fundraisers, and member communications.)

Quick Tip

If corporate stock is received as a contribution, the amount reported on Schedule C is the value listed on the stock exchange on the date of receipt. When the stock is sold, the proceeds are reported on Schedule I as a miscellaneous increase to cash. See Chapter 3 for additional information.

Schedule C
Nonmonetary Contributions Received

Type or print in ink. Amounts may be rounded to whole dollars.

SCHEDULE C

Statement covers period
from 7/1/XX
through 12/31/XX

CALIFORNIA FORM 460

Page XX of XX

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

1 DATE RECEIVED	2 FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	3 CONTRIBUTOR CODE *	4 IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	5 DESCRIPTION OF GOODS OR SERVICES	6 AMOUNT/ FAIR MARKET VALUE	7 CUMULATIVE TO DATE CALENDAR YEAR (JAN 1 - DEC 31)	8 PER ELECTION TO DATE (IF REQUIRED)
9/25/XX	Genesis Insurance Company 850 F Street Oakmont, CA 95443	☐IND ☐COM ☑OTH ☐PTY ☐SCC		Fundraising Expenses	$1,500	$1,500	N/A
10/1/XX	Citizens for Improving Oakmont (ID 11678XX) 1275 Main Street, Oakmont, CA 95443	☐IND ☑COM ☐OTH ☐PTY ☐SCC		Employee Compensation for Campaign Activities	$5,000	$5,000	N/A

Attach additional information on appropriately labeled continuation sheets. **SUBTOTAL $** 6,500

9 Schedule C Summary

1. Amount received this period – itemized nonmonetary contributions. (Include all Schedule C subtotals.) ..... $ 6,500
2. Amount received this period – unitemized nonmonetary contributions of less than $100 ..... $ -0-
3. Total nonmonetary contributions received this period. (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Lines 4 and 10.) ..... **TOTAL $** 6,500

*Contributor Codes
IND – Individual
COM – Recipient Committee (other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

I. Completing the Form 460 Schedule C (Nonmonetary Contributions Received)

1 Date Received

A nonmonetary contribution is received on the earlier of the following:

- The date that funds are expended by the contributor for the goods or services;
- The date that the candidate or committee obtains possession or control of the goods or services; or
- The date the committee receives the benefit of the expenditure.

Ex 8.6 - A general purpose committee, in coordination with your committee, printed a brochure advocating your election to the school board. The committee delivered the brochures to your committee headquarters on February 22 and paid the printing bill on March 15. Your committee received the nonmonetary contribution on February 22.

2 Contributor Information

Itemize persons who have contributed to the committee a cumulative amount of $100 or more during the calendar year. Provide each contributor's name, street address, city, state, and zip code. Remember to maintain the names and addresses of contributors of $25 or more in your records. (See Chapter 2.)

3 Contributor Code

For each itemized guarantor, check the appropriate box to indicate whether the guarantor is an individual, committee, "other" (i.e., business entity), or a political party. (The code "SCC" is for small contributor committees and is applicable only to state candidates and committees.)

4 Occupation and Employer

If the contributor is an individual, provide the individual's occupation and the name of his or her employer. If the individual is self-employed, provide the name of his or her business. Do not leave this column blank. If this information has not yet been obtained, enter "requested" or similar language and amend Schedule C when the information has been received.

5 Description of Goods or Services

Provide a brief description of the goods or services received.

6 Amount/Fair Market Value

Report the value of the nonmonetary contribution received.

7 Cumulative to Date

Enter the cumulative amount of contributions (including loans, loan guarantees, monetary and nonmonetary contributions) received from the contributor. Contributions from a single source are generally cumulated from January 1 through December 31 of the current calendar year. However, there is an exception to calendar year cumulation if the committee is required to file a preelection statement in one calendar year in connection with an election held in the next calendar year. See "Calendar Year Cumulation Exception" under Section D., General Rules for Reporting Contributions Received on Schedule A.

Quick Tip

If an individual donates his or her personal or professional services to a campaign (including his or her travel expenses), no contribution has been made or received as long as the individual is not paid or reimbursed.

8 Per Election to Date

The "Per Election to Date" column is generally for state candidates and committees that are subject to contribution limits. The Political Reform Act does not contain contribution limits for local candidates and committees; however, local ordinances may include limits and other restrictions and reporting requirements. Local candidates and committees should check with the local elections office about reporting obligations under local laws.

9 Schedule C Summary

Complete the Schedule C Summary section by entering the total amount of itemized nonmonetary contributions ($100 or more) received this period on Line 1 and the total amount of unitemized nonmonetary contributions (less than $100) received this period on Line 2. Add Lines 1 and 2 and enter the total on Line 3. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Lines 4 and 10. **Reminder:** Once a contributor has contributed $100 or more in a calendar year, all future contributions received from that person, regardless of the amount, must be itemized.

Answering Your Nonmonetary Contributions Questions

A. What is the value of the time provided by a graphic artist who volunteers to design a logo for my committee?

The artist's time is not reportable if it constitutes volunteer personal services. But, if the artist is an employee of a business and spends more than 10 percent of his or her compensated time in a calendar month working on the design, the paid compensation becomes a nonmonetary contribution from the artist's employer.

B. How do I determine the fair market value of a mailing list provided by another committee?

The most common way for a committee to determine the value is to contact a business from which a similar mailing list may be obtained.

C. Before I was aware that I must deposit personal funds used for campaign purposes into my campaign bank account, I made some purchases for letterhead, signs and mailing lists from my personal funds. I do not plan to be reimbursed for the purchases. Must I report a nonmonetary contribution?

Yes. The Act requires a candidate to deposit personal funds into the campaign bank account prior to using the funds for campaign expenditures. This provides a clear audit trail of campaign expenditures. However, when campaign expenditures are made with personal funds, the payments must still be reported. Since you will not be reimbursed, the amount of personal funds used should be reported on Schedule C as nonmonetary contributions. Purchases of $100 or more must be itemized.

J. General Rules for Reporting Expenditures Supporting/ Opposing Other Candidates, Measures, and Committees on Schedule D

Schedule D provides a summary of payments reported on Schedules E, F, and H that are contributions or independent expenditures to support or oppose other candidates, measures, and committees. Such payments include:

- Monetary contributions or loans to other candidates and committees.
- Payments to vendors for goods or services for other candidates and committees (nonmonetary contributions).
- Donations to other candidates and committees of goods on hand, or the payment of salary or expenses for a campaign employee who spends more than 10 percent of his or her compensated time in a calendar month on campaign activities for other candidates or committees (nonmonetary contributions).

- Payments for communications (e.g., mailings, billboards, radio ads) that expressly advocates support of or opposition to a clearly identified candidate or ballot measure, but the payments are not made to, or at the behest of, the candidate or ballot measure committee (independent expenditures).

Candidate Controlled Committees

Payments made to support the controlling candidate's own candidacy, or to oppose the candidate's opponent(s), are not reported on Schedule D. These payments are direct campaign expenditures and are reported only on Schedule E.

If, during a calendar year, an officeholder or candidate uses **personal** funds to make contributions of $10,000 or more, or independent expenditures of $1,000 or more, to support or oppose **other** officeholders, candidates, committees, or ballot measures (including a controlled ballot measure committee), the candidate must file a Major Donor and Independent Expenditure Committee Campaign Statement (Form 461). These payments are not reported on Schedule D.

Primarily Formed Committees

Payments made for communications that support or oppose the candidate for which the committee is primarily formed are required to be reported on Schedule D as either contributions or independent expenditures, depending on whether the payments were made at the behest of the candidate. These payments are also reported on Schedule E or F.

Schedule D
Summary of Expenditures Supporting/Opposing Other Candidates, Measures and Committees

SEE INSTRUCTIONS ON REVERSE

Type or print in ink. Amounts may be rounded to whole dollars.

SCHEDULE D
CALIFORNIA FORM 460

Statement covers period
from 7/1/XX
through 12/31/XX

Page XX **of** XX

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

1 DATE	2 NAME OF CANDIDATE, OFFICE, AND DISTRICT, OR MEASURE NUMBER OR LETTER AND JURISDICTION, OR COMMITTEE	3 TYPE OF PAYMENT	4 DESCRIPTION (IF REQUIRED)	5 AMOUNT THIS PERIOD	6 CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	7 PER ELECTION TO DATE (IF REQUIRED)
10/1/XX	Committee for Bike Lanes in Oakmont Yes on Measure E (ID 12456XX) City of Oakmont ☑ Support ☐ Oppose	☑ Monetary Contribution ☐ Nonmonetary Contribution ☐ Independent Expenditure	Loan	$1,000	$1,000	N/A
10/12/XX	Del Norte County Independent Central Committee (ID 11852XX) ☑ Support ☐ Oppose	☑ Monetary Contribution ☐ Nonmonetary Contribution ☐ Independent Expenditure		$500	$500	N/A
	☐ Support ☐ Oppose	☐ Monetary Contribution ☐ Nonmonetary Contribution ☐ Independent Expenditure				
			SUBTOTAL $	1,500		

8 Schedule D Summary

1. Itemized contributions and independent expenditures made this period. (Include all Schedule D subtotals.) ..... $ 1,500
2. Unitemized contributions and independent expenditures made this period of under $100 ..... $ -0-
3. Total contributions and independent expenditures made this period. (Add Lines 1 and 2. Do not enter on the Summary Page.) ..... **TOTAL $** 1,500

FPPC Form 460 (January/05)
FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

K. Completing the Form 460 Schedule D (Summary of Expenditures Supporting/Opposing Other Candidates, Measures and Committees)

1 Date

Report the date the contribution or independent expenditure was made. A monetary contribution is made on the date it is mailed, delivered, or otherwise transmitted to the officeholder, candidate, or committee.

A **nonmonetary contribution** is made on the earlier of the following:

- The date an expenditure is made for the goods or services;
- The date the committee or an agent of the committee obtained possession or control of the goods or services; or
- The date the committee otherwise received the benefit of the expenditure.

A payment made in connection with the development, production, or dissemination of a communication that is an **independent expenditure** must be reported no later than the date the communication is mailed, broadcast, or otherwise disseminated to the public.

A payment for a communication that is never disseminated to the public is not considered an independent expenditure and need not be reported on Schedule D. The payment must be reported on Schedule E as an expenditure.

Ex 8.7 - Your committee, working on behalf of the Friends of the Forest committee, arranged for the mailing of a campaign piece supporting their issue. The mailer is sent to voters directly from the mail house on September 4. On September 6, the mail house submits an invoice for payment to your committee. Your committee made a nonmonetary contribution to the Friends of the Forest committee on September 4 (the date they received the benefit of the expenditure).

2 Candidate and Office, Measure and Jurisdiction, or Committee

If a total of $100 or more is contributed or expended during a calendar year to support or oppose a single candidate, ballot measure, or a general purpose committee (e.g., a political party), disclose the name of the candidate and the office sought or held, the number or letter and jurisdiction of the ballot measure, or the name of the general purpose committee. For each candidate or measure listed, indicate whether the payment was made to support or oppose the candidate or measure.

Quick Tip

Schedule D is a summary of payments made by the committee that were contributions to other candidates and committees or independent expenditures to support or oppose other candidates and ballot measures. The payments are also reported on Schedule E, F, or H.

Ex 8.8 -The Committee to Elect Waters for Seaside Mayor 20XX made a contribution of $100 to the Committee to Support Growth in Seaside, Yes on Measure C. In addition to reporting the contribution on Schedule D, the expenditure must also be reported on Schedule E.

3 Type of Payment

Check the appropriate box to indicate whether the payment was a monetary contribution, nonmonetary contribution, or independent expenditure.

4 Description of Nonmonetary Contribution Where No Payment is Made

Because payments must be described when they are reported on Schedule E or F, a description is not required on Schedule D for payments reported on Schedule E or F that are nonmonetary contributions or independent expenditures. However, if no payment was made, describe the goods or services. For example, if goods on hand (i.e., office supplies) are contributed to another candidate or committee, a description must be included.

5 Amount This Period

Provide the amount(s) of contributions or independent expenditures made this period relative to each candidate, measure, or committee.

6 Cumulative to Date Calendar Year

Report the cumulative amount contributed to or expended to support or oppose each itemized candidate, ballot measure, or committee since January 1 of the current calendar year.

If contributions are made to more than one election committee controlled by the same candidate, report the total amount contributed to all of the committees. Do not cumulate contributions made to a candidate's election committee with contributions made to other committees controlled by the candidate, such as a ballot measure committee or a legal defense fund committee. Contributions and independent expenditures are cumulative separately.

7 Per Election to Date

If contributions of $100 or more were made to state candidates during a state election cycle, the cumulative amount contributed during the election cycle is reported in this column.

In addition, a local ordinance may require committees in that jurisdiction to report the cumulative amount contributed to a local candidate during a specified period. Check with the local elections office.

8 Schedule D Summary

Complete the Schedule D Summary by entering the total amount of itemized contributions and independent expenditures of $100 or more (Line 1), the total amount of unitemized contributions and independent expenditures of less than $100 (Line 2), and the total amount for both (Line 3). Totals from the Schedule D Summary are **not** carried forward to the overall Summary Page.

Answering Your Major Donor Questions

A. Must a candidate file the Form 461 (Major Donor and Independent Expenditure Committee Campaign Statement) if he or she makes personal contributions to his or her controlled election campaign committee of $10,000 or more?

No. A candidate's contributions to his or her own election committee do not trigger the requirement to file the Form 461. But, if a candidate otherwise qualifies as a major donor committee by making personal contributions of $10,000 or more to other candidates or committees, the Form 461 must also include personal contributions made to his or her own controlled committees.

B. Must the spouse of a candidate file the Form 461 if he or she makes personal contributions to his or her spouse's campaign of $10,000 or more?

If the contributions are made from community funds, neither the spouse nor the candidate will qualify as a major donor. But, if the candidate's spouse makes contributions from legally separate funds, the spouse will become a major donor and must file the Form 461.

C. Must a candidate file the Form 461 if he or she makes personal contributions to his or her controlled ballot measure committee of $10,000 or more?

Yes.

D. Using personal funds, a candidate made contributions totaling $9,000 to other candidates and committees. She also contributed $3,000 to her own election committee. Since the total amount of all contributions made is $12,000, must the candidate file the Form 461 as a major donor?

No. Contributions to a candidate's own election committee are not counted toward the $10,000 major donor threshold.

L. General Rules for Reporting Payments Made on Schedule E and Accrued Expenses (Unpaid Bills) on Schedule F

Schedule E is used to report money spent by the committee during the reporting period, except for payments made on loans received by the committee or payments made to make loans to other candidates or committees. Use Schedule B (Part 1) to report repayments on **loans received** by the committee. Use Schedule H to report **loans made** to other candidates and committees.

An expenditure is "made" on the date the payment is made or the date the committee receives the goods or services, whichever is earlier. Use Schedule F to report amounts owed by the committee for goods or services received but not paid for by the end of the reporting period.

Quick Tip

Expenditures of campaign funds must have a political, legislative, or governmental purpose. (See Chapter 5.)

Ex 8.9 - During October and November, you:

(a) Paid a deposit on a room for a fundraiser to be held January 10;

(b) Ordered and received the fundraiser invitations for which you were billed but had not made a payment by December 31; and

(c) Ordered, but did not receive, flowers for the fundraiser for which you will be billed at the end of January.

On your semi-annual statement covering the period ending December 31, report the payment for the room deposit on Schedule E. Because you received the invitations but had not paid for them by December 31, report the outstanding amount on Schedule F. The cost of the flowers will not be reported until the next reporting period because you did not pay for nor receive the flowers during the period covered by the statement.

The committee's unpaid administrative overhead expenses, such as rent, utilities, phones, or employee salaries, need not be reported on Schedule F if the committee has not received a bill in the normal course of business or if the due date for the payment is after the closing date of the statement. Regular administrative overhead does not include contracts for services such as accounting, legal services, campaign consulting, and public relations.

Ex 8.10 - On June 15, your committee received two bills for June services. One bill was from the restaurant where your committee held a fundraiser and the other was for office rent. The due date for both invoices is July 15. If, on June 30, the committee has not paid the two bills, the bill from the restaurant is reported on Schedule F as an accrued expense on your semi-annual statement. Since the rent bill is a regular administrative overhead expense, it does not need to be reported as an accrued expense.

Information Required

Itemize each payment or accrued expense of $100 or more to a single payee, and any payments totaling $100 or more for a single product or service made during the period.

If the committee has entered into an agreement to make payments over time for a product or service, other than general administrative expenses such as rent and utilities, the unpaid balance may be reportable on Schedule F as an accrued expense.

Payments for Online Communications

Additional expenditure reporting is required when a committee pays a person to provide favorable or unfavorable content about a candidate or ballot measure on an Internet site other than the committee's own website. The committee must specifically describe amounts the committee paid to provide favorable or unfavorable content on a candidate or ballot measure by:

- Providing such content for or posting on a website or blog, whether one's own or another's.
- Providing such content for or posting on a social media platform.
- Providing such video content for posting online.

Content means that which is offered on a website or other digital platform in writing, picture, video, photograph or other similar format.

Payments made to an individual, either directly or through a third party, must be reported on Schedule E or F using the code "WEB." In addition, the following information must be included: the amount of the payment, the payee, the name of the individual providing content, and the name of the website or the URL on which the communication is published in the first instance. The committee is not required to know where the content is shared or passed on to after the initial post. The additional reporting is not required if the fact that the campaign paid for the content is posted in a clearly conspicuous manner with the posted content. (See Regulation 18421.5 for additional information.)

Savings Accounts/Certificates of Deposit/Money Market Accounts

Do not report on Schedule E the transfer of campaign funds into a savings account, certificate of deposit, money market account, or the purchase of any other asset that can be readily converted to cash. Report these amounts as cash on hand on the Summary Page, Line 16.

Transfers

If a candidate controlled committee transfers funds to another committee controlled by the candidate, the transfer is reported on Schedule E. The receiving committee reports the transfer on Schedule I (Miscellaneous Increases to Cash). There are restrictions on transfers of surplus funds (see Chapter 5) and on transfers of funds to run for state office. (See Campaign Disclosure Manual 1 for State Candidates.)

Contributions and Independent Expenditures

If the committee makes contributions and/or independent expenditures to support or oppose other candidates, officeholders, or committees, in addition to reporting the payments or accrued expenses on Schedule E or F, they must also be reported on Schedule D. For payments made for goods or services that are nonmonetary contributions or independent expenditures, also identify the candidate, committee, or ballot measure supported or opposed by the expenditure in the "Description of Payment" column on Schedule E or F.

When a primarily formed committee makes a payment for a communication that expressly advocates support for or opposition to the candidate for whom the committee is formed, the payment is reported as a contribution or independent expenditure. As discussed in Chapter 6, the determination is based on whether the payment was made at the behest of the candidate. If the payment is an independent expenditure, additional forms, such as the Verification of Independent Expenditures (Form 462) and the 24-hour Independent Expenditure Report (Form 496), may be required. (See Chapter 10 for additional information.)

If a primarily formed committee makes payments for contributions or independent expenditures to support or oppose **other** candidates, officeholders, committees, or ballot measures, it may qualify as a different type of committee (i.e., a general purpose committee), which has different reporting obligations. Contact the FPPC for assistance.

Subvendor Payments (often reported on Schedule G)

When an agent or independent contractor (such as a campaign worker, consulting firm, or advertising agency) makes an expenditure, or incurs a debt, of $500 or more on behalf of the committee, the expenditure must be reported in the same detail as if it had been made directly by the committee. These are commonly known as "subvendor payments." The committee must also obtain and keep receipts, invoices, and other documentation for subvendor payments. (See Chapter 2.)

Examples of subvendor payments that must be itemized include:

- Development of campaign strategy;
- Media placements – television, radio, cable, digital (specifically listing the TV or radio stations);
- Commissions paid to media firms for media placements;
- Travel expenses, such as a commercial airline or hotel paid $500 or more;

- Print or online advertisements;
- Polling and survey research;
- Talent and media services, production costs;
- Voter canvas program, including individuals paid $500 or more;
- Robocalls;
- Printing and literature; and
- Design or management of campaign literature or advertising.

Quick Tip

Payments made to subvendors may be itemized on Schedule E or Schedule G. Accrued expenses owed to a subvendor are reported on Schedule F.

Generally, agents and independent contractors must provide the committee with the required payment information no later than **three working days** prior to the deadline for filing the campaign statement; however, an expenditure of $1,000 or more made for a contribution or independent expenditure in the 90 days before an election, including the date of the election, must be reported to the committee **within 24 hours**. Expenditures made by the agent or independent contractor for its own overhead and operating expenses need not be itemized.

In many cases, funds paid to an agent or independent contractor in one reporting period will not be used by the agent or contractor until a subsequent reporting period. Payments to an agent or contractor are reported on Schedule E of the campaign statement covering the period in which the payments are made. When the agent or contractor spends the money, subvendor payments are reported on the campaign statement covering the period in which the expenditures are made. Payments of $500 or more must be itemized.

Subvendor payments are most commonly reported on Schedule G, but may be reported on Schedule E or F along with the payment made or owed to the agent or contractor. When itemizing subvendor payments on Schedule E or F, do not include the payments in the "Amount Paid" column, as this will inflate expenditure totals.

Ex 8.11 - An agent purchased $535 worth of flowers, $250 worth of postage, and $100 worth of balloons for a fundraiser. Itemize the agent on Schedule E (or Schedule F if the agent was not reimbursed during the reporting period). Provide the agent's name and address, a code or a description of the expenditures, and the amount being reimbursed ($885). In addition, since the payment to the florist was $500 or more, the florist must also be itemized. Provide the name and address of the florist, a code or description of the expenditure, and the amount paid to the florist ($535).

Credit Card Payments

When reporting payments to a credit card company, provide the name, street address, city, state, zip code, and the amount of payment. In addition, provide the name, street address, city, state, and zip code of any vendor that received $100 or more, the amount paid to each itemized vendor, and a code or description of the payment.

If a payment has not been made on the credit card by the end of the reporting period, or only partial payment has been made, report the amount outstanding to the credit card company on Schedule F. Payments to the credit card company should be reflected on Schedule E when payments are made and Schedule F when there is a balance still owing at the end of the reporting period. Vendors are not required to be listed more than one time, on either Schedule E or Schedule F. Schedule G may also be used to disclose vendors.

Ex 8.12 - Sandra's committee for city council used the campaign credit card on December 28 at two different vendors to purchase office supplies and to have invitations to a fundraiser printed. The printing job cost $560, while the office supplies were under $100. Since the committee did not make a payment on the credit card by December 31, the end of the reporting period, the amount owed is reported on Schedule F. In addition to the total amount owed to the financial institution that issued the credit card, the committee also itemizes the printer, since the amount owed is $100 or more. The committee will report payments it makes to the financial institution, but does not reitemize any vendors.

Contingency Payments

If the committee has entered into an agreement to pay a contingency fee, such as a bonus to a consultant if the campaign is successful, report the fee amount on Schedule F only if it is outstanding at the end of the campaign. The fee is not required to be reported as an accrued expense until it is due.

Reimbursements – Candidates

Candidates may not use their personal funds for campaign expenses (except for filing and ballot statement fees) without first depositing them into the campaign bank account.

Reimbursements – Volunteers, Employees, Agents and Contractors

Volunteers (including a candidate's spouse), employees, and agents or independent contractors (e.g., a consultant or an advertising agent), may be reimbursed for goods, services, or travel expenses when the following criteria are met:

- The treasurer is provided with a dated receipt and a written description of each expenditure prior to reimbursement;

- The reimbursement is paid within 45 calendar days after the expenditure is made; and

- There is a written contract between the committee and the agent or independent contractor providing for the reimbursement of expenditures. (Volunteers and employees do not need a written contract.)

If the reimbursement does not occur within 45 calendar days, the expenditure is considered a nonmonetary contribution from the volunteer, paid employee, agent or independent contractor, unless the person seeking reimbursement has made a good faith effort to obtain reimbursement and is unable to collect from the committee.

Reimbursements – Officeholders

Officeholders may be reimbursed for expenses related to holding office paid for from personal funds when the following criteria are met.

- The expenditures are not campaign expenditures;

- The committee's treasurer is provided with a dated receipt and a written description of the expenditure; and

- Reimbursement occurs:

  - For a monetary expenditure: Within 90 calendar days after the officeholder incurs the expense.

  - For a credit card or charge account: Within 90 calendar days of the end of the billing period.

If the reimbursement does not occur within the 90-day period, the amount must be reported as a nonmonetary contribution from the officeholder to the committee and no reimbursement may occur.

An officeholder may be reimbursed from either the controlled committee campaign bank account established for election to the incumbent term of office, or from a controlled committee bank account established for a different election to the same office, if all of the conditions above are met. When reporting reimbursements to the officeholder, subvendor payments of $100 or more must be itemized.

Expenditures Made for Gifts, Meals, and Travel Payments

A candidate controlled committee that makes an expenditure of $100 or more for a gift, meal, or travel must further explain the expenditure in the "Description of Payment" column as described below. The explanation must be provided even if an expenditure code is used.

Gifts: When reporting an itemized expenditure for a gift, the committee must briefly describe the political, legislative, or governmental purpose of the expenditure. In addition, the committee must provide the date of the gift and a description of the gift. If the gift was made to an individual recipient, the name of the recipient must be included. If a gift was made to a group of recipients, the name of each recipient who received a benefit of $50 or more is required. When the recipient of a gift with a value of $50 or more is not known at the time the payment is required to be reported, the committee must report that the gift was for an "undetermined recipient." Once the gift has been given to the recipient, the campaign statement must be amended within 45 calendar days to disclose the name of the recipient.

Ex 8.13 -The mayor's election committee purchased $50 restaurant gift certificates for two volunteer campaign workers. On Schedule E, the payment must be itemized. In the "Description of Payment" column, the following would adequately describe the payment: "12/5/XX – gift certificates for campaign workers, Linda Davis ($50), and Richard Bailey ($50)."

Meals: When reporting an itemized expenditure for a meal (other than a meal reported as an itemized expenditure for travel, as discussed below), the committee must briefly describe the political, legislative, or governmental purpose of the expenditure. In addition, the committee must provide the date of the meal, the number of individuals who were present at the meal, and whether the candidate, a member of his or her household, or an individual with authority to approve expenditures of campaign funds was present at the meal. It is not necessary to include the names of individual attendees on the report. However, the names of the attendees must be maintained in the committee's records. (See Chapter 2.)

Ex 8.14 -The committee's controlling candidate and campaign manager discuss the election campaign during a lunch meeting at a restaurant. The meal was charged to the campaign credit card. On Schedule E, the payment to the credit card company and the restaurant must be itemized. In the "Description of Payment" column, the following would adequately describe the payment: "9/1/XX – Lunch meeting regarding campaign attended by campaign manager and candidate.

Travel Payments: When reporting an itemized expenditure for travel, including lodging and meals, the committee must briefly describe the political, legislative, or governmental purpose of the expenditure. In addition, the committee must also provide the date or dates of the travel, the destination, and the goods or services purchased. The description must also include the number of individuals for whom the payment was made and whether the trip included the candidate, a member of his or her household, or an individual with the authority to approve expenditures of campaign funds. The names of individuals who traveled are not required to be disclosed on the report. However, the names of the travelers must be maintained in the committee's records. (See Chapter 2.)

Ex 8.15 - A San Diego elected officeholder attended a fundraiser in Sacramento for a state ballot measure committee. The officeholder's committee paid for the travel expenses. On Schedule E, the payment to the airline must be itemized. In the "Description of Payment" column, the following would adequately describe the payment: "8/1/XX and 8/3/XX – Round trip airfare to Sacramento for officeholder to attend ballot measure committee fundraiser."

SCHEDULE E

Schedule E
Payments Made

Type or print in ink.
Amounts may be rounded to whole dollars.

Statement covers period
from 7/1/XX
through 12/31/XX

CALIFORNIA FORM 460

Page XX of XX

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP	campaign paraphernalia/misc.	MBR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	RFD	returned contributions
CTB	contribution (explain nonmonetary)*	OFC	office expenses	SAL	campaign workers' salaries
CVC	civic donations	PET	petition circulating	TEL	t.v. or cable airtime and production costs
FIL	candidate filing/ballot fees	PHO	phone banks	TRC	candidate travel, lodging, and meals
FND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
IND	independent expenditure supporting/opposing others (explain)*	POS	postage, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LIT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (internet, e-mail)

1 NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	2 CODE	OR DESCRIPTION OF PAYMENT	3 AMOUNT PAID
Del Norte County Bank (Visa) 8995 Pine Street, Crescent City, CA 95531			$15,000
Subvendor: Mailings and More $14,500 855 Redwood Street, Oakmont, CA 95443	LIT		
Lam and Pettit Consultants 2720 P Street Crescent City, CA 95531	PRO	See Schedule G for subvendors	$20,000

* **Payments that are contributions or independent expenditures must also be summarized on Schedule D.**

SUBTOTAL $ 35,000

4 Schedule E Summary

1. Itemized payments made this period. (Include all Schedule E subtotals.)	$	37,200
2. Unitemized payments made this period of under $100	$	3,500
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).)	$	250
4. Total payments made this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)	**TOTAL $**	40,950

SCHEDULE E (CONT.)

Schedule E
(Continuation Sheet)
Payments Made

Type or print in ink.
Amounts may be rounded to whole dollars.

Statement covers period
from 7/1/XX
through 12/31/XX

CALIFORNIA FORM 460

Page XX of XX

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP	campaign paraphernalia/misc.	MBR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	RFD	returned contributions
CTB	contribution (explain nonmonetary)*	OFC	office expenses	SAL	campaign workers' salaries
CVC	civic donations	PET	petition circulating	TEL	t.v. or cable airtime and production costs
FIL	candidate filing/ballot fees	PHO	phone banks	TRC	candidate travel, lodging, and meals
FND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
IND	independent expenditure supporting/opposing others (explain)*	POS	postage, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LIT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (internet, e-mail)

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR DESCRIPTION OF PAYMENT	AMOUNT PAID
Del Norte County Independent Central Committee (ID 11852XX) 18885 Ocean Blvd. Crescent City, CA 95531	CTB		$500
Manuel Alvarez 4245 McDow Street Oakmont, CA 95443		Reimbursement of filing fee	$1,500
Nelson Legal Group, LLC 4950 Professional Blvd. Crescent City, CA 95531	PRO		$200

M. Completing the Form 460 Schedule E (Payments Made)

1 Name and Address of Payee

Itemize each payment of $100 or more made to a single payee during the reporting period, and any payments totaling $100 or more made during the period for a single product of service. Include the name, street address, city, state, and zip code of the payee. Do not use a post office box number when reporting the address of a payee or creditor.

Quick Tip

The spouse or registered domestic partner of an elected officer or a candidate for elective office may not receive, in exchange for any services rendered, compensation from campaign funds held by a controlled committee of the officer or candidate.

2 Code or Description of Payment

When itemizing payments, provide either a code or a description of the payment. Expenditure codes are explained in detail in the Form 460, Schedule E instructions. If none of the codes listed on Schedule E fully explains the expenditure, leave the code column blank and provide a brief description of the goods or services purchased.

If several expenditures are made to one vendor during the same reporting period, all of the payments to the vendor may be reported in a single record. When coding the expenditures, use the code that represents the largest share of the expenditures, and the description field for the other codes or a description. Alternatively, each expenditure may be reported separately by category.

Quick Tip

Campaign funds may be used only for certain types of legal payments. See Chapter 5 for information about the permissible uses of campaign funds.

For expenditures that are nonmonetary contributions or independent expenditures, provide the applicable code ("CTB" or "IND") and disclose the name of the candidate or committee that received the contribution, or the name of the candidate or ballot measure supported or opposed by the independent expenditure. Also include a brief description of the contribution or independent expenditure. These expenditures must also be disclosed on Schedule D.

3 Amount Paid

Enter the total amount paid to the payee during the reporting period.

Payment of Accrued Expenses

When paying for accrued expenses previously reported on Schedule F, report all payments on Schedule E, itemizing each payment of $100 or more. Subvendor information does not need to be reitemized if it was disclosed on Schedule F of a previous statement.

4 Schedule E Summary

Complete the Schedule E Summary by entering the total amount of itemized payments of $100 or more (Line 1) and the total amount of unitemized payments of less than $100 (Line 2). If the committee is paying interest on loans, enter the amount from Schedule B, Part 1, Column (e) on Line 3. The total amount of all payments made is entered on Line 4. The amount on Line 4 is carried forward to the overall Summary Page, Column A, Line 6.

SCHEDULE F

Schedule F
Accrued Expenses (Unpaid Bills)

Type or print in ink.
Amounts may be rounded to whole dollars.

Statement covers period
from 7/1/XX
through 12/31/XX

CALIFORNIA FORM 460

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SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP	campaign paraphernalia/misc.	MBR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	RFD	returned contributions
CTB	contribution (explain nonmonetary)*	OFC	office expenses	SAL	campaign workers' salaries
CVC	civic donations	PET	petition circulating	TEL	t.v. or cable airtime and production costs
FIL	candidate filing/ballot fees	PHO	phone banks	TRC	candidate travel, lodging, and meals
FND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
IND	independent expenditure supporting/opposing others (explain)*	POS	postage, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LIT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (internet, e-mail)

1 NAME AND ADDRESS OF CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	2 CODE OR DESCRIPTION OF PAYMENT	3 (a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
Nelson Legal Group, LLC 4950 Professional Blvd. Crescent City, CA 95531	PRO	$2,000	-0-	$200	$1,800
Tri Cities Bank (Mastercard) 9650 Main Street Crescent City, CA 95531		-0-	$1,750	-0-	$1,750
Subvendor: Home Depot $750 750 Industrial Way, Oakmont, CA 95443	CMP				

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

SUBTOTALS $ 2,000 $ 1,750 $ 200 $ 3,550

4 Schedule F Summary

1. Total accrued expenses incurred this period. (Include all Schedule F, Column (b) subtotals for accrued expenses of $100 or more, plus total unitemized accrued expenses under $100.) ..... **INCURRED TOTALS $** 1,750
2. Total accrued expenses paid this period. (Include all Schedule F, Column (c) subtotals for payments on accrued expenses of $100 or more, plus total unitemized payments on accrued expenses under $100.) ..... **PAID TOTALS $** 200
3. Net change this period. (**Subtract** Line 2 from Line 1. Enter the difference here and on the Summary Page, Column A, Line 9.) ..... **NET $** 1,550 (May be a negative number)

FPPC Form 460 (January/05)
FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

N. Completing the Form 460 Schedule F – Accrued Expenses (Unpaid Bills)

1 Name and Address of Creditor

Itemize each accrued expense of $100 or more owed to a single creditor. Provide the name, street address, city, state, and zip code of the creditor. Do not use post office box numbers. Continue to list an unpaid bill until it is paid off.

2 Code or Description of Payment

When itemizing accrued expenses, provide either a code or a description of the outstanding payment. Expenditure codes are

explained in detail in the Form 460, Schedule E instructions. If none of the codes listed on Schedule F fully explains the outstanding payment, leave the code column blank and provide a brief description of the goods or services.

If several accrued expenses are owed to one vendor during the same reporting period, all of the accrued expenses to the vendor may be reported in a single record. The code that represents the largest share of the accrued expenses should be used, and the description field may be used for other codes or descriptions. Alternatively, each accrued expense may be reported separately by category.

For accrued expenses in connection with nonmonetary contributions or independent expenditures, provide the applicable code ("CTB" or "IND") and disclose the name of the candidate or committee that received the contribution, or the name of the candidate or ballot measure supported or opposed by the independent expenditure. Also include a brief description of the contribution or independent expenditure. **These expenditures also must be disclosed on Schedule D.**

3 Amount Columns

For each itemized accrued expense, report any outstanding balance remaining for the accrued expense from the previous period in column (a), the amount of new accrued expenses incurred this period in column (b), the amount paid this period in column (c), and any outstanding balance at the close of the period in column (d).

When payments on accrued expenses are made, in addition to itemizing payments of $100 or more on Schedule F, **itemize the payments on Schedule E.** Include unitemized payments on accrued expenses on Line 2 of the summary section of Schedule E.

Estimating Accrued Expenses

If the exact amount of a debt or obligation is unknown, an estimate may be reported. When the committee is made aware of the exact amount, the committee must 1) amend the statement on which the estimated amount was reported; or 2) make an adjustment on the next

campaign statement by showing the difference between the estimated amount and the actual amount in column (b), "Amount Incurred This Period." If the actual amount is less than the estimate, the amount listed in column (b) should be a negative number and subtracted from the totals. When reporting estimated amounts or corrections to estimated amounts, note that fact on the campaign statement.

Ex 8.16 - On its second preelection statement, the committee's treasurer reported an estimated accrued expense of $5,000 owed to ABC Printing. An invoice was received during the next reporting period showing the actual amount owed as $4,500. On Schedule F, column (a) of its next statement, the committee will report an outstanding accrued expense of $5,000. In column (b), the amount incurred this period will be a negative $500. The committee paid the entire bill and therefore will report $4,500 as the amount paid this period in column (c), with a zero balance in column (d).

Forgiven Accrued Expenses or Third Party Payments

If a creditor reduces or forgives a debt previously reported on Schedule F, or if another person pays a debt for the committee:

- Indicate that the debt was forgiven, reduced, or paid by a third party and enter "See Schedule C" in the "Description of Payment" column. Also report the creditor or payor and the amount as a nonmonetary contribution on Schedule C.

- Report the amount forgiven, reduced, or paid by a third party in the "Amount Paid This Period" column and indicate that it was a forgiveness or third party payment **or** report the amount as a negative number in the "Amount Incurred This Period" column. Do not report the amount on Schedule E.

If the decision to forgive or reduce the debt is based on a bona fide business judgment that all or part of the debt is uncollectible, the creditor may not be making a contribution. Contact the FPPC for assistance.

4 Schedule F Summary

Complete the Schedule F Summary by entering the total amount of accrued expenses **incurred** on Line 1 and the total amount of accrued expenses **paid** on Line 2. Subtract Line 2 from Line 1 and enter the difference (net change this period) on Line 3. The amount on Line 3 will be a negative amount when the accrued expenses paid are more than the amount of new accrued expenses. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Line 9.

Outstanding Accrued Expenses (Summary Page, Column B, Line 9)

Accrued expenses are carried forward on future statements until they are paid off. To determine the amount for Column B, Line 9 of the overall Summary Page, add the amount from Column A, Line 9 of the current statement to the amount of Column B, Line 9 of the previous statement. If the amount in Column A, Line 9 is a negative number, subtract it from the amount in Column B, Line 9 of the previous statement.

Answering Your Accrued Expenses Questions

A. When are unpaid bills reportable as accrued expenses?

The basic rule is that you must report an accrued expense any time you have received goods or services but have not paid for them by the end of the reporting period.

B. What if our committee has not received an invoice from the vendor yet?

If you have received the goods or services, you must report the accrued expense on Schedule F even if you have not received an invoice. If you do not know the actual amount, you may report an estimate. Once the committee is made aware of the actual amount, the committee must either amend the statement on which the estimated amount was reported or make an adjustment on the next campaign statement by showing the difference between the estimated amount and the actual amount. When reporting estimated amounts or corrections to estimated amounts, note that fact on Schedule F.

C. We have a contract to pay our campaign consultant $1,000 per month. If the closing date of the campaign statement falls during the middle of the month, for example March 17, must we report an accrued expense for the period of March 1 through March 17?

No. When you have agreed in writing to pay a contractor a set amount at regular intervals, it is not necessary to prorate the amount owed to the contractor if the reporting period closes before the end of the contract period. The payment will be reported on the campaign statement for the period in which the payment is made.

D. When an accrued expense is owed and there are subvendor payments, when are the subvendors reported? For example, if we report an accrued expense owed on a credit card and list the subvendors, must we reitemize the subvendors again on Schedules E and F when the accrued expense is paid?

No. It is not necessary to reitemize subvendors when payments are made on accrued expenses, or if an accrued expense is reported on more than one statement. In this example, the subvendors must be reported on the first statement disclosing the accrued expense owed to the credit card company. On subsequent statements, only the credit card company must be itemized.

E. Prior to attending an FPPC webinar and learning that it was not permitted, I used personal funds to pay for some of my campaign expenses before I opened a campaign bank account. How do I report these expenditures on the Form 460?

So that the activity is properly disclosed, you may report the amount of personal funds used on Schedule C as nonmonetary contributions (itemize purchases of $100 or more). If you wish to be reimbursed by the committee, you may report the amount on Schedule F as an accrued expense. If you have already been reimbursed by the committee, you will report the amount on Schedule E as an expenditure. Non-disclosure of the payments is a violation of the Act. All future payments must be made from the campaign bank account; personal funds must be deposited into the account before making expenditures.

O. General Rules for Reporting Payments Made by an Agent or Independent Contractor on Schedule G

Schedule G is used to report payments made by agents (such as campaign workers) and independent contractors (such as consulting firms or advertising agencies) on behalf of the committee. This schedule may be used in lieu of itemizing these amounts on Schedule E or F. See the general rules for Schedules E and F for additional information.

Schedule G may be completed by the committee from information provided by the agent or independent contractor or it may be completed by the agent or independent contractor. Agents and independent contractors must provide the committee with the required payment information **no later than three working days prior to the filing deadline** of the campaign statement. If an agent or independent contractor makes an expenditure of $1,000 or more for a contribution or independent expenditure in the 90 days before an election, including the date of the election, they must provide the committee with the required payment information **within 24 hours.**

Schedule G
Payments Made by an Agent or Independent Contractor (on Behalf of This Committee)

Type or print in ink. Amounts may be rounded to whole dollars.

SCHEDULE G

Statement covers period
from 7/1/XX
through 12/31/XX

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SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

NAME OF AGENT OR INDEPENDENT CONTRACTOR
Lam and Pettit Consultants

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP	campaign paraphernalia/misc.	MBR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	RFD	returned contributions
CTB	contribution (explain nonmonetary)*	OFC	office expenses	SAL	campaign workers' salaries
CVC	civic donations	PET	petition circulating	TEL	t.v. or cable airtime and production costs
FIL	candidate filing/ballot fees	PHO	phone banks	TRC	candidate travel, lodging, and meals
FND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
IND	independent expenditure supporting/opposing others (explain)*	POS	postage, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LIT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (internet, e-mail)

*** Payments that are contributions or independent expenditures must also be summarized on Schedule D.**

1 NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	2 CODE	OR DESCRIPTION OF PAYMENT	3 AMOUNT PAID
KXTL Radio 5656 Westside Way Oakmont, CA 95443	RAD		$2,000
Good Day Oakmont 2620 H Street Oakmont, CA 95443	TEL		$7,000
Northwest Airlines 2500 Crosby Circle Chicago, IL 60606	TRC	10/15/XX: Sacramento, Airfare to Attend Meeting (1, Consultant)	$155
Albino's Italian Eats 1325 Sicily Street Oakmont, CA 95443	MTG	7/10/XX: Committee Staff Meeting (4, Candidate and Treasurer)	$125

Attach additional information on appropriately labeled continuation sheets.

TOTAL* $ 9,280

** Do not transfer to any other schedule or to the Summary Page. This total may not equal the amount paid to the agent or independent contractor as reported on Schedule E.*

FPPC Form 460 (January/05)
FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

P. Completing Form 460 Schedule G (Payments Made by an Agent or Independent Contractor)

1 Name and Address of Payee or Creditor

Itemize each payment of $500 or more made by the agent or independent contractor. Provide the name, street address, city, state, and zip code of the payee or creditor. Do not use a post office box number.

2 Code or Description of Payment

When itemizing each payment, provide either a code or a description of the payment. If none of the codes listed on Schedule G fully

explains the payment, leave the code column blank and provide a brief description of the payment. Payments that are contributions or independent expenditures must also be reported on Schedule D.

3 Amount Paid

Enter the total amount paid to the payee during the reporting period.

Schedule G totals are not transferred to any other schedule or to the Summary Page.

Q. General Rules for Reporting Loans Made to Others on Schedule H

Schedule H is used to report loans made by the committee. Except for committees controlled by a candidate for state elective office, campaign funds may be used to make loans to other political committees. (Loans to state candidate committees are subject to limits.)

Campaign funds may also be used to make loans to bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organizations, so long as the loan does not personally benefit the officeholder, candidate, committee treasurer, or any individual with authority to approve the expenditure of campaign funds, or any such person's immediate family member. The loan must be reasonably related to a political, legislative, or governmental purpose.

Quick Tip

Most local committees will not make loans to others. If there is nothing to report on Schedule H, the schedule does not need to be included with the Form 460. Simply enter a zero or the word "none" on Line 7 of the overall Summary Page.

Quick Tip

If a primarily formed committee makes contributions (including loans) to candidates, officeholders, or committees (other than to the candidate for which the committee is primarily formed), it may qualify as a different type of committee with different reporting obligations. Contact the FPPC for assistance.

SCHEDULE H

Schedule H
Loans Made to Others*

Type or print in ink.
Amounts may be rounded to whole dollars.

Statement covers period
from 7/1/XX
through 12/31/XX

CALIFORNIA FORM **460**

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SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

1

FULL NAME, STREET ADDRESS AND ZIP CODE OF RECIPIENT (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	a (a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	b (b) AMOUNT LOANED THIS PERIOD	c (c) REPAYMENT OR FORGIVENESS THIS PERIOD*	d (d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	e (e) INTEREST RECEIVED	f (f) ORIGINAL AMOUNT OF LOAN	g (g) CUMULATIVE LOANS TO DATE
Committee for Bike Lanes in Oakmont, Yes on Measure E (ID 12456XX) 1500 D Street Oakmont, CA 95443		$ -0-	$ 1,000	☐ PAID $ -0- ☐ FORGIVEN $ -0-	$ 1,000 None DATE DUE	$ -0-	$ 1,000 7/15/XX DATE INCURRED	CALENDAR YEAR $ 1,000 PER ELECTION** $ N/A
*Loans that are contributions to another candidate or committee must also be summarized on Schedule D. Loans forgiven must also be reported on Schedule E.	SUBTOTALS	$ 1,000	$ -0-		$ 1,000	$ -0- (Enter (e) on Schedule I, Line 3)		

2

Schedule H Summary

1. Loans made this period ..... $ 1,000
   (Total Column (b) plus unitemized loans of less than $100.)
2. Payments received on loans ..... $ -0-
   (Total Column (c) plus unitemized payments of less than $100.)
3. Net change this period. (**Subtract** Line 2 from Line 1.) ..... **NET** $ 1,000
   (May be a negative number)
   (Enter the net here and on the Summary Page, Column A, Line 7.)

**If Required

R. Completing the Form 460 Schedule H (Loans Made to Others)

1 Recipient Information

For each loan of $100 or more that was made or outstanding during the reporting period, provide the recipient's full name and street address, including the zip code. If the recipient is an individual, provide the individual's occupation and the name of his or her employer. If the individual is self-employed, provide the name of his or her business.

Loan Amounts

a Outstanding Balance Beginning This Period

Enter the outstanding loan balance at the beginning of this reporting period (Column (d) of the last report filed). If the loan was received this period, Column (a) should be left blank.

b Amount Loaned This Period

Enter the amount loaned to the recipient during this reporting period. If the loan was made in a previous reporting period, Column (b) should be left blank.

c Repayment or Forgiveness This Period

Enter the amount of any reduction of the loan during this reporting period. Indicate whether the loan was paid or forgiven. If the committee forgives a loan, also report the transaction on Schedule E and, if the recipient of the loan is a candidate or committee, report the forgiveness as a contribution on Schedule D.

d Outstanding Balance at Close of This Period

Enter the outstanding balance of the loan at the close of this reporting period. Enter the due date, if any.

e Interest Received

Enter the interest rate and amount of interest received on the loan during this reporting period. Interest received is reported separately from payments received on the loan principal. Interest received is also transferred to the Schedule I Summary.

f Original Amount of Loan

Enter the original amount of the loan and the date it was made. If this is the first time the loan is being reported, this will be the same amount as reported in Column (b).

g Cumulative Loans to Date

For each loan that is a contribution, enter the cumulative amount of contributions (including loans, loan guarantees, monetary and nonmonetary contributions) made to the recipient during the calendar year covered by the statement. If the recipient is subject to state contribution limits, also enter the total amount contributed in connection with each election and identify the election year. Because loans are contributions, the total amount of contributions made to a state candidate's committee, including loans, may not exceed the applicable limit. (Loans to candidates or other committees must also be reported on Schedule D.)

2 Schedule H Summary

Complete the Schedule H Summary by entering the total amount of loans **made** on Line 1 and the total amount of loan payments **received** on Line 2. Subtract Line 2 from Line 1 and enter the difference (net change this period) on Line 3. The amount on Line 3 will be a negative amount when the loan payments received this period are more than the amount of new loans made. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Line 7.

Outstanding Loans Made (Summary Page – Column B, Line 7)

Loans made are carried forward on future statements until they are paid off. To determine the amount for Column B, Line 7 of the overall Summary Page, add the amount from Column A, Line 7 of this statement to the amount of Column B, Line 7 of the previous statement. If the amount in Column A, Line 7 is a negative number, subtract it from the amount in Column B, Line 7 of the previous statement.

S. General Rules for Reporting Miscellaneous Increases to Cash on Schedule I

Schedule I is used to report increases to the committee's cash position that are not monetary contributions, loans, or repayments of loans made to others. Examples include:

- Proceeds, up to the fair market value, of items sold at a garage sale or auction.
- Contributions returned to the committee.
- Refunds received on deposits, such as a telephone or room rental deposit or from over-payment of bills.
- Interest received or credited to a checking or savings account or other time deposit.
- Interest payments received on loans made to others.
- Receipts from the sale of committee assets.

- Transfers of funds received by a controlled committee from another committee controlled by the same candidate. There are special rules for transferring funds to a committee for state office. (See Campaign Disclosure Manual 1.)

Donated Items

When reporting sources who have purchased donated items (e.g., items sold at an auction), report the amount received, up to the fair market value, on Schedule I. Any amount in excess of the fair market value is reported as a contribution on Schedule A.

Ex 8.17 - A television was donated by Seaside TV Sales for your committee's auction. The television's fair market value was $1,000. A person paid $1,500 for the television. Report the purchaser information and report $1,000 in the amount column of Schedule I. On Schedule A also report the purchaser as a contributor of $500, the amount over the fair market value. Seaside will be reported as a contributor of $1,000 on Schedule C for the nonmonetary contribution of the television.

Uncashed Checks

If the committee writes a check that is never deposited or negotiated, report the amount of the uncashed check on Schedule I.

Decreases to Cash

All decreases to cash must be reported as expenditures on Schedule E or H.

Schedule I
Miscellaneous Increases to Cash

Type or print in ink.
Amounts may be rounded to whole dollars.

Statement covers period
from 7/1/XX
through 12/31/XX

SCHEDULE I
CALIFORNIA FORM **460**
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SEE INSTRUCTIONS ON REVERSE
NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

1 DATE RECEIVED	2 FULL NAME AND ADDRESS OF SOURCE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	3 DESCRIPTION OF RECEIPT	4 AMOUNT OF INCREASE TO CASH
7/5/XX	Alvarez for City Council 20XX 225 Presley Street Oakmont, CA 95443	Transferred funds (ID 12257XX)	$3,000

Attach additional information on appropriately labeled continuation sheets. **SUBTOTAL $** 3,000

5 Schedule I Summary

1. Itemized increases to cash this period. ..... $ 3,000
2. Unitemized increases to cash of under $100 this period. ..... $ -0-
3. Total of all interest received this period on loans made to others. (Schedule H, Column (e).) ..... $ -0-
4. Total miscellaneous increases to cash this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Line 14.) ..... **TOTAL** $ 3,000

FPPC Form 460 (January/05)
FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

T. Completing the Form 460 Schedule I (Miscellaneous Increases to Cash)

1 Date Received

Report the date the committee received the miscellaneous receipt.

2 Source Information

Itemize sources of $100 or more. Provide the full name, street address, city, state, and zip code of the source. Post office box numbers are not acceptable.

3 Description of Receipt

Provide a description of the receipt (e.g., refund on room deposit for fundraiser, interest earned on loans made to others).

4 Amount of Increase

Enter the amount of the receipt.

5 Schedule I Summary

Complete the Schedule I Summary by entering the total amount of itemized increases to cash of $100 or more on Line 1 and the total amount of unitemized increases to cash on Line 2. Enter the total of all interest received this period on loans made to others (from Schedule H, Column (e)) on Line 3. Add Lines 1,2, and 3 to determine the total miscellaneous increases to cash this period and enter the amount on Line 4. The amount on Line 4 is carried forward to the overall Summary Page, Line 14.

U. Amending the Form 460

To change or provide information missing from a previously filed Form 460, complete a new Cover Page and check the "Amendment" box under "Type of Statement." Also check the box indicating the type of statement being amended (e.g., semi-annual, preelection) and enter the period covered by the statement being amended. Provide a brief explanation of the reason for the amendment and attach the schedule(s) being amended, including the Summary Page, if applicable. The amendment is filed with each of the filing officers that received the original filing.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

81004	Reports and Statements; Perjury; Verification.
81004.5	Reports and Statements; Amendments.
82013	Committee.
82015	Contribution.
82018	Cumulative Amount.
82025	Expenditure.
82025.5	Fair Market Value.
82044	Payment.
84105	Notification of Contributors.
84203	Late Contribution; Reports.
84211	Contents of Campaign Statement.
84212	Forms; Loans.
84213	Candidate Verification.
84216	Loans.
84615	Campaign Reports and Statements – Electronic Filing for Local Agencies.
84216.5	Loans Made by a Candidate or Committee.
84302	Contributions by Intermediary or Agent.
84303	Expenditures by Agent or Independent Contractor.
84306	Contributions Received by Agents of Candidates and Committees.
85201	Campaign Bank Account.
85700	Donor Information Requirements; Return of Contributions.
89511.5	Use of Personal Funds for Incumbent Elected Officers.
89515	Use of Campaign Funds for Donations and Loans.

Title 2 Regulations

18215	Contribution.
18215.1	Contributions; When Aggregated.
18216	Enforceable Promise to Make a Payment.
18225	Expenditure.

18421	Cash Equivalents.
18421.1	Disclosure of the Making and Receipt of Contributions.
18421.2	Street Address.
18421.3	Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
18421.5	Reporting an Expenditure for Paid Online Communications.
18421.6	Reporting Accrued Expenses.
18421.7	Reporting an Expenditure for a Gift, a Meal or Travel.
18421.9	Reporting Expenditures Charged to a Credit, Debit or Charge Card by a Candidate or Committee.
18423	Payments for Personal Services as Contributions and Expenditures.
18427	Duties of Treasurers and Candidates with Respect to Campaign Statements.
18427.1	Notification to Contributors of Filing Obligations.
18428	Reporting of Contributions and Independent Expenditures Required to be Aggregated.
18431	Reporting of Expenditures by an Agent or Independent Contractor.
18432.5	Intermediary.
18526	Reimbursement of Expenditures.
18533	Contributions from Joint Checking Accounts.
18570	Return of Contributions with Insufficient Donor Information.

When and Where to File the Form 460

This chapter reviews when and where committees file the Recipient Committee Campaign Statement (Form 460). The Form 460 is the comprehensive report that discloses all receipts and expenditures of a committee. The Form 460 includes payments previously reported on forms such as the 24-Hour Contribution Report (Form 497). All reports and statements filed under the Political Reform Act are public records available for public inspection.

Candidates and officeholders who do not have an open committee during a calendar year are not required to file the Form 460, but may be required to file the Officeholder/Candidate Campaign Statement—Short Form (Form 470). Review Chapter 1 for information about the Form 470, including when and where to file.

Primarily formed committees that have minimal activity in a reporting period may be eligible to use the Recipient Committee Campaign Statement—Short Form (Form 450) or the Semi-Annual Statement of No Activity (Form 425) instead of the Form 460. These forms are filed at the same time and locations as the Form 460.

A. General Information

Filing Schedules: The FPPC posts on its website filing schedules for specific election dates (i.e., June and November elections). In addition, county elections offices and city clerks often post filing schedules. Local candidates and committees should contact their local filing officer as some local jurisdictions may require filings in addition to what is required by the Political Reform Act.

Quick Tip

If the FPPC's website does not have a filing schedule for your specific election date, contact your local elections office for information about the filing deadlines.

The committee treasurer is responsible for meeting all applicable filing deadlines. Filing officers are not required to send reminder notices about upcoming deadlines; however, they are required to notify committees that have missed a filing deadline.

Deadlines: Except where noted, statements filed on paper must be hand-delivered or postmarked and sent by first-class mail by the due date. Deadlines that fall on a Saturday, Sunday, or official state holiday are extended to the next business day; however, this extension does not apply to the 24-hour Contribution Reports (Form 497) required the weekend before an election. For example, if a committee receives a $1,000 contribution on the Saturday before the election, the deadline is not extended to the next business day. The committee must file a Form 497 within 24 hours. There are no other provisions for extending a deadline.

Late Fines: A late filing penalty of up to $10 per day may be assessed for each day the statement is late. The FPPC or a local filing officer cannot extend a filing deadline. A committee may request a waiver of late fines assessed by the local filing officer or the Secretary of State.

Failure to File: Filing officers must refer committees to the FPPC or another enforcement agency if a committee fails to file a campaign statement. Administrative penalties of up to $5,000 per violation may be assessed. (See Government Code Section 83116.) Committees fined by the FPPC Enforcement Division are listed on the FPPC website.

Ex 9.1 - A county supervisor has a controlled committee. The supervisor is not seeking reelection and the committee did not raise or spend any funds during the calendar year. The committee must file a semi-annual statement for the period covering January 1 through June 30, due on or before July 31, and a semi-annual statement for the period July 1 through December 31, due on or before January 31.

B. When to File

Semi-Annual Statements

Most committees file a semi-annual statement for each half of the year, whether or not they receive contributions or make expenditures during the six-month period. An existing committee or a committee newly formed during the first six months of the year must file a semi-annual statement due on or before July 31 for the period covering January 1 through June 30.

Committees must also file a semi-annual statement due on or before January 31 of the following year for the period covering July 1 through December 31. The period covered for a committee newly formed during the last six months of the year will be January 1 through December 31.

Ex 9.2 - A primarily formed committee is formed in May to support a city council candidate in the November election. The committee must file a semi-annual statement for the period covering January 1 through June 30, due on or before July 31. In October, the committee must file the two required preelection statements (due dates and periods covered are listed on the filing schedule). The committee must continue to file semi-annual statements until it terminates.

Exception: Unpaid Elected Officeholders, Judges, and Judicial Candidates

Unpaid officeholders (defined in the Act as those who receive less than $200 per month for serving in office) and judges are not required to file semi-annual statements (i.e., Form 460 or Form 470) during any six-month period in which they have not received any contributions or made any expenditures.

To determine whether $200 has been received, only the elected official's fixed compensation for services (i.e., salary) need be counted. Payments for health benefits, reimbursement of expenses (including travel expenses), or per diem received from the elected official's agency are not counted.

Non-incumbent judicial candidates that will not be listed on a ballot and incumbent judges that will not be listed on a ballot who do not receive any contributions or make any expenditures in a six-month period are not required to file the Form 460 or Form 470.

Preelection Statements

In addition to semi-annual statements, candidate controlled committees and primarily formed committees must file two preelection statements before the election in which the candidate is listed on the ballot. For specific reporting periods and filing deadlines, refer to the filing schedules on the FPPC's website or contact the local filing officer. The second preelection statement must be filed by personal delivery or guaranteed overnight delivery.

Quick Tip

Some local agencies require additional statements before and after an election. Local committees should contact the county elections office or city clerk to determine if additional statements are required. Local campaign ordinances are also posted on the FPPC website.

Exception: Candidates Not on a Ballot

A candidate who will not appear on the ballot because he or she is running unopposed is not required to file preelection statements. In addition, a candidate who withdraws from an election and will not be listed on the ballot is not required to file preelection statements.

Recall Elections – Quarterly Reports

A committee established by an officeholder who is the subject of a recall election must file campaign statements (Form 460) on a quarterly basis until the semi-annual period in which the recall election is held. The quarterly filing schedule is:

Period Covered	Filing Deadline
January 1 - March 31	April 30
April 1 - June 30	July 31
July 1 - September 30	October 31
October 1 - December 31	January 31

During the semi-annual period in which the recall election is held, the committee must file two preelection statements and a semi-annual statement on the schedule provided by the filing officer.

Ex 9.3 - The local district attorney is the subject of a recall election being held in September. In March, he formed a separate committee to oppose the recall. The committee must file quarterly statements on April 30 and July 31. During the period covering July 1 through December 31, the committee must file two preelection statements in connection with the election, and a semi-annual statement for the period ending December 31, due on or before January 31 of the following year. After the January 31 filing, the committee will file semi-annual statements until it terminates.

Amendments

Except for amendments required to provide missing contributor information (see Chapter 2), there is no specified deadline for filing amendments to campaign statements. However, amendments should be filed as soon as practicable in the same location(s) as the original.

Faxing and E-Mailing Statements

Campaign statements that contain 30 pages or less may be faxed or e-mailed (if the local filing officer will accept an e-mailed statement) provided that the transmitted copy of the campaign statement is the exact copy of the original version. The original statement (with an original signature) must be sent by first-class mail, guaranteed overnight delivery, or personal delivery within 24 hours of the filing deadline.

C. Where to File

Candidates, candidate controlled committees, and primarily formed committees file statements based on the office sought by the candidate. The following chart summarizes the locations where campaign statements (i.e., Forms 450, 460, 470) are generally filed.

Certain campaign activity may trigger reports that must be filed in another location (see Chapter 10.) An "original" campaign statement is one containing the original signature of the officeholder or candidate and/or the treasurer or assistant treasurer.

Candidate/Officeholder/ Primarily Formed Committee	Where to File	What to File
City Offices	City Clerk	Original and one copy
County Offices	County Elections Offices	Original and one copy
Multi-County Offices Local agencies with jurisdiction in more than one county	County with the largest number of registered voters in the jurisdiction County of Domicile, if different	Original and one copy One copy
Judges and Judicial Candidates	**Electronic Filers** Secretary of State **Non-Electronic Filers** Secretary of State County of Domicile	 Electronically and one copy Original and one copy One copy

Electronic Filing

Judges and judicial candidates (including superior court judges and candidates) that have raised or spent $25,000 or more must file electronically with the Secretary of State. The Act does not require other local candidates and committees to file electronically. Some local agencies may require that campaign statements be filed electronically pursuant to a local ordinance. In those jurisdictions, paper copies may not be required, but most committees must submit a paper copy with a "wet signature" to the filing officer.

Multiple Controlled Committees in Same Jurisdiction

In general, a candidate or elected officer may only control one committee and one bank account per election under the Act's one bank account rule. (See Chapter 1.) However, if a candidate or elected officer controls more than one committee in the same jurisdiction (i.e., different terms of the same elective office, officeholder account, legal defense fund, or ballot measure committee), each of the committees must file preelection statements on the dates the

candidate or elected officer is required to file in connection with his or her election. (See FPPC Regulation 18405.) This provides the voters with a complete summary of the contributions received and expenditures made by the candidate.

Note: A candidate's election committee is not required to file based on the ballot measure committee schedule if he or she is not also being voted on in the election.

Multiple Controlled Committees in Different Jurisdictions

When an individual is simultaneously a candidate for elective state office and elective local office, or for elective office in two different local jurisdictions, he or she must file campaign statements for all committees he or she controls with both jurisdictions on the dates the candidate is required to file semi-annual and preelection statements. The original statement should be filed with the relevant jurisdiction and a copy with the other jurisdiction. If a local candidate or officeholder also controls a state committee that is required to file electronically, the local committee must file the Form 460 electronically with the Secretary of State each time the Form 460 is due for either committee.

Ex 9.4 - A school board member has an open committee from the school board election. The school board member opens a committee to run for mayor in her city. As an incumbent school board member and a candidate for mayor, she must file campaign statements for both committees with both the county elections office and the city clerk. Preelection statements and semi-annual statements required to be filed in connection with the mayoral election are filed as follows:

- Mayoral Committee
  - City Clerk – Original and one copy
  - County Elections Office – One copy
- School Board Committee
  - County Elections Office – Original and one copy
  - City Clerk – One copy

Ex 9.5 - A city council member has an open committee from the city council election. The council member opens a committee to run for State Assembly. Semi-annual and preelection statements required in connection with the State Assembly election are filed as follows:

- Assembly Committee
  - **Electronic Filers:** Secretary of State only – Electronically and one copy
  - **Non-Electronic Filers:** Secretary of State – Original and one copy
  - **Non-Electronic Filers:** City Clerk – One copy
- City Council Committee
  - City Clerk – Original and one copy
  - Secretary of State – One copy (the copy must be filed **electronically** if the Assembly Committee is an electronic filer)

An officeholder who does not have a controlled committee may file the Form 470 by July 31 for the position held. If the officeholder subsequently opens a committee to run for a different office, he or she must file the Form 460 for the required preelection and semi-annual statements. Since the Form 470 was filed in connection with a position for which the candidate does not have a committee, a Form 470 Supplement is not required. However, if the officeholder opens a committee prior to June 30 for election to a different office, the Form 460 must be filed by July 31 for both the position held and the office sought. The officeholder may file one Form 460 and list both the position held and the office sought on the Cover Page, Part 5.

Answering Your Questions

A. I am currently a city council member without a campaign committee. I intend to run for the board of supervisors in the November election and will open a committee in July for that race. When must I file the first Form 460?

As a city council member, you must file a semi-annual statement for the period January 1 through June 30 on or before July 31. Since you do not have an open city council committee, you may file the Form 470 instead of the Form 460. By the first preelection deadline for the county election, file the Form 460 with the county elections officer, as well as a copy with the city clerk.

B. In June, I was elected to the city council. After filing the semi-annual statement due on July 31, I paid off my remaining bills and terminated my committee in August by filing a terminating Form 410 and Form 460. I will not engage in any further campaign activities. Am I required to file another Form 460 by January 31 of the following year as a semi-annual statement?

As an elected officer, you must file semi-annual statements each year. You may designate the Form 460 you file in August as a terminating statement and a semi-annual statement, covering the period through December 31. However, if you subsequently receive any contributions or make any expenditures through December 31, file an amendment to your statement no later than January 31 of the following year. If you receive $200 or more in a calendar month for your elected position, you will be required to file the Form 470 by July 31 every year, even though you have terminated your committee.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

81004.5	Reports and Statements; Amendments.
81007	Mailing of Report or Statement.
81007.5	Faxing of Report or Statement.
81008	Public Records; Inspection; Reproduction; Time; Charges.
82027	Filing Officer.
83116	Violation of Title.
84200	Semi-Annual Statements.
84200.5	Preelection Statements.
84200.7	Time for Filing Preelection Statements for Elections Held in June or November of an Even-Numbered Year.
84200.8	Time for Filing Preelection Statements for Elections Not Held in June or November of an Even-Numbered Year.
84215	Campaign Reports and Statements; Where to File.
84605	Who Shall File Online.
84615	Electronic Filing for Local Agencies.
91013	Late Filing of Statement or Report; Fees.

Title 2 Regulations

18110	Duties of Filing Officers – Campaign Statements.
18116	Reports and Statements; Filing Date.
18426	Semi-Annual Statement Early Filing.
18531.5	Recall Elections.

CHAPTER 10

Additional Reports

In addition to the forms associated with starting a campaign (Forms 501 and 410) and the main campaign disclosure form (Form 460), there are several other forms that may be required, depending on the committee's activity. For example, most committees must file the 24-hour Contribution Report (Form 497).

Primarily formed committees making independent expenditures must file the independent expenditure reports discussed below. A candidate's controlled committee for his or her election will likely not be filing independent expenditure reports because it is making direct campaign expenditures for the candidate's election to office.

This chapter reviews the following special reports that may be required.

- 24-Hour Contribution Reports (Form 497)
- 24-Hour Independent Expenditure Reports (Form 496)
- Verification of Independent Expenditures (Form 462)
- Special Odd-Year Reports (Form 460)
- Paid Spokesperson Reports (Form 511)
- Reports of Communications Identifying State Candidates (Form E-530)

FPPC Reporting Forms

Your Committee	File
Receives Contributions:	
Receives contributions totaling $1,000 or more from a single source during the 90 days before the election or on the date of the election	Form 497
Makes Independent Expenditures:	
Makes independent expenditures of $1,000 or more to support or oppose a single candidate or ballot measure during the 90 days before the candidate or measure's election or on the date of the election	Form 496
Makes independent expenditures of $1,000 or more to support or oppose a single candidate or ballot measure	Form 462
Makes Payments:	
Makes contribution(s) totaling $10,000 or more to **state** officeholders during the first or third quarter of an odd-numbered year	Form 460
Makes contributions totaling $1,000 or more to another candidate or ballot measure committee during the 90 days before the candidate or measure's election or on the date of the election, or to a state or county political party committee during the 90 days before any state election or on the date of the election	Form 497
Makes expenditures for an individual to appear in a ballot measure advertisement	Form 511
Makes payments of $50,000 or more to "feature" a **state** candidate within 45 days before the candidate's election	Form E-530

A. 24-Hour Contribution Report (Form 497)

The 24-hour contribution report provides immediate reporting of contributions received or made near or on the election date. The Form 497 must be filed if a candidate controlled committee or a primarily formed committee:

- **Receives** contributions that total in the aggregate $1,000 or more from a single source during the 90 days before the candidate's election, including the date of the election; or

- **Makes** contributions that total in the aggregate $1,000 or more to a candidate or a committee primarily formed to support a candidate(s) or ballot measure(s) during the 90 days before the candidate's or measure's election, including the date of the election; or

Quick Tip

When aggregating contributions from a single source, monetary contributions, nonmonetary contributions, and loans are included.

- **Makes** contributions that total in the aggregate $1,000 or more to a state or county political party committee during the 90 days before any state election, including the date of the election.

Contributions reported on the Form 497 must also be reported on the committee's next Form 460.

Quick Tip

Contributions reported on the Form 497 must also be disclosed on the committee's next regular campaign statement (Form 460 or Form 450).

Ex 10.1 - Thirty days before the candidate's election, the candidate's committee received a $500 contribution. Four days later, the same person contributed $600. The candidate's committee must file a Form 497 since $1,000 or more was received from a single source during the 90-day period before the election. The same person must contribute another $1,000 or more in order for a subsequent Form 497 to be required.

Quick Tip

If a committee makes a nonmonetary contribution, it must notify the recipient of the contribution's value within 24 hours.

Ex 10.2 - In June, the candidate's election committee for a November election received a contribution of $2,000. The Form 497 is not required because it was not received during the 90-day period before the November election. In October, the same person made a contribution of $600 to the candidate's committee. The Form 497 is not required until that person contributes $1,000 or more in the 90 days before or on the date of the November election. Contributions received prior to the 90 days before the November election are not aggregated with contributions received during the 90-day period.

Quick Tip

The 90-day, 24-hour reporting period includes the date of the election.

In some local elections, a candidate's name will not appear on a ballot if no other individual runs for that office. Following the determination by the elections official that the candidate's name will not appear on the ballot, the Form 497 is not required to be filed by the candidate even if the candidate's committee receives $1,000 or more during the 90 days before the election, including the date of the election.

When and Where to File the Form 497

The Form 497 must be filed **within 24 hours** of **receiving or making** contributions as described above. A contribution is received on the date the candidate, committee, or an agent of the committee obtains possession or control of the check or nonmonetary item that constitutes a contribution. (See Chapter 2.) A contribution is made on the date it is mailed, delivered, or otherwise transmitted. A committee that makes a nonmonetary contribution must notify the recipient of the contribution's value within 24 hours by personal delivery, fax, or guaranteed overnight delivery.

Exceptions: The Form 497 must be filed **within 48 hours** of **receiving** a nonmonetary contribution.

Filing deadlines are extended to the next business day on Saturdays, Sundays, and official state holidays. However, the extension does not apply on the Saturday, Sunday, or an official state holiday immediately prior to an election. For example, a fundraiser held on a Friday evening results in several individuals making contributions of $1,000 or more. Generally, the committee must file the Form 497 on the following Monday. However, if the fundraiser is held the Friday evening of the week before the election, the "next business day" deadline extension does not apply, so the Form 497 must be filed within 24 hours.

The Form 497 is filed in the same location the committee files its regular campaign statements (Form 460 or Form 450) and must be filed by fax, guaranteed overnight delivery service, or personal delivery. Regular mail may not be used. Some local agencies may have an electronic filing system or may accept the Form 497 via e-mail.

Reporting Multiple Nonmonetary Contributions

If a committee anticipates that more than one nonmonetary contribution will be made to another committee or received from a single contributor during the 90 days before the election (including the date of the election), it may, on or before the deadline, file a single Form 497 covering the period in which the nonmonetary contributions will be made or received. The report must disclose the total value of nonmonetary contributions that will be made, or, if the actual value of nonmonetary contributions is not known at the time of filing, a good faith estimate of the value. If an estimated value differs from the reported amount by 20 percent or more, the committee must amend the Form 497 within 24 hours from the time the committee knows that the estimated value is incorrect.

Clear Page Print Form

497 Contribution Report

Type or print in ink.
Amounts may be rounded to whole dollars.

497 CONTRIBUTION REPORT

A

NAME OF FILER
Manuel Alvarez for Mayor 20XX

AREA CODE/PHONE NUMBER: 707-555-6868
I.D. NUMBER *(if applicable)*: 12344XX

STREET ADDRESS: 225 Presley Street

CITY: Oakmont
STATE: CA
ZIP CODE: 95443

B

Date of This Filing: 5/01/20XX

Report No.: 1

☐ Amendment to Report No. _____ (explain below)

No. of Pages: 1

Date Stamp

CALIFORNIA FORM **497**

For Official Use Only

1 **Contribution(s) Received**

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED
4/30/XX	Loretta Stone 28 Hemlock Street Oakmont, CA 95434	☒ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC	Nurse - Oakmont Hospital	$2,000 ☐ Check if Loan _____% Provide interest rate
4/30/XX	ABC Company 220 R Street Oakmont, CA 95434	☐ IND ☐ COM ☒ OTH ☐ PTY ☐ SCC		$3,000 ☐ Check if Loan _____% Provide interest rate

Completing the Form 497

A Filer Information

Provide the committee's full name, telephone number, street address, city, state, zip code, and committee ID number.

B Date, Report Number, Number of Pages

Indicate the date the report is being filed; assign a unique number to each Form 497, such as 1, 2, 3, PR-1, PR-2, PR-3, etc.; and, indicate the number of pages included in the report.

1 Contributions Received

For contributions received, provide:

- The date received.
- The contributor's full name, street address, and zip code.
- The contributor code. For each itemized contributor, check the box indicating whether the contributor is an individual, a committee, "other" (such as a business entity), a political party, or a small contributor committee.

- If the contributor is an individual, his or her occupation and employer must be provided. If the individual is self-employed, the name of the business must be provided.

- The amount of the contribution. Check the box if it was a loan.

Contributions Made

For contributions made, provide:

- The date made.

- The recipient's full name, street address, and zip code.

- The office sought or held (if the contribution is made to a candidate).

- The ballot measure number or letter and jurisdiction (if the contribution is made to a ballot measure committee).

- The amount of the contribution.

- The date of election.

Amending the Form 497

To amend a previously filed Form 497, file another Form 497 with the corrected or missing information, assign a new unique identifying number as the Report Number, check the "Amendment" box, and enter the identifying number of the report being amended. Describe the reason for the amendment in the space provided at the bottom of the form. There is no specified deadline for filing amendments; however, amendments should be filed as soon as practicable. Amendments are filed in the same location as the original.

Answering Your Form 497 Questions

A. Must a candidate file a Form 497 if, during the 90 days before the election, or on the date of the election, she loans her campaign committee $1,000?

Yes. A candidate's personal funds that are loaned to or contributed to the committee trigger the Form 497 requirement.

B. Must a candidate file a Form 497 if, during the 90 days before the election (or on the date of the election), she transfers campaign funds totaling $1,000 or more from a campaign committee established for a prior office to the campaign committee established for the office she is currently seeking election to?

No. Transfers among a candidate's own local campaign election committees are reported as miscellaneous increases to cash, not as contributions.

C. A committee will receive nonmonetary contributions from a single source during the 90 days before the election, including the date of the election. The contributions involve several days of telephone banking by paid individuals. Rather than filing several reports, may the committee file one Form 497 with an estimated value of the nonmonetary contributions anticipated to be received from this source during the 90 days before the election?

Yes. The committee may make a good faith estimate of the value that will be received during the period. The Form 497 must be filed within 48 hours of receiving the first $1,000 in nonmonetary contributions. If the actual value differs from the estimated amount by 20 percent or more, the estimated report must be amended within 24 hours of determining the correct amount.

D. Must a committee file a Form 497 when a contributor forgives a loan of $1,000 or more during the 90 days before the election, including the date of the election?

Yes. A loan forgiveness is reported as a contribution and triggers the Form 497 requirement.

E. A candidate has one open committee for a past election and one for the current election. If the committee for the past election receives $1,000 or more from a single source in the 90-day, 24-hour reporting period for the current committee, must the committee for the past election file a Form 497?

Yes. When a candidate is in a 90-day reporting period, contributions totaling $1,000 or more to any of the candidate's committees trigger the Form 497 requirement.

B. Independent Expenditure Reporting

As described in Chapter 6, a payment for a communication that expressly advocates support of or opposition to a candidate or ballot measure, which is not made at the behest of the candidate or measure committee, is an "independent expenditure." Chapter 6 defines in detail "expressly advocates" and "made at the behest of" and provides examples to assist committees in determining whether a payment made for a communication is considered an independent expenditure.

The Act requires committees making independent expenditures to file several forms so that voters are fully informed about who is paying for the communications that urge voters to support or oppose a particular candidate or ballot measure. Because the affected candidate or measure committee will not report the expenditures, the committee making the independent expenditures must file certain forms at the same time the candidate is required to file. In addition, a verification form that identifies an individual who is responsible for ensuring that the campaign committee's independent expenditures were not coordinated with the listed candidate or ballot measure (or the opponent) must be filed.

Ex 10.3 - City council candidate Martinez's controlled committee for election to office does not file independent expenditure reports when it pays for mailers for the candidate's election, because these payments are direct campaign expenditures made by the candidate. An independent group sending mailers attacking council candidate Martinez's opponent, without the cooperation, knowledge or consent of council candidate Martinez, will file independent expenditure reports.

An independent expenditure of $1,000 or more is reported on each of the forms listed below. The forms are reviewed in the order they will likely be required.

- Form 496 (24-Hour Independent Expenditure Report)
- Form 462 (Verification of Independent Expenditures)

What is the Date an Independent Expenditure is Made?

A payment made in connection with the development, production, or dissemination of a communication that is an independent expenditure must be reported no later than the date the communication is mailed, broadcast, or otherwise disseminated to the public. If the communication is never disseminated to the public, it need not be reported.

Candidate Controlled Election Committees

Communications paid for by a candidate's controlled committee to support his or her own election, or to oppose his or her opponent, are direct campaign expenditures, not contributions or independent expenditures.

If a candidate pays for a communication supporting his or her own candidacy that also supports or opposes a ballot measure, the payment is not considered a contribution or independent expenditure made in connection with the ballot measure.

If a candidate pays for a communication that supports another candidate, and the payment is not made at the behest of the endorsed candidate, the payment is not considered to be an independent expenditure if: (1) the candidate paying for the communication also is included in the communication; (2) the non-paying candidate is listed on the same ballot as the paying candidate: and (3) the communication is targeted only to the potential voters in the paying candidate's district.

Primarily Formed Committees

A committee that is primarily formed to support or oppose a candidate is not associated with the candidate. Therefore, payments made for communications that expressly advocate support or opposition of the candidate are considered to be independent expenditures because they are not made at the behest of the candidate.

Filing Deadlines for Independent Expenditure Forms

This chart summarizes the deadlines and filing locations for each of the independent expenditure forms. Each of the forms is discussed in detail below.

Deadline	Form	Filing Location
Within 24 hours	496	Filing officer where election is held
10 days after first independent expenditure	462	FPPC

Ex 10.4 - A committee is primarily formed to support a mayoral candidate. The committee must act totally independent of the mayoral candidate's campaign. Seven days before the election, the committee paid $5,000 for an advertisement in a local newspaper urging voters to support the candidate. The primarily formed committee must file the Form 496.

24-Hour Independent Expenditure Report (Form 496)

The 24-hour Independent Expenditure Report provides immediate disclosure of independent expenditures made near or on the election date. The Form 496 must be filed if a committee makes independent expenditures totaling $1,000 or more to support or oppose a single candidate or a single ballot measure during the 90 days, including the date of the election, before the candidate's or measure's election.

Note: The Sacramento Superior Court ruled in *Charles R. "Chuck" Reed v. Fair Political Practices Commission* that San Jose Mayor Reed was not subject to independent expenditure restrictions. For more information, contact the FPPC's Legal Division.

Expenditures reported on the Form 496 must also be reported on the committee's next regular campaign statement (Form 460). The Form 462 (Verification of Independent Expenditures) must also be filed.

Ex 10.5 - Ten days before an election, a committee spent $1,700 on a mailing that equally advocated support of two candidates. The mailing was done completely independent of the candidates. Since the value to each candidate was only $850 (less than $1,000), the committee is not required to file the Form 496 for either candidate.

Three days before the election, the committee independently spent $400 for lawn signs advocating support of one of the candidates included in the earlier mailing. Because the total spent on behalf of this candidate is now $1,000 or more in the 90 days before the election including the date of the election, the committee must file the Form 496 in connection with this candidate.

When and Where to File the Form 496

The Form 496 must be filed **within 24 hours** of making an independent expenditure of $1,000 or more **during the 90 days** preceding the election, including the date of the election, in which the candidate or measure will be voted on. An independent expenditure is made when the communication is disseminated to the public. There is no deadline extension for filing the Form 496. It must be filed within 24 hours regardless of the day of the week. A separate Form 496 must be filed for each candidate or ballot measure supported or opposed.

The Form 496 is filed with the filing officer that receives the campaign statements for the candidate or measure supported or opposed. (See the chart below.) This allows voters in the affected jurisdiction to have access to reports disclosing who is spending funds attempting to influence them.

Local Elections: The Form 496 must be filed by fax, guaranteed overnight delivery, personal delivery, or e-mail, if available. Regular mail may not be used. A local ordinance may require that the form be filed electronically. Contact the local filing officer to determine if electronic filing or e-mail is available.

State Elections: The Form 496 must be filed electronically with the Secretary of State's office when it is filed in connection with a state candidate or measure. No paper copies are accepted. If the Form 496 is filed in connection with a CalPERS or CalSTRS election, a copy must also be filed with the relevant board's office.

Jurisdiction of Candidate or Measure Supported/ Opposed	Location of Filing Form 496
Statewide	Secretary of State – Electronically only
Senate or Assembly District	Secretary of State – Electronically only
CalPERS/CalSTRS	Secretary of State – Electronically only Also file a copy at CalPERS/ CalSTRS board office
Multi-County	County with the largest number of registered voters in the jurisdiction
County	County in which the candidate or measure will appear on the ballot. LAFCO proposals: County where measure likely to appear on the ballot and the LAFCO.
City	City in which the candidate or measure will appear on the ballot

Ex 10.6 - A city councilmember's election committee made an independent expenditure of $8,000 to support a county ballot measure. The Form 496 must be filed with the county elections office.

Ex 10.7 - A county supervisor's election committee made an independent expenditure of $10,000 to support a state ballot measure. The Form 496 must be filed electronically with the Secretary of State's office.

496 Independent Expenditure Report

Type or print in ink.
Amounts may be rounded to whole dollars.

496 INDEPENDENT EXPENDITURE REPORT

A

NAME OF FILER
Friends Supporting Alvarez for Mayor 20XX

AREA CODE/PHONE NUMBER: 707-111-2222
I.D. NUMBER *(if applicable)*: 12399XX

STREET ADDRESS: 10 Main Street

CITY: Oakmont
STATE: CA
ZIP CODE: 95443

B

Date of This Filing 06/01/20XX

Report No. 2

☐ **Amendment to Report No.** _____
(explain below)

No. of Pages _____

Date Stamp

CALIFORNIA FORM 496

For Official Use Only

1 List Only One Candidate or Ballot Measure

NAME OF CANDIDATE SUPPORTED OR OPPOSED			
Manuel Alvarez			
OFFICE SOUGHT OR HELD	DISTRICT NO.	SUPPORT	OPPOSE
Mayor		X	

NAME OF BALLOT MEASURE SUPPORTED OR OPPOSED			
BALLOT NO./LETTER	JURISDICTION	SUPPORT	OPPOSE

2 Independent Expenditures Made ***Attach additional information on appropriately labeled continuation sheets.***

DATE	DESCRIPTION OF EXPENDITURE	AMOUNT
5/31/20XX	Newspaper Advertisement (cumulative total: $6,000)	$2,000

3 Contributions of $100 or More Received*

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE **	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED	INTEREST RATES
5/28/20XX	Joe Brown 1800 Second Street Oakmont, CA 95443	☒ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC	Retired	$200	If loan, enter interest rate, if any _____%

Completing the Form 496

A Filer Information

Provide the committee's name, street address, city, state, zip code, telephone number, and committee ID number.

B Date, Report Number, Number of Pages

Indicate the date the report is being filed; assign a unique number to each Form 496, such as 1, 2, 3, PR-1, PR-2, PR-3, etc.; and, indicate the number of pages included in the report.

1 Name of Candidate or Ballot Measure Supported or Opposed

Provide the name of the candidate supported or opposed and the office sought or held (and district, if applicable). Or, provide the name of the ballot measure supported or opposed, the jurisdiction in which the measure is being voted upon, and its number or letter if it has been assigned. Indicate whether the independent expenditure supported or opposed the candidate or ballot measure.

2 Independent Expenditures Made

Provide the date the committee made the independent expenditure. In the "Description of Expenditure" field, include a description of the independent expenditure (e.g., radio advertisement, billboard, mailing) and the cumulative-to-date total for independent expenditures relating to each candidate or measure. List the amount of the specific expenditure in the "Amount" column.

Quick Tip

Generally, the "cumulative amount" means the amount of independent expenditures made in the current calendar year.

3 Contributions of $100 or More Received

Disclose contributions of $100 or more received since the closing date of the last campaign statement filed through the date of the independent expenditure. If no previous campaign statement has been filed, disclose contributions of $100 or more received since January 1 of the current calendar year.

Disclose the name and street address of the contributor and, if the contributor is an individual, his or her occupation and the name of his or her employer. If the individual is self-employed, disclose the name of the business. Also disclose the date and amount of the contribution, the contributor code, and type of contribution. If the contribution is a loan, enter the interest rate. Once you have disclosed a contribution on the Form 496, it is not necessary to report that contribution on any additional Form 496 filings; however, it must be reported on the committee's next regular campaign statement (Form 460 or Form 450).

Amending the Form 496

To amend a previously filed Form 496, file another Form 496 with the corrected or missing information, assign a new unique identifying number as the Report Number, check the "Amendment" box, and enter the identifying number of the report being amended. Describe the reason for the amendment in the space provided at the bottom of the form. There is no specified deadline for filing amendments; however, amendments should be filed as soon as practicable. Amendments are filed in the same location as the original.

Verification of Independent Expenditures (Form 462)

The Form 462 must be filed if the committee makes an independent expenditure of $1,000 or more in a calendar year to support or oppose a single candidate or a single ballot measure. The purpose of the Form 462 is for officers of the committee making the independent expenditure to verify that the committee's expenditures are indeed independent and have not been coordinated with the affected candidate or ballot measure committee (or the opponent). The form also verifies that the committee has not received any unreported contributions or reimbursements to make the independent expenditures.

Ex 10.8 - A committee primarily formed to oppose a candidate made independent expenditures of $20,000 to oppose the candidate in the primary election. A Form 462 is required for the primary election. If the committee makes independent expenditures of $1,000 or more to oppose the candidate in the general election, another Form 462 must be filed.

When and Where to File the Form 462

The Form 462 must be filed within 10 days from the date of the committee's first independent expenditure of $1,000 or more to support or oppose a candidate or measure in a calendar year. An independent expenditure is made when the communication is disseminated to the public. A candidate or measure is listed only once for each election. Primary, general, and runoff elections are considered separate elections.

The Form 462 must be filed via e-mail with the FPPC (form462@fppc.ca.gov). The originally signed form must be maintained with the committee's campaign records for four years.

Ex 10.9 - A committee primarily formed to support a candidate on a November ballot made its first independent expenditure of $1,000 or more in September and filed the Form 462 listing the candidate. In October, the committee made several more independent expenditures to support the candidate. No additional Form 462s are required for that candidate for the November election.

Form 462
Verification of Independent Expenditures

CALIFORNIA FORM 462

This verification form identifies an individual responsible for ensuring that the campaign committee's independent expenditures were not coordinated with the listed candidate or measure committee (or the opponent) and that the committee will report all contributions and reimbursements as required by law. An independent expenditure is not subject to state or local contribution limits.

☐ Amendment (Explain)

1 Name of Committee:

NAME OF RECIPIENT COMMITTEE, ENTITY OR INDIVIDUAL			COMMITTEE ID #
Friends Supporting Alvarez for Mayor 20XX			12399XX
BUSINESS STREET ADDRESS		CITY	
10 Main Street		Oakmont	
STATE	ZIP CODE	E-MAIL	TELEPHONE NUMBER
CA	95443	klucci@hotmail.com	(707) 111-2222

2 Candidates or Measures:

This committee has reported independent expenditure(s) to support or oppose the candidate(s) or measure(s) listed on a ballot for the election date identified below. (Note: The reporting of an independent expenditure may occur after this form is filed if an independent expenditure is made before the 90 day-24 hour reporting period of Government Code Sections 84204 and 85500.)

NAME OF CANDIDATE (First/Last)/BALLOT MEASURE	SUPPORT	OPPOSE	OFFICE SOUGHT OR HELD/ BALLOT NO./LETTER	JURISDICTION AND DISTRICT, IF ANY	ELECTION DATE
Manuel Alvarez	✓		Mayor	Oakmont	06/04/20XX
NAME OF CANDIDATE (First/Last)/BALLOT MEASURE	SUPPORT	OPPOSE	OFFICE SOUGHT OR HELD/ BALLOT NO./LETTER	JURISDICTION AND DISTRICT, IF ANY	ELECTION DATE
NAME OF CANDIDATE (First/Last)/BALLOT MEASURE	SUPPORT	OPPOSE	OFFICE SOUGHT OR HELD/ BALLOT NO./LETTER	JURISDICTION AND DISTRICT, IF ANY	ELECTION DATE
NAME OF CANDIDATE (First/Last)/BALLOT MEASURE	SUPPORT	OPPOSE	OFFICE SOUGHT OR HELD/ BALLOT NO./LETTER	JURISDICTION AND DISTRICT, IF ANY	ELECTION DATE

3 Verification (Check One): ☑ Principal Officer ☐ Candidate/Officeholder ☐ State Ballot Measure Proponent

I have not received any unreported contributions or reimbursements to make these independent expenditures. I have not coordinated any expenditure made during this reporting period with the candidate or the opponent of the candidate who is the subject of the expenditure, with the proponent or the opponent of the state measure that is the subject of the expenditure, or with the agents of the candidate or the opponent of the candidate or the state measure proponent or opponent. **I certify under penalty of perjury under the laws of the State of California that the following is true and correct.**

Signature [Signature Required] Printed Name Karen Lucci Signed on [Date Required] (month, day, year)

FPPC Form 462 (Dec/2012)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Completing the Form 462

1 Name of Committee

Enter the name and street address of the committee that is making the independent expenditure(s). The address should be the same as the address listed on the committee's Statement of Organization (Form 410). Provide the committee's assigned committee ID number.

2 Candidates or Measures

List the name of the candidate(s) or ballot measure(s) and mark the applicable support or oppose box. For candidates, list the office sought or held. The candidate's or measure's jurisdiction (and district if applicable) and the date of the election must also be listed.

3 Verification

The form must be reviewed and signed by the committee's principal officer. A principal officer is an individual primarily responsible for approving the political activity of the committee. (See Chapter 1.) If the committee has more than one principal officer, only one individual must sign the Form 462. The individual must be listed on the committee's Statement of Organization (Form 410). The same individual is not required to sign each Form 462. In the case of a controlled committee, the candidate or officeholder must sign the form.

Amending the Form 462

To amend a previously filed Form 462, file another Form 462 with the corrected or missing information, check the "Amendment" box, and describe the reason for the amendment in the space provided. Amendments to the Form 462 must be filed within 10 days of the change. Like the original, the amendment must be signed and dated and filed via e-mail with the FPPC (form462@fppc.ca.gov).

Answering Your Independent Expenditure Questions

A. How frequently must the Form 462 be filed?

The Form 462 is required to identify the candidate or measure supported or opposed only once for each election. Once a candidate or measure is listed on the Form 462, no further filings are required for that candidate or measure for that election. If a committee makes independent expenditures related to a candidate in the primary election and later makes independent expenditures related to the same candidate in the runoff election, two Form 462's must be filed as they are separate elections.

B. Is an independent expenditure reportable by the committee for the candidate or the ballot measure named in the communication?

No. Because the communication is not made at the behest of the candidate or ballot measure committee, the expenditure for the communication is not reported by the affected candidate or measure committee. The person making the independent expenditure has the reporting obligations.

C. Is a candidate's controlled committee making an independent expenditure when it pays for a communication that supports the controlling candidate and supports or opposes a ballot measure listed on the same ballot?

No. This type of expenditure considered to be a direct campaign expenditure to promote one's own election.

D. May a committee pro-rate the value of a communication that contains both an independent expenditure and a non-political message?

Yes. The committee should value the independent expenditure as the portion of the costs directly associated with sending the message that expressly advocates support or opposition of a candidate or ballot measure.

D. Special Odd-Year Report (Form 460 or 450)

The odd-year report is designed to timely show if a committee is making large contributions to a number of state legislators or elected state officers during an off-election year when important issues such as the state budget or controversial legislation is being considered. The odd-year report must be filed, if during any odd-numbered year, the committee makes contributions totaling $10,000 or more to **elected state officers**, their controlled committees, or committees primarily formed to support or oppose any elected state officer during the first and third quarters of the year.

Ex 10.13 - Between July 1 and September 30 of an odd-numbered year, a local candidate's election committee contributes $6,000 to the Governor's ballot measure committee and $6,000 to the Secretary of State's election committee. The local committee must file a special odd-year report covering the period July 1 through September 30, by October 31.

The special odd-year report is completed in the same manner as a regular preelection or semi-annual statement (see Chapter 8) and includes all of the committee's activity during the reporting period, not just contributions to elected state officers.

When and Where to File the Special Odd-Year Report

The special odd-year report is filed where the committee files its regular campaign statements and is filed on the committee's regular campaign disclosure statement (Form 460 or Form 450).

Period Covered	Filing Deadline
January 1 through March 31	April 30
July 1 through September 30	October 31

E. Advertisement Reports

Paid Spokesperson Report (Form 511)

Promoting "truth in advertising," the Act requires that when a teacher, firefighter, doctor, or other person is in a ballot measure advertisement giving their expert views for or against the measure, the advertisement must disclose if the person has been paid. The Form 511 must be filed if a committee pays an individual for his or her appearance in a ballot measure advertisement in the following situations:

Ex 10.14 - In support of a local ballot measure, a committee hires a public relations firm to produce a television advertisement. A local celebrity is paid $5,000 or more to appear in the ad. The committee must include the ad disclaimer described in Chapter 7 and must file the Form 511.

Payments of $5,000 or More: The committee makes expenditures totaling $5,000 or more to an individual for his or her appearance in an advertisement to support or oppose the qualification, passage, or defeat of a state or local ballot measure.

Payments of Any Amount: The committee makes expenditures of any amount to an individual for his or her appearance in an advertisement to support or oppose the qualification, passage, or defeat of a state or local ballot measure and the advertisement states or suggests that the individual is a member of an occupation that requires licensure or certification or other specialized documented training as a prerequisite to engage in that occupation (nurse, doctor, firefighter, scientist, engineer, lawyer, etc.).

Committees that pay a spokesperson to appear in a ballot measure advertisement may be required to include specific disclaimers on the advertisements. (See Chapter 7.)

Ex 10.15 - A committee pays $200 for a doctor to appear in a television advertisement supporting a local ballot measure. The ad will clearly identify the individual as a doctor. The committee is not required to include an ad disclaimer, but it must file the Form 511.

Quick Tip

Chapter 7 contains the requirements for advertisement disclaimers, including the specific disclaimers that may be required if a committee pays a spokesperson to appear in a ballot measure advertisement.

When and Where to File the Form 511

The Form 511 must be filed within 10 days of making an expenditure identified above. An expenditure is made on the date the payment is made or the date the services are received, whichever is earlier. The Form 511 is filed in the same location the committee files its regular campaign statements (Form 460 or Form 450). Instructions for completing the Form 511 are provided on the FPPC's website.

Communications Identifying State Candidates (Form E-530)

The Act requires reporting of electioneering communications for state candidates, such as billboards on Interstate 5 saying "Thank you Senator Kim for your support of Central Valley Agriculture" placed right before the election. The Form E-530 must be filed if a committee makes a payment or a promise of a payment totaling $50,000 or more for a communication disseminated within 45 days of an election that clearly identifies a candidate for elective state office, but does not expressly advocate the election or defeat of the candidate.

The report must disclose the amount and date of the payment(s), and the name of and office sought by the candidate(s) identified in the communication. In addition, if $5,000 or more was received or promised from a single source to pay for the communication, the report must include the name and address of the contributor, as well as the date and amount received or promised. If the contributor is an individual, the individual's occupation and employer must also be included.

The report must be verified by a written "electronic filing declaration" signed, dated, and verified on the same date the report is transmitted to the Secretary of State. This declaration must be retained in the committee's records for five years following the date that the campaign report to which it relates is filed. The statement must include the following language:

> "I have used all reasonable diligence in preparing this report and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct."

When and Where to File the Form E-530

The Form E-530 must be filed electronically with the Secretary of State **within 48 hours** of making or promising to make a payment of $50,000 or more. There is no paper version of the Form E-530. To access the online form, go to the Secretary of State's website (www.sos.ca.gov). If the committee has not previously filed electronically with the Secretary of State, the committee will need to request a filer ID and password. The request form (Electronic Filing Password Request) is located on the Secretary of State's website under Campaign Finance.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

81004.5	Reports and Statements; Amendments.
82025	Expenditure.
82036	Late Contribution.
82036.5	Late Independent Expenditure.
82044	Payment.
84200.6	Special Campaign Statements and Reports.
84202.7	Time for Filing by Committees of Odd-Numbered Year Reports.
84203	Late Contribution; Reports.
84203.3	Late In-Kind Contributions.
84204	Late Independent Expenditures; Reports.
84213	Verification.
84511	Ballot Measure Ads; Paid Spokesperson Disclosure.
85310	Communications Identifying State Candidates.
85501	Prohibition on Independent Expenditures by Candidate Controlled Committees.

Title 2 Regulations

18116	Reports and Statements.
18421.1	Disclosure of the Making and Receipt of Contributions.
18425	24-Hour Contribution Reports.
18450.11	Spokesperson Disclosure.
18465.1	Verification of Online Filers.
18531.10	Communications Identifying State Candidates.
18539.2	Reporting Payments Pursuant to Government Code Section 85310.

CHAPTER 11

Filing Obligations After the Election and Terminating the Committee

After the election, a candidate's future filing obligations are determined by whether he or she was elected to office or not. Generally, a committee primarily formed to support or oppose a candidate will terminate after the election. The Political Reform Act (Act) does not require any local candidate or primarily formed committee to terminate; however, campaign statements must continue to be filed as long as the committee remains open. In addition, the $50 annual fee must be paid to the Secretary of State.

This chapter addresses the reporting requirements for successful candidates, defeated candidates, primarily formed committees, and the guidelines for terminating a campaign committee.

A. Successful Candidates

The requirements discussed below apply to candidates/officeholders immediately following the election and for subsequent non-election years. An officeholder retains his or her status as a "candidate" under the Act and must continue to file campaign reports – either the full Form 460 or the short Form 470 – until they have left elective office and terminated their committee. See "Candidates Using Campaign Funds for a Future Election" below to determine the requirements for a candidate/officeholder running for reelection or running for election to a different office.

Officeholders Who Filed Form 470 During Campaign

After the election, a candidate who filed the Form 470 (Officeholder and Candidate Campaign Statement – Short Form) in connection with the election has no additional filing obligations that calendar year provided $2,000 or more is not raised or spent during that calendar year. So long as a candidate/officeholder does not have an open committee, a Form 470 must be filed by July 31 of each subsequent non-election year.

Officeholders Who Filed Form 460 During Campaign

After the election, a successful candidate who filed the Form 460 (Recipient Committee Campaign Statement) in connection with the election must continue to file the Form 460 semi-annually as long as the committee remains open. In addition, other special reports may be required. The candidate/officeholder has the option of maintaining his or her committee and campaign bank account or terminating the campaign committee and closing the bank account. An officeholder who maintains a committee may:

- Continue to receive contributions;
- Use campaign funds to offset officeholder expenses; or
- Use funds for a future election. (See "Candidates Using Campaign Funds for a Future Election" below.)

Once an officeholder terminates the committee, he or she may be required to file the Form 470 the following year. However, if a candidate/officeholder has an open committee at any time during a calendar year, the Form 470 (short form) may not be filed instead of the Form 460.

Exception: Judges and Unpaid Officeholders

Unpaid officeholders (defined in the Act as those who receive less than $200 per month for serving in office) and judges are not required to file Form 460 or Form 470 for any semi-annual period in which they are not listed on a ballot and do not receive any contributions or make any expenditures. This exception applies even if a judge or unpaid officeholder has a controlled committee so long as the committee has not received any contributions or made any expenditures (excluding bank fees and interest).

To determine whether $200 has been received, only the elected officeholder's fixed compensation (i.e., salary) is counted. Payments for health benefits, reimbursement for expenses (including travel expenses), or per diem received from the officeholder's agency need not be counted toward the $200.

Judges and unpaid officeholders who are listed on a ballot must file the Form 470.

Behested Payment Reports (Form 803)

An elected officer who fundraises for worthy causes in his or her community (such as for a local school, to build a new community center or restore a historic building) may have to file a "behested payments" report. Behested payments are donations made to a charity or a government agency at the request of an elected officer for a legislative, governmental or charitable purpose. These payments are not made for personal purposes (i.e., gifts) or campaign purposes (i.e., contributions).

A common example is when an elected officer co-sponsors a charitable, governmental, or legislative event, such as a job fair or a conference on public policy issues, with outside sources. Payments made by outside sources in connection with these events generally are considered behested payments.

Form 803 Filing Procedures:

- File the Form 803 when a person donates $5,000 or more in a calendar year to charitable organizations or events at the request of an elected officer.
- Once a source has made a behested payment(s) of $5,000 or more during the calendar year, subsequent payments of any amount from that source during the calendar year must be reported.
- File the Form 803 with the elected officer's agency within 30 days following the date of the payment.
- The elected officer's agency must forward the Form 803 to the filing officer who receives the elected officer's campaign statements within 30 days of receiving the form. The Form 803 is a public record. See the Form 803 example below.

Quick Tip

Although behested payments are not considered gifts or contributions to the elected official, meals, lodging, and travel payments received by an official in connection with a co-sponsored event may be reportable gifts.

Ex 11.1 - At the mayor's request, a catering company donated refreshments valued at $5,000 for a city sponsored job fair. The mayor must file a Form 803 with the city clerk to report the behested payment.

Form 803 Exceptions:

- A Form 803 is not required of a non-elected officer.

- A payment is not subject to behested payment reporting if the payment is made in response to a fundraising solicitation from a charitable organization requesting a payment where the solicitation does not "feature an elected officer," even if the solicitation includes an elected officer's name. A solicitation "features an elected officer" when it includes the officer's photograph or signature, or singles out the elected officer. An elected officer is also "featured" in a solicitation if the roster or letterhead listing the governing body contains a majority of elected officers. See Regulation 18215.3 for additional information.

- A payment is not subject to behested payment reporting if the elected officer makes a request for a payment from a local, state, or federal government agency.

Behested Payment Report

A Public Document

1. Elected Officer or CPUC Member *(Last name, First name)*

Alvarez, Manuel

Agency Name

City of Oakmont

Agency Street Address

225 Presley Street, Oakmont, CA 95443

Designated Contact Person *(Name and title, if different)*

Madeline Richards

Area Code/Phone Number	**E-mail** *(Optional)*
707-555-6868	mrichards@oakmontmail.com

Date Stamp

California Form 803

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: 6/30/XX *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Wildwood Insurance Company

Name

1022 Main Street	Oakmont	CA	95443
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Boys and Girls Club of California

Name

555 10th Street	Sacramento	CA	95814
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 6/24/XX *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5,000 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment:

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: Charitable fundraiser to support the Boys and Girls Club.

5. Amendment Description or Comments

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 6/30/XX
DATE

By [Signature Required]
SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

Legal Defense Committees

The Act permits a local candidate or elected officer to establish a legal defense fund, if the candidate or officer is subject to civil, criminal or administrative proceedings arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officer's governmental duties. Contributions raised for legal defense must be held in a separate account, they may be subject to contribution limits if provided by local ordinance, and they must be fully reported. Any funds raised may only be spent to defray attorneys fees and other related legal costs, as defined in the Act. (See Regulation 18530.45 for additional information.)

Recall Elections

Under state law, an officeholder who is the subject of a recall may use an existing committee (set up for the office he or she currently holds) to receive contributions and make expenditures to oppose the qualification of the recall measure, and if the recall petition qualifies, the recall election.

An alternative option is to form a separate recall committee. A recall committee may be established once the officeholder receives a notice of intent to recall under Elections Code Section 11201. The committee must set up a separate bank account at a financial institution in California, file a Statement of Organization (Form 410), and, in addition to the officeholder's name, must include the word "recall" in the name of the committee. See Campaign Disclosure Manual 3 as a recall committee is considered a ballot measure committee. (FPPC Regulation 18531.5 contains specific guidance on recall elections.)

B. Defeated Candidates

Form 470 Filers

Following the election, a defeated candidate who filed the Form 470 (Officeholder and Candidate Campaign Statement – Short Form) has no further reporting obligations so long as less than $2,000 was raised or spent during the calendar year.

Form 460 Filers

Following the election, a defeated candidate must continue to file the Form 460 on a semi-annual basis and pay the annual committee fee as long as the committee remains open. In addition, other special reports may be required.

There is no deadline for terminating the committee or disposing of leftover funds; however, if there are leftover funds and the candidate wants to use the funds for a future election, the funds must be redesignated or transferred as discussed below.

C. Candidates Using Leftover Campaign Funds for a Future Election

A local candidate or officeholder may use leftover campaign funds for a future election so long as the funds are not considered "surplus funds" and the requirements below are met. **Campaign funds become surplus on the 90th day after the closing date for the postelection reporting period or upon the 90th day after the date of leaving office, whichever occurs last.** Surplus campaign funds are subject to restrictions, as described in Chapter 5, and may not be used for a future election.

Ex 11.2 - John Davis lost the city council election in November. John has $3,500 remaining in his campaign bank account and is considering seeking another city council position in two years. In order to use the remaining $3,500 for the future election, John must file a new Form 501 (Candidate Intention Statement) and redesignate the bank account to a future election by amending his Form 410 (Statement of Organization) to indicate the new office sought and year of election. This must be done within 90 days after the end of the postelection reporting period for the November election.

Running for the Same Office

To use money remaining in the campaign bank account for a future election to the **same office** before the funds become surplus, a local candidate may redesignate his or her committee and campaign bank account by:

- Filing a **new Form 501** (Candidate Intention Statement) for the specific future election; and,
- Filing an **amended Form 410** (Statement of Organization) to reflect the redesignation for the future election.

Quick Tip

Candidates should also check with the city or county to determine if there are local restrictions for redesignating or transferring campaign funds.

Running for a Different Office

To use money remaining in the campaign bank account for a future election to a different office before the funds become surplus, a local candidate must:

- File a **new Form 501** (Candidate Intention Statement) for the specific future election;
- File a **new Form 410** (Statement of Organization); and,
- Open a **new bank account**. So long as the funds are not surplus and there are no local restrictions, the campaign funds from the other account may be transferred to the new bank account.

Ex 11.3 - Jayna Chacon is a city council member who plans to run for county supervisor in the next election. She would like to use the remaining funds in her city council committee bank account for the county election. Jayna must file a new Form 501 before she solicits or receives contributions for the county supervisor election. She must also file a new Form 410 and open a new bank account. The city council committee campaign funds must be transferred to the county supervisor campaign bank account within 90 days after the date Jayna leaves the city council position.

D. Primarily Formed Committees

Generally, a committee established primarily to support or oppose a particular candidate(s) will terminate after the election, but the committee may remain open to:

- Raise funds to pay debts.
- Support or oppose other candidates or measures. The committee will need to amend its Statement of Organization (Form 410) to reflect the change.

Ex 11.4 - After the election, the committee primarily formed to support candidate Jones decides to support candidate Lopez in the next election. In order to do so, the committee must file an amended Form 410 (Statement of Organization) and will continue to file campaign statements.

A primarily formed committee must continue to file semi-annual campaign statements (i.e., Form 460 or Form 450) and pay the annual committee fee as long as the committee remains open.

E. Terminating the Committee

There is no deadline for terminating a committee controlled by a local candidate or officeholder unless the controlling candidate/officeholder becomes a state officeholder. In that case, the candidate should refer to Campaign Disclosure Manual 1 for State Candidates for the termination requirements.

A primarily formed committee also does not have a deadline to terminate. However, the committee, by its nature, may need to change its committee status if it remains open after the election. A committee that remains open must continue to file semi-annual campaign statements (i.e., Form 460 or Form 450) and pay the annual

fee, as described in Chapter 1, until it terminates. There are specific requirements that must be met in order for a committee to terminate.

A committee may terminate only if the committee:

- Has ceased receiving contributions or making expenditures and does not anticipate receiving contributions or making expenditures in the future;
- Has no remaining campaign funds;
- Has filed all required campaign statements, disclosing all reportable transactions, including the disposition of leftover funds; and
- Has eliminated all debts, or has no intention or ability to discharge debts.

A committee must file a Form 410 and a final Form 460 or Form 450. On the Form 410, the "Termination" box must be checked. List the committee's identification number and the date of termination; the date of termination generally is the date all funds have been expended. Complete Section 1 and the treasurer or assistant treasurer must sign the verification. For candidate controlled committees, the controlling officeholder(s)/candidate(s) also must sign the verification.

Form 450 or 460 also must be filed showing that all funds have been expended and the committee has no cash on hand. Check the "Termination" box on the cover page.

File the original and a copy of the Form 410 with the Secretary of State and a copy with the committee's local filing officer who receives the committee's original campaign statements. File the Form 450 or 460 in the committee's regular filing locations.

Ex 11.5 - At the end of November, after winning her election, Arlene decides to terminate her committee. To do so, she must file a Form 410 termination and a Form 460 termination showing that the committee has no remaining cash. On the Form 460 Cover Page, Type of Statement section, she will mark both the termination and semi-annual boxes and enter December 31 as the closing date of the statement. Unless there is additional activity, Arlene is not required to file a semi-annual statement on January 31, and may file Form 470 by July 31 of the next year.

F. Receiving a Refund After the Committee Has Terminated

Generally, once a committee has terminated, no transactions may be made by the committee unless a request to reopen the committee is submitted to and approved by the FPPC's Executive Director. However, a candidate controlled committee that has terminated may accept a refund from a governmental entity (such as an overpayment of filing fees) without reopening. A committee may also accept a refund from a vendor or other person without reopening if the committee did not know of its entitlement to the refund prior to termination and the refund or refunds total no more than $10,000.

To report this type of refund, the terminated committee must file a Form 460 for the period in which the refund was received and report the refund as a miscellaneous increase to cash on Schedule I of the Form 460 and as an expenditure on Schedule E when the funds are spent. (See Chapter 5 for the permissible uses of campaign funds.) For the rules related to transferring the refund to another committee, see Regulation 18404.1.

Ex 11.6 - A candidate was defeated in a November election and closed her campaign committee in December. In February of the following year, she received a $1,500 refund from the county elections office for an overpayment of her filing fees. The candidate must disclose receipt of the refund on Schedule I of the Form 460. The refund must be used for a permissible expenditure as described in Chapter 5, such as to pay outstanding debts or to make a donation to a charity, and disclosed on Schedule E. If the candidate used personal funds to pay the filing fee, she may keep the refund without disclosing it on the Form 460.

Answering Your Questions

A. Must I file the Form 470 even if I waive my $200 per month salary as a school board member?

Yes. The exception for unpaid officeholders (less than $200 per month) does not apply when an officeholder waives his or her salary.

B. May I terminate my committee even if I have outstanding debt?

Yes. When you file your termination statement showing outstanding debt, you are declaring that you do not have the ability to discharge debts, loans, or other obligations. However, if you plan to raise additional funds, or pay the outstanding debt with personal funds, you may not terminate.

C. After terminating my committee, I received an invoice for legal services that needs to be paid. Is it permissible to pay the invoice with my personal funds without reopening the committee?

No. A request to reopen your committee must be submitted to the FPPC's Executive Director. If the request is approved, you must reopen the committee and deposit personal funds into the committee's bank account before paying the invoice. The only transactions that may occur without reopening a committee are receipt of a refund from a governmental entity or receipt of a refund from a vendor or other person if the committee did not know of its entitlement prior to termination and the refund is no more than $10,000. (See Regulation 18404.1.)

D. After terminating my committee, I received a refund from the city clerk for an overpayment of my filing fees. How do I report this?

If you used campaign funds to pay for the filing fees, you must file a Form 460 to report the refund as a miscellaneous increase to cash (on Schedule I). You must also report the expenditure of the funds on Schedule E. See Chapter 5 for the permissible uses of campaign funds.

If you used personal funds to pay for the filing fees, you may keep the refund and you are not required to report it on a campaign statement.

E. A nonprofit group paid for a survey they conducted and published. The group is claiming that my committee owes them for part of the costs of the survey, but my position is that, since they conducted the survey without my authorization, my committee does not owe them for the survey. The group has indicated that it may seek a small claims court judgment. I would like to close my committee, but should the committee remain open until the issue is resolved?

One of the requirements that must be met in order for a committee to terminate is for the treasurer to state, under penalty of perjury, that the committee has eliminated all debts or has declared that it has no intention or ability to discharge all of its debts, loans received, and other obligations.

Under very limited circumstances (e.g., to receive a refund), a committee may request approval from the FPPC's Executive Director to reopen a terminated committee, but this issue does not appear to meet these circumstances. So, if your treasurer does not want to declare that the committee has no intention or ability to discharge all of its debts, loans received, and other obligations, we recommend that the committee remain open until the issue is resolved.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82015	Contribution.
84103	Statement of Organization; Amendment.
84200	Semi-Annual Statements.
84206	Candidates Who Receive or Spend Less than $2,000.
84214	Termination.
85200	Statement of Intention to be a Candidate.
85201	Campaign Bank Account.
85304.5	Legal Defense Fund; Local Candidates and Elected Officeholders.
89519	Surplus Funds.

Title 2 Regulations

18215	Contribution.
18215.3	Behested Payments Reporting.
18402	Committee Names.
18404	Termination of Candidate's and Committees' Filing Requirements.
18404.1	Termination and Reopening of Committees.
18406	Short Form for Candidates or Officeholders Who Receive and Spend Less than $2,000 in a Calendar Year.
18426	Semi-Annual Statement Early Filing.
18530.45	Legal Defense Funds – Local Candidates and Officers.
18531.5	Recall Elections.

APPENDIX – ABOUT THE POLITICAL REFORM ACT/ HOW TO GET HELP

The Political Reform Act of 1974

The Political Reform Act (the "Act") was a voter-approved initiative on the 1974 primary election ballot. One of the major provisions of the Act requires the truthful and accurate disclosure of campaign contributions and expenditures during elections.

The Fair Political Practices Commission

The Fair Political Practices Commission (FPPC) is the independent, nonpartisan state agency authorized to implement, interpret, and enforce the provisions of the Act. The Commission is comprised of a full-time chair appointed by the Governor, and four part-time commissioners, one each appointed by the Controller, the Attorney General, the Secretary of State, and the Governor. Each member serves a four-year term and no more than three members may be from the same political party. FPPC staff is comprised of five divisions: Executive, Administration and Technology, Enforcement, Legal, and External Affairs and Education.

Governing Statutes

The Political Reform Act is contained in Government Code Sections 81000 – 91014.

Regulations

Regulations interpreting the Political Reform Act are located at Title 2, Division 6 of the California Code of Regulations, beginning at Section 18109.

Opinions and Advice Letters

The FPPC periodically issues opinions interpreting provisions of the Political Reform Act. The opinions are adopted at a public meeting, with opportunity for input from interested persons.

In addition, FPPC staff issues written advice letters as to the applicability of the Political Reform Act and regulations to a particular factual situation. Refer to the information on requesting written advice from the FPPC available on the FPPC website.

Contact Information for the FPPC

Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814

(916) 322-5660
(866) 275-3772 – Toll-free
www.fppc.ca.gov

Twitter: @CA_FPPC
Facebook: CA FPPC

FPPC Website

Visit the FPPC website (www.fppc.ca.gov) to get copies of specific advice letters, sign up for RSS feeds, or to be put on mailing lists. The Commission's website also contains a wealth of helpful information, including:

- The Political Reform Act and its corresponding regulations
- Commission opinions
- Notices of Commission meeting dates, agendas, supporting documentation for agenda items, and meeting summaries
- Forms required by the Act (also available at the FPPC's offices, the Secretary of State's offices, and many local clerks' offices)
- Manuals, fact sheets, and useful summaries of the law
- Schedules of upcoming seminars, webinars, and educational workshops

Additional Campaign Manuals

Additional copies of this manual, and manuals for other types of campaign committees are available from the FPPC, the Secretary of State, and many city clerks and county elections offices. Manuals are available for:

- State candidates and officeholders, and committees primarily formed to support/oppose state candidates
- General purpose recipient committees (including PACs, sponsored committees, political party committees, and county central committees)
- Ballot measure committees
- Major donor and independent expenditure committees
- Slate mailer organizations

Obtaining Information Elsewhere

A subscription for regulations is available from:

Barclay's Law Publishing
P.O. Box 3066
South San Francisco, CA 94083
(800) 888-3600

Opinions and advice letters are available from these subscription services:

Westlaw (800) 328-9352
Database: "CA-ETH"
(Advice letters from 1986 to present)

Lexis-Nexis (800) 227-9597
Database: "CA Fair Political Practices Commission"
(Advice letters from 1990 to present)

Other Resources

The Secretary of State, city clerks, and county clerks or registrars of voters are the filing officers for campaign disclosure statements. Committee statements will be filed with the Secretary of State or the local elections office, depending on whether the filer is a state or local candidate or committee.

Secretary of State

The Secretary of State is also responsible for issuing campaign committee identification numbers.

(916) 653-6224
www.sos.ca.gov

Federal Election Commission

The Federal Election Commission answers questions regarding federal elections and contributions to all candidates from national banks, national corporations, and foreign nationals.

Federal Election Commission
999 E Street, NW
Washington, DC 20463
(800) 424-9530
www.fec.gov

Franchise Tax Board

The California Franchise Tax Board is responsible for responding to questions regarding tax status, tax-deductibility of political contributions, 501(c)(3) groups, audits, or any tax-related questions.

(800) 852-5711 or (800) 338-0505
www.ftb.ca.gov

Internal Revenue Service

The Internal Revenue Service provides assistance regarding federal tax laws and obtaining a taxpayer identification number.

(877) 829-5500 (located in Washington, D.C.)
(800) 829-3676 (taxpayer ID number)
www.irs.gov

Federal Communications Commission

The Federal Communications Commission answers questions regarding rates for purchasing broadcast time and equal access to broadcast media.

(888) 225-5322 (located in Washington, D.C.)
www.fcc.gov
Email: fccinfo@fcc.gov

Local Campaign Ordinances

A city or county officeholder, candidate, or committee may be subject to additional reporting or other requirements under a local campaign ordinance. Common examples include the requirement to file campaign statements electronically, local contribution limits, lower itemization thresholds, or the requirement to file an additional preelection statement. A city or county campaign ordinance may never preempt state law.

Privacy Information Notice

Information required on all FPPC forms is used by the FPPC to administer and enforce the Political Reform Act (Government Code sections 81000 – 91014 and California Code of Regulations sections 18110 – 18997). All information required by these forms is mandated by the Political Reform Act. Failure to provide all of the information required by the Act is a violation subject to administrative, criminal or civil prosecution. All reports and statements provided are public records open for public inspection and reproduction.

If you have any questions regarding this Privacy Notice, please contact the FPPC at:

General Counsel
428 J Street, Suite 620
Sacramento, CA 95814
(916) 322-5660

Campaign statements are filed with the Secretary of State and city and county filing officers, depending upon the type of committee. (See Chapter 9.)

Enforcement

The Fair Political Practices Commission, the Attorney General, county district attorneys, and elected city attorneys of charter cities have enforcement authority under the Act. Failure to provide all or any part of the information required by the Political Reform Act is a violation subject to:

- An administrative enforcement proceeding before the Fair Political Practices Commission;
- A criminal misdemeanor proceeding;
- A civil action; and
- Levying of late penalties by filing officers.

Penalties of up to $5,000 per violation of the Political Reform Act may be imposed.

How to Stay Engaged...

Join our mailing list to receive notification of future training opportunities.

Candidates, Treasurers, and Committees

- Candidates, Treasurers, and Committees
- Conflict of Interest Code Reviewers
- Filing Officers
- Form 700 Filers

How to Request Advice

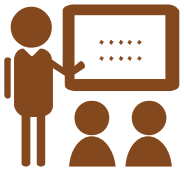
If you have questions about your obligations under the Act you can request advice directly from FPPC staff

Request Advice

Candidates, Treasurers, and Committees - Training and Outreach

These training events provide information on candidate, treasurer, and committee duties under the Political Reform Act. Topics include initial campaign activities, contributions and expenditures, reporting, advertising disclaimers, and post-election tasks. You must register to attend the workshops and webinars. Hover over the icons to learn more about that type of training.

Workshops



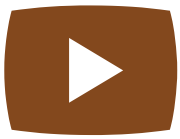
None available at this time. Please check back later!

Webinars



Wednesday, May 18 2-3 pm

Videos



Local Candidates, Treasurers, and Committee Basics

Workshops in Other Locations



Santa Clara City Council Chambers

Thursday, July 14 7-9 pm

Click here to RSVP.



Website Comments and Suggestions

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Limitations and Restrictions on Gifts, Honoraria, Travel and Loans

A Fact Sheet For

- Local Elected Officers and Candidates for Local Elective Offices
- Local Officials Specified in Government Code Section 87200
- Judicial Candidates
- Designated Employees of Local Government Agencies

California Fair Political Practices Commission

Toll-free advice line: 1 (866) ASK-FPPC
Email advice: advice@fppc.ca.gov
Web site: *www.fppc.ca.gov*

January 2015

Introduction

The Political Reform Act[1] (the "Act") imposes limits on gifts, prohibits honoraria payments, and imposes limits and other restrictions on the receipt of travel payments received by:

- Local elected officers and other local officials specified in Government Code Section 87200,[2] excluding judges;[3]
- Designated employees of local government agencies (i.e., individuals required to file statements of economic interests under a local agency's conflict of interest code); and
- Candidates[4] for any of these offices or positions and judicial candidates. (Sections 89502 and 89503.)

The Act also imposes limits and other restrictions on personal loans received by certain local officials.

This fact sheet summarizes the major provisions of the Act concerning gifts, honoraria, travel, and loans. You should not, however, rely on the fact sheet alone to ensure compliance with the Act. If you have any questions, contact the Fair Political Practices Commission at (866) 275-3772 or advice@fppc.ca.gov or visit our website at www.fppc.ca.gov. Commission advice letters are available on our website. You may also be subject to local restrictions on gifts, honoraria, or travel.

Enforcement

Failure to comply with the laws related to gifts, honoraria, loans, and travel payments may, depending on the violation, result in criminal prosecution and substantial fines, or in administrative or civil monetary penalties for as much as $5,000 per violation or three times the amount illegally obtained. (See Sections 83116, 89520, 89521, 91000, 91004 and 91005.5.)

[1] The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

[2] Local officials specified in Government Code Section 87200 include: members of boards of supervisors and city councils, mayors, city/county planning commissioners, city/county chief administrative officers, city/county treasurers, district attorneys, county counsels, city managers, city attorneys, court commissioners and public officials who manage public investments.

[3] The gift limits and honoraria ban in the Political Reform Act do not apply to a person in his or her capacity as judge. However, candidates for judicial offices are subject to the restrictions contained in the Political Reform Act. (Sections 89502 and 89503.)

[4] For purposes of the gift limit and honoraria prohibition, you become a "candidate" when you file a statement of organization (Form 410) as a controlled committee for the purpose of seeking elective office, a candidate intention statement (Form 501), or a declaration of candidacy, whichever occurs first. If you are an unsuccessful candidate, you will no longer be subject to the gift limit and honoraria prohibition when you have terminated your campaign filing obligations, or after certification of election results, whichever is earlier. (Sections 89502(b) and 89503(b).)

Gifts

Limitations

If you are a local elected officer, a candidate for local elective office, a local official specified in Government Code Section 87200, or a judicial candidate, you may not accept gifts from any single source totaling more than $460 in a calendar year. (Section 89503.)[5]

If you are an employee of a local government agency who is designated in the agency's conflict of interest code, you may not accept gifts from any single source totaling more than $460 in a calendar year if you are required to report receiving income or gifts from that source on your statement of economic interests (Form 700). (Section 89503(c).)

What is a "Gift"?

A "gift" is any payment or other benefit provided to you that confers a personal benefit for which you do not provide payment or services of equal or greater value. A gift includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public. (Section 82028.) (See Regulation 18946 for valuation guidelines.)

Except as discussed below, you have "received" or "accepted" a gift when you know that you have actual possession of the gift or when you take any action exercising direction or control over the gift, including discarding the gift or turning it over to another person. This includes gifts that are accepted by someone else on the official's behalf and gifts made to others at the direction of the official. (Regulation 18941.)

Gifts to Family Members

Under certain circumstances, a gift to an official's family member***** is considered a gift to the official. (Regulation 18943.) Anything given to a family member is presumed to be a gift to the official if: (1) there is no established relationship between the donor and the family member where it would generally be considered appropriate for the family member to receive the gift or; (2) the donor is someone who lobbies the official's agency, is involved in an action before the official's agency in which the official may foreseeably participate, or engages in business with the agency in which the official will foreseeably participate. (Wedding gifts are treated differently, see below.)

*For purposes of this rule, an official's "family member" includes the official's spouse; registered domestic partner; any minor child of the official who the official can claim as a dependent for federal tax purposes; and a child of the official who is aged 18 to 23 years old, attends school, resides with the official when not attending school, and provides less than one-half of his or her own support.

[5] The gift limit is adjusted biennially to reflect changes in the Consumer Price Index. For 2015-2016, the gift limit is $460. (Section 89503; Regulation 18940.2.) Gifts from a single source aggregating to $50 or more must be disclosed, and gifts aggregating to $460 or more during any 12-month period may subject an official to disqualification with respect to the source. (Section 87103(e).) Designated employees should obtain a copy of their conflict of interest code from their agency. Some conflict of interest codes require very limited disclosure of income and gifts. Gifts from sources that are not required to be disclosed on your Form 700 are not subject to the $460 gift limit but still may subject you to disqualification.

Source of Gift

Under most circumstances, it is clear who the source of a gift is, but if the circumstances indicate that the gift is being provided by an intermediary, you must determine both the donor and the intermediary in reporting the gift. Regulation 18945 provides the rules for determining the source of the gift.

Gifts from Multiple Sources

In determining the cumulative value of any reportable gifts, separate gifts from an individual and an entity that the individual controls or where the individual directs the payment of the gift must be aggregated as one source in complying with the reporting and limit requirements. For example, separate gifts from J.R. Ewing and Ewing Oil Company would be treated as if from one source if J.R. owns more than a 50 percent interest in the company unless the making of the gift was determined by someone else in the company. In that case, the gift from Ewing Oil would be aggregated with any gifts made by that individual. (Regulation 18945.1.) Group gifts, where you received a single gift from multiple donors (such as a retirement gift from coworkers) need not be reported unless any person contributes $50 or more to the total cost of the gift. In that case, you would only report each of those persons. (Regulation 18945.2.)

Valuation of Gifts

The general rule for determining the value of a gift is to apply the fair market value at the time the gift is received. Fair market value can be determined by finding any local or Internet advertisement for the item. Special exceptions to the fair market value rule are contained in Regulations 18946.1 through 18946.5 covering admission to ticketed and invitation-only events, wedding gifts, attendance at nonprofit and political fundraisers, and air travel. (Regulation 18946.) For example, for ticketed events, the value is the face value of the ticket.

General Gift Exceptions

Form 700 Reporting	C/I § 87100	Honoraria Ban	$460 Gift Limit
No	No	No	No

1. Items that are returned (unused) to the donor, or for which you reimburse the donor, within 30 days of receipt. (Section 82028(b)(2); Regulation 18941.)

2. Items that are donated (unused) to a non-profit, tax-exempt (501(c)(3)) organization in which the official (or immediate family member) does not hold a position, or to a government agency, within 30 days of receipt without claiming a deduction for tax purposes. (Section 82028(b)(2); Regulation 18941.)

3. Gifts from your spouse (or former spouse), child, parent, grandparent, grandchild, brother, sister, current or former parent-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin or the spouse of any such person, unless he or she is acting as an agent or intermediary for another person who is the true source of the gift. (Section 82028(b)(3); Regulation 18942(a)(3).) This exception includes great grandparents, great uncles and aunts, great nieces and nephews, and first cousins once removed.

4. Informational material provided to assist you in the performance of your official duties, including books, reports, pamphlets, calendars, periodicals, videotapes, or free admission or discounts to informational conferences or seminars.

“Informational material” may also include scale models, pictorial representations, maps, and other such items. However, if the item’s fair market value is more than $460, you have the burden of demonstrating that the item is informational. In addition, on-site demonstrations, tours, or inspections, including air flights over an area that is the subject of the information and designed specifically for public officials, are considered informational material. However, this exception does not apply to meals or lodging.

Furthermore, the exception generally does not apply to transportation to the site, except for any portion of the transportation that is not commercially available. (Section 82028(b)(1); Regulations 18942(a)(1) and 18942.1.)

5. A devise or inheritance. (Section 82028(b)(5); Regulation 18942(a)(5).)

6. Campaign contributions to an official, including rebates or discounts received in connection with campaign activities (Section 82028(b)(4); Regulations 18942(a)(4), 18950(a) and 18950.3(a)) and permissible expenditures of campaign funds for campaign-related expenses, including payments for transportation, lodging or food (Regulations 18950(a) and 18950.3(b)), provided they comply and are properly reported in accordance with applicable campaign finance laws.

7. Personalized plaques and trophies with an individual value of less than $250. (Section 82028(b)(6); Regulation 18942(a)(6).)

8. Free admission to a ticketed event (including any benefits included in the price of the ticket such as a free meal) for the official and one guest at an event where the official performs a ceremonial role, such as throwing out the first pitch at a Dodgers' game, so long as the official's agency complies with the posting provisions set forth in Regulation 18944.1(d). (Regulation 18942(a)(13); Regulation 18942.3; also see discussion of Form 802 below under "Gifts Exceptions Requiring Alternate Reporting.")

9. Free admission, and food and nominal items (such as a pen, pencil, mouse pad, note pad or similar item) available to all attendees, at the event at which the official makes a speech (as defined in Regulation 18950(b)(2)), so long as the admission is provided by the person who organizes the event. (Regulation 18942(a)(11).)

10. Benefits received as a guest attending a wedding reception where the benefits are the same as those received by the other guests at the reception. (Regulation 18942(a)(15).)

11. Bereavement offerings, such as flowers at a funeral received in memory of a close family member. (Regulation 18942(a)(16).)

12. Benefits received as an act of neighborliness such as the loan of an item, an occasional ride, or help with a repair where the act is consistent with polite behavior in a civilized society and would not normally be part of an economic transaction between like participants under similar circumstances. (Regulation 18942(a)(17).)

13. Two tickets for admission, for use by only the official and one guest, to attend a fundraiser for a campaign committee or candidate, or to a fundraiser for an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The ticket(s) must be received from the organization or committee holding the fundraiser. (Regulation 18946.4.)

14. Passes or tickets that provide admission or access to facilities, goods, services, or other benefits (either on a one-time or repeated basis) that you do not use and do not give to another person. (Regulation 18946.1.)

15. Certain payments for travel as discussed below in the "Travel Payments Exceptions" section.

16. Subject to certain conditions, items provided to a government agency and used by officials in the agency for agency business. This may include passes or tickets to (see Regulation 18944.1) or payments for other types of items or activities (see Regulation 18944). An agency must disclose specified payments on a form provided by the FPPC and post the form on its website. (See discussion of Forms 801 and 802 below under ""Gift Exceptions Requiring Alternate Reporting.") Contact the FPPC for detailed information.

17. Leave credits (e.g., sick leave or vacation credits) received under a bona fide catastrophic or emergency leave program established by your employer and available to all employees in the same job classification or position. Donations of cash are gifts and are subject to limits and disclosure. (Regulation 18942(a)(9).)

18. Food, shelter, or similar assistance received in connection with a disaster relief program. The benefits must be received from a governmental agency or charity and must be available to the general public. (Regulation 18942(a)(10).)

19. Items awarded in an employee raffle, received by the agency from an agency employee who is not acting as an intermediary for another donor. This exception applies when an agency holds an employee raffle and the item awarded in the raffle has been obtained with agency funds, or is otherwise an asset of the agency and not donated to the agency by a non-agency source. This exception does not apply to passes or tickets of the type described in Regulation 18944.1. (Regulation 18944.2(a) and (b).)

20. Items received by an employee during an employee gift exchange, so long as the items received are provided by another employee of the agency and the gifts are not substantially disproportionate in value. (Regulation 18944.2(c).)

Limited Gift Exceptions

Form 700 Reporting	C/I § 87100	Honoraria Ban	$460 Gift Limit
No	No	No	No

1. Gifts of hospitality including food, drink or occasional lodging that an official receives in an individual's home when the individual or a member of his or her family is present. (Regulation 18942(a)(7).) For this exception to apply, the official must have a relationship, connection or association with the individual providing the in-home hospitality that is unrelated to the official's position and the hospitality must be provided as part of that relationship. Generally, this means functions like children's birthday parties, soccer team parties, neighborhood barbeques, etc., where other guests attend who are not part of the lobbying process. (Regulation 18942.2.)

2. Gifts commonly exchanged between an official and another individual on holidays, birthdays, or similar occasions to the extent that the gifts exchanged are not substantially disproportionate in value. (Regulation 18942(a)(8)(A).)

3. Reciprocal exchanges between an official and another individual that occur on an ongoing basis so long as the total value of payments received by the official within the calendar year is not substantially disproportionate to the amount paid by the official and no single payment is $460 or more. For example, if two people get together regularly for lunches and rotate picking up the lunch tab so that each pays approximately half the total value over the course of the calendar year, no gift need be reported. (Regulation 18942(a)(8)(B).)

4. Personal benefits commonly received from a dating partner. These gifts are not disclosable or limited but are subject to disqualification under the conflict of interest laws if the dating partner has certain business before the official as set forth in Regulation 18942(a)(18)(D). (Regulation 18942(a)(18)(A).)

5. Acts of Human Compassion. Assistance, financial or otherwise, to offset family medical or living expenses that the official can no longer meet without private assistance because of an accident, illness, employment loss, death in the family, or other unexpected calamity; or to defray expenses associated with humanitarian efforts such as the adoption of an orphaned child, so long as the source of the donation is an individual who has a prior social relationship with the official of the type where it would be common to provide such assistance, or the payment is made without regard to official status under other circumstances in which it would be common to receive community outreach. (Regulation 18942

(a)(18)(B).) This exception does not apply if the person providing the benefit to the official is an individual who otherwise has business before the official as set forth in Regulation 18942(a)(18)(D).

6. Benefits received from a long-time personal friend where the gift is unrelated to the official's duties. The exception does not apply if the individual providing the benefit to the official is involved in some manner with business before the official. (Regulation 18942(a)(18)(C).) This exception does not apply if the person providing the benefit to the official is an individual who otherwise has business before the official as set forth in Regulation 18942(a)(18)(D).

7. Benefits received from an individual where it is clear that the gift was made because of an existing personal or business relationship unrelated to the official's position and there is no evidence whatsoever at the time the gift is made that the official makes or participates in the type of governmental decisions that may have a reasonably foreseeable material financial effect on the individual who would otherwise be the source of the gift. (Regulation 18942(a)(19).)

Gift Exceptions Requiring Alternate Reporting

Form 700 Reporting	C/I § 87100	Honoraria Ban	$460 Gift Limit
Yes - As Income	Yes	No	No

A prize or award received in a bona fide contest or competition, or game of chance. **Note: Unlike the other exceptions, payments that fall into this exception must be reported as income if valued at $500 or more.** To qualify for this exception the contest or competition must be unrelated to the official's duties. (Regulation 18942(a)(14).)

Reporting	C/I § 87100	Honoraria Ban	$460 Gift Limit
Yes - On 801 or 802	No	No	No

The following exceptions are also applicable to payments made to a government agency that are used by officials in the agency under certain conditions to conduct agency business. These types of payments are not treated as gifts or income to the officials who use them, so long as the payments meet certain conditions and they are reported by the officials' agency. These reports must appear on either a Form 801 or Form 802, instead of the official reporting the items on a statement of economic interests (Form 700).

Form 801: This form covers gifts or donations made to an agency and used by one or more officials in the agency for agency business. This may include travel payments, reimbursements, or other uses by an official, but does not cover tickets or passes providing admission to an entertainment or sporting event, which are reported on the Form 802 (discussed below). If the payment meets the requirements of Regulations 18944 or 18950.1, the agency must report it on a Form 801 and the item is not reported on the individual's statement of economic interests (Form 700). (Regulations 18944 and 18950.1.)

Form 802: This form covers gifts or donations made to an agency that provide tickets or passes to an agency official for admission to an entertainment or sporting event. For the ticket or pass to be exempt from reporting on the individual's statement of economic interests (Form 700), the agency must have a written policy stating the public purpose for distribution of the tickets. The ticket or pass cannot be earmarked by the original source for use by a particular agency official and the agency must determine, in its sole discretion, which official may use the ticket or pass. (Regulation 18944.1.) The Form 802 is also used to report tickets provided for officials who perform a ceremonial role on behalf of the agency.

Reporting	C/I § 87100	Honoraria Ban	$460 Gift Limit
Yes - Form 803 Behested Payment	No	No	No

Generally, payments made at the behest of an official that do not confer a personal benefit on an official such as those made by a third party to co-sponsor an event, or that are principally legislative, governmental or charitable in nature, are not gifts. However, when a local elected officer is making the behest, in some cases these payments may be considered "behested payments" under Section 82015(b)(2)(B)(iii) and (b)(3) and require disclosure by that elected officer.

Form 803: Behested payments are payments made principally for legislative, governmental, or charitable purposes. These payments are not for personal or campaign purposes. For example, a local elected official may ask a third party to contribute funds to a school in her district, or to a job fair or health fair. Generally, a donation will be "made at the behest" if it is requested, solicited, or suggested by the elected officer or member of the Public Utilities Commission, or otherwise made to a person in cooperation, consultation, coordination with, or at the consent of, the elected officer or PUC member. This includes payments behested on behalf of the official by his or her agent or employee. A behested payment does not include payments to an official from a local, state, or federal government agency for use by the official to conduct agency business. For example, free parking provided by a governmental entity to an official for agency business is not a behested payment and is not subject to reporting. Behested payments totaling $5,000 or more from a single source in a calendar year must be disclosed by the official on a Form 803, which is filed with the official's agency within 30 days of the date of the payment(s). (Section 82015; Regulation 18215.3.)

Very Limited Gift Exception

Reporting	C/I § 87100	Honoraria Ban	$460 Gift Limit
Yes - ½ value as gift	Yes	No	No

Wedding gifts are not subject to the $460 gift limit. However, wedding gifts are reportable, but for purposes of valuing wedding gifts, one-half of the value of each gift is attributable to each spouse. (Regulation 18946.3.)

Honoraria

The Prohibition

Local officials specified in Section 87200 (see page 2) are prohibited from receiving any honoraria payments. Officials and employees of local agencies who file statements of economic interests (Form 700) under the agency's conflict of interest code ("designated employees") may not receive honoraria payments from any source if the employee would be required to report income or gifts from that source on the Form 700, as outlined in the "disclosure category" portion of the conflict of interest code. (Section 89502.)

What is an "Honorarium"?

An "honorarium" is any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. An honorarium includes gift cards or any gift of more than nominal benefit provided in connection with an activity described above. An honorarium does not include items of nominal value such as a pen, pencil, note pad, or similar item. (Section 89501; Regulation 18932.4(e).)

A "speech given" means a public address, oration, or other form of oral presentation, including participation in a panel, seminar, or debate. (Regulation 18931.1.)

An "article published" means a nonfictional written work: 1) that is produced in connection with any activity other than the practice of a bona fide business, trade, or profession; and 2) that is published in a periodical, journal, newspaper, newsletter, magazine, pamphlet, or similar publication. (Regulation 18931.2.)

"Attendance" means being present during, making an appearance at, or serving as host or master of ceremonies for any public or private conference, convention, meeting, social event, meal, or like gathering. (Regulation 18931.3.)

The Act and Commission regulations provide certain exceptions to the prohibition on honoraria. (Section 89501(b); Regulations 18932 –18933.):

Honoraria Exceptions that also apply to gifts and income

1. An honorarium that you return (unused) to the donor or the donor's agent or intermediary within 30 days. (Section 89501(b); Regulation 18933.)

2. An honorarium that is delivered to the official's local agency within 30 days for donation to the agency's general fund and for which you do not claim a deduction for income tax purposes. (Section 89501(b); Regulation 18933.)

3. A payment that is not delivered to you but is made directly to a bona fide charitable, educational, civic, religious, or similar tax-exempt, non-profit organization. However:

- You may not make the donation a condition for your speech, article, or attendance;
- You may not claim the donation as a deduction for income tax purposes;
- You may not be identified to the non-profit organization in connection with the donation; and
- The donation may have no reasonably foreseeable financial effect on you or on any member of your immediate family. (Regulation 18932.5.)

4. A payment received from your spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person. However, a payment that would be considered an honorarium is prohibited if one of these persons is acting as an agent or intermediary for someone else. (Regulation 18932.4(b).)

5. Any payment, unless specified otherwise, exempted under any of the "Gift Exceptions" listed above.

6. Payments received for a comedic, dramatic, musical, or other similar artistic performance, and payments received for the publication of books, plays, or screenplays. (Regulations 18931.1 and 18931.2.)

7. Reimbursements for reasonable travel expenses provided to you by a bona fide non-profit, tax-exempt (501(c)(3)) entity for which you provide equal or greater consideration. The payment would also be exempt from the definition of income under Section 82030(b)(2). (See discussion under "Travel Payments" below.)

Honoraria Exceptions where the payment may still be considered income (or gifts, if consideration of equal or greater value is not provided by the official)

1. Free admission, and refreshments and similar non-cash nominal benefits, provided to an official during the entire event at which he or she gives a speech, participates in a panel or provides a similar service, and in-California transportation and necessary lodging and subsistence provided directly in connection with the speech, panel or service, including meals and beverages on the day of the activity. (Regulation 18932.4(e).)

2. Income earned and payments for travel made in connection with personal services rendered by the official if the services are provided in connection with a bona fide business, trade, or profession — such as teaching, practicing law, medicine, insurance, real estate, banking, or building contracting — and the services are customarily provided in connection with the business, trade, or profession. (Section 89506(d)(3) and Regulations 18950(a) and 18950.2.)

This exception does not apply if the sole or predominant activity of the business, trade, or profession is making speeches. In addition, you must meet certain criteria to establish that you are conducting or in a bona fide business, trade, or profession (such as maintenance of business records, licensure, proof of teaching position) before a payment received for personal services which may meet the definition of honorarium would be considered earned income and not an honorarium. (Section 89501(b); Regulations 18932 –18932.3.) Earned income is required to be reported. Contact the FPPC for detailed information.

3. Travel payments provided to you by your government agency or by any state, local, or federal government agency which would be considered income and not a gift (i.e., payments for which you provide equal or greater consideration). (Section 89506(d)(2).) See discussion under "Travel Payments" below.

4. Certain payments for transportation, lodging, and subsistence are not considered honoraria but may be reportable as a gift or income and, if a gift, subject to the gift limit. (Sections 89501(c) and 89506.) See discussion under "Travel Payments" below.

Travel Payments Exceptions

Generally, when an official receives a payment (including reimbursement) for his or her travel, that payment is a reportable gift or income under the Act. The term "travel payment" includes payments, advances, or reimbursements for travel, including actual transportation, parking and related lodging and subsistence. (Section 89506(a).)

If the payment is a gift, it is also normally subject to the Act's $460 gift limit. If the payment is income, it may, in some cases, be an honorarium. And whether a payment is a gift or income, the official may be required to disqualify him or herself from any decision that will have a foreseeable materially financial effect on the source.

Certain Travel Payments are not a Gift, Income or Honorarium

Reporting	C/I § 87100	Honoraria Ban	$460 Gift Limit
No	No	No	No

The following travel payments are not a gift, income or honorarium under the Act and Commission regulations and are thus not reportable, potentially disqualifying, or subject to any of the Act's gift limits or the honorarium ban.

1. A payment for travel from a source that is not reportable on the official's statement of economic interests (Form 700) based on the provisions of the conflict of interest code of the official's agency.

2. A payment for travel from another local, state, or federal government agency and related per diem expenses when the travel is for education, training or other inter-agency programs or purposes. (Regulation 18950(a) and (c)(2).)

3. A payment for travel provided to the official in a vehicle or aircraft owned by another official or agency when each official is traveling to or from the same location for an event as a representative of their respective offices. (Regulation 18950(a) and (c)(3).)

4. Travel payments provided to the official by any state, local, or federal government agency as part of the official's employment with that agency or provided to the official by a bona fide non-profit, tax-exempt (501(c)(3)) entity for which the official provides equal or greater consideration. (Section 82030(b)(2).) Any person who claims to have provided consideration has the burden of proving that the consideration received is of equal or greater value.

5. Travel for Official Agency Business (Regulation 18950.1). Certain payments made to an agency to cover the travel expenses of an employee who travels in the course of carrying out agency business are not gifts to the official because these payments do not provide a "personal benefit" to the official. For this exception to apply, the agency must report the payment on a Form 801 and the amount and purpose for using the payments are restricted by the provisions set forth in Regulation 18950.1.

6. A payment for travel that constitutes a campaign contribution to an official (Sections 82015, 82028(b)(4); Regulations 18215, 18942(a)(4), 18950(a) and 18950.3(a)), and permissible expenditures of campaign funds for campaign-related travel (Regulations 18950(a) and 18950.3(b)), provided they comply and are properly reported in accordance with applicable campaign finance laws.

7. Payments made to a governmental entity for travel expenses that are required to fulfill the terms of a contract. Neither the governmental entity nor the public official has a reporting obligation because consideration has been provided. (Section 82028; *Ratto* Advice Letter, No. I-14-057.)

Certain Travel Payments are Reportable and may Subject the Official to Possible Conflicts of Interest, but are not Subject to the $460 Gift Limit or Honoraria Ban of the Act.

Reporting	C/I § 87100	Honoraria Ban	$460 Gift Limit
Yes	Yes	No	No

1. Travel Subject to Section 89506(a). Any payments for actual transportation expenses and related lodging and subsistence that are made for a purpose reasonably related to: (1) A legislative or governmental purpose, or (2) An issue of state, national, or international policy so long as the travel is either

(a.) In connection with a speech given by the official and the lodging and subsistence expenses are limited to the day immediately proceeding, the day of, and the day immediately following the speech and the travel is within the United States, or

(b.) Provided by a government agency or authority, (including a foreign government), a bona fide public or private educational institution as defined in Section 203 of the Revenue and Taxation Code, or a nonprofit organization that qualifies under Section 501(c)(3) of the Internal Revenue Code or a foreign organization that substantially satisfies the criteria of that section.

These payments are still reportable on the Form 700 and may create a conflict of interest issue for the official.

Reporting	C/I § 87100	Honoraria Ban	$460 Gift Limit
Yes - as Income	Yes	No	No

1. Payments for travel made in connection with personal services rendered by the official if the services are provided in connection with a bona fide business, trade, or profession — such as teaching, practicing law, medicine, insurance, real estate, banking, or building contracting — and the services are customarily provided in connection with the business, trade, or profession. (Section 89506(d)(3) and Regulations 18950(a) and 18950.2.) **These payments may be reportable as income to the official.**

Loans

Personal loans received by certain local officials are subject to limits and other restrictions, and in some circumstances, a personal loan that is not being repaid or is being repaid below certain amounts may become a gift to the official who received it.

Limitations on Loans from Agency Officials, Consultants, and Contractors

If you are a local elected officer or an official specified in Section 87200 (see page 2), you may not receive a personal loan that exceeds $250 at any given time from an officer, employee, member, or consultant of your government agency or an agency over which your agency exercises direction and control. (Section 87460(a) and (b).)

In addition, you may not receive a personal loan that exceeds $250 at any given time from any individual or entity that has a contract with your government agency or an agency over which your agency exercises direction and control. This limitation does not apply to loans received from banks or other financial institutions, and retail or credit card transactions, made in the normal course of business on terms available to members of the public without regard to your official status. (Section 87460(c) and (d).)

Loan Terms Applicable Only to Elected Officials

In addition to the limitations above, if you are a local elected officer, you may not receive a personal loan of $500 or more unless the loan is made in writing and clearly states the terms of the loan. The loan document must include the names of the parties to the loan agreement, as well as the date, amount, interest rate, and term of the loan. The loan document must also include the date or dates when payments are due and the amount of the payments. (Section 87461.)

The following loans are not subject to these limits and documentation requirements:

1. Loans received by an elected officer's or candidate's campaign committee.

2. Loans received from your spouse, child, parent, grandparent, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person unless he or she is acting as an agent or intermediary for another person not covered by this exemption.

3. Loans made, or offered in writing, prior to January 1, 1998. (Sections 87460 and 87461.)

Loans as Gifts

Under the following circumstances, a personal loan received by **any** public official (elected and other officials specified in Section 87200, as well as any other local official or employee required to file statements of economic interests) may become a gift and subject to gift reporting and limitations:

1. If the loan has a defined date or dates for repayment and has not been repaid, the loan will become a gift when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, the loan will become a gift if it remains unpaid when one year has elapsed from the later of:

- The date the loan was made;
- The date the last payment of $100 or more was made on the loan; or
- The date upon which you have made payments aggregating to less than $250 during the previous 12 months. (Section 87462.)

The following loans will not become gifts:

1. A loan made to an elected officer's candidate's campaign committee. This loan would, however, be a campaign contribution. Consult the FPPC campaign manual for local candidates (Manual 2) for more details.

2. A loan described above on which the creditor has taken reasonable action to collect the balance due.

3. A loan described above on which the creditor, based on reasonable business considerations, has not undertaken collection action. (However, except in a criminal action, the creditor has the burden of proving that the decision not to take collection action was based on reasonable business considerations.)

4. A loan made to an official who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

5. A loan that would not be considered a gift as outlined earlier in this fact sheet (e.g., loans from certain family members). (Section 87462.)

California Fair Political Practices Commission
California State Contribution Limits

(Effective January 1, 2015 - December 31, 2016)

Candidates seeking a state office and committees that make contributions to state candidates are subject to contribution limits from a single source. (Sections 85301 - 85303.) Contributions from affiliated entities are aggregated for purposes of the limits. (Regulation 18215.1.) The chart below shows the current limits per contributor for state offices. The primary, general, special, and special run-off elections are considered separate elections. Contribution limits to candidates apply to each election. Contribution limits to officeholder and other committees apply on a calendar year basis. Contact your city or county about contribution limits for local offices.

Contribution Limits to State Candidates Per Election

	Contributor Sources		
Candidate or Officeholder	**Person (individual, business entity, committee/PAC)**	**Small Contributor Committee (see definition on page 2)**	**Political Party**
Senate and Assembly	$4,200	$8,500	No Limit
CalPERS/CalSTRS	$4,200	$8,500	No Limit
Lt. Governor, Secretary of State, Attorney General, Treasurer, Controller, Supt. of Public Instruction, Insurance Commissioner, and Board of Equalization	$7,000	$14,100	No Limit
Governor	$28,200	$28,200	No Limit

Contributions to Other State Committees Per Calendar Year

	Contributor Sources
Committee	**Person (individual, business entity, committee/PAC)**
Committee (Not Political Party) that Contributes to State Candidates (PAC)	$7,000
Political Party Account for State Candidates	$35,200
Small Contributor Committee	$200
Committee Account NOT for State Candidates (Ballot Measure, PAC, Political Party)	No Limit*

*State committees (including political parties and PACs) may receive contributions in excess of the limits identified above as long as the contributions are NOT used for state candidate contributions. (Regulation 18534.)

Contributions to State Officeholder Committees Per Calendar Year

	Contributor Sources	
Committee	**Any Source (Person, Small Contributor Committee or Political Party)**	**Aggregate From All Sources**
Senate and Assembly	$3,500	$58,500
CalPERS/CalSTRS	$3,500	$58,500
Lt. Governor, Secretary of State, Attorney General, Treasurer, Controller, Supt. of Public Instruction, Insurance Commissioner, and Board of Equalization	$5,900	$117,100
Governor	$23,400	$234,200

California Fair Political Practices Commission
California State Contribution Limits

(Effective January 1, 2015 - December 31, 2016)

The contribution limits are effective for elections held between January 1, 2015 and December 31, 2016. These limits do not apply to contributions made to elections in previous years. Such contributions are subject to the limits in place for that year - see previous charts.

Legal Defense Funds
Contributions raised for a legal defense fund are not subject to contribution limits or the voluntary expenditure ceiling. However, a candidate or officeholder may raise, in total, no more than is reasonably necessary to cover attorney's fees and other legal costs related to the proceeding for which the fund is created. (Section 85304; Regulation 18530.4.)

Recall Elections
A state officeholder who is the subject of a recall may set up a separate committee to oppose the qualification of the recall measure and, if the recall petition qualifies, the recall election. Neither contribution limits nor voluntary expenditure ceilings apply to the committee to oppose the recall that is controlled by the officeholder who is the target of the recall attempt. Candidates running to replace an officeholder who is the target of a recall are subject to the contribution limits and the expenditure limits applicable to the election for that office. (Section 85315; Regulation 18531.5.)

Ballot Measure Committees
Contributions to ballot measure committees controlled by a candidate for elective state office are not limited.

Contributions from State Candidates and Officeholders
A state candidate or state officeholder may not contribute more than $4,200 to a committee controlled by another state candidate or state officeholder (including a state or local election committee, legal defense fund, officeholder account, recall committee, or ballot measure committee). This limit applies on a per election basis and includes, in the aggregate, contributions made from the candidate's or officeholder's personal funds and from campaign funds. (Section 85305; Regulation 18535.)

Communications Identifying State Candidates
Any committee that makes a payment or a promise of payment totaling $50,000 or more for a communication that:

1. Clearly identifies a state candidate; but
2. Does not expressly advocate the election or defeat of the candidate; and
3. Is disseminated, broadcast, or otherwise published within 45 days of an election, may not receive a contribution from any single source of more than $35,200 in a calendar year if the communication is made at the behest of the candidate featured in the communication. (Section 85310.)

Officeholder Committees
Officeholder contributions must be cumulated (in full) with any other contributions from the same contributor(s) for any other future elective state office for which the officeholder maintains a controlled committee during the term of office in which the contribution is received. Contributions to candidates for future elections and to their officeholder account are cumulated for purposes of contribution limits. (Regulation 18531.62.)

Contributions from State Lobbyists
A state lobbyist may not contribute to a state officeholder's or candidate's committee if the lobbyist is registered to lobby the agency of the elected officer or the agency to which the candidate is seeking election. The lobbyist also may not contribute to a local committee controlled by any such state candidate. (Section 85702; Regulation 18572.) In addition, effective January 1, 2015, lobbyists and lobbying firms may no longer take advantage of the $500 or less home/office fundraiser exception that is available to other individuals and entities. (SB 1441 (Lara) – Chapter 930, Stats. of 2014; AB 1673 (Garcia) – Chapter 882, Stats. of 2014.)

Local Elections
Many cities and counties have local contribution limits and other election rules. "Local Campaign Ordinances" are listed on the FPPC's website. Check with your city or county about contribution limits for local elections.

Definitions
Person: An individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, and any other organization or group of persons acting in concert. (Section 82047.)

Small Contributor Committee: Any committee that meets all of the following criteria:

(a) The committee has been in existence for at least six months.
(b) The committee receives contributions from 100 or more persons.
(c) No one person has contributed to the committee more than $200 per calendar year.
(d) The committee makes contributions to five or more candidates. (Section 85203; Regulation 18503.)

Political Party Committee: The state central committee or county central committee of an organization that meets the requirements for recognition as a political party under Elections Code Section 5100. (Section 85205.)

California Fair Political Practices Commission

Frequently Asked Questions: Form 700 Disclosure

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Real Property....Page 3 **Enforcement**…….....Page 4 **Gifts/Travel**…… Page 4

Tickets to Non-Profit and Political Fundraising Events……Page 7

The FAQs listed below are selected from questions often asked about the Statement of Economic Interests (Form 700). Because it is not possible to address all of the unique variables and circumstances related to disclosure, individuals are encouraged to contact the FPPC with specific facts. Most officials must also consult their agency's conflict of interest code to determine their disclosure level and their reportable interests. The Form 700 is a public document. Form 700s filed by State Legislators and Judges, members of the FPPC, County Supervisors, and City Council Members are available on the FPPC's website.

General Questions

1. Q. Do all officials have the same disclosure requirements for Form 700 reporting?

   A. No. The majority of individuals that file the Form 700 must do so by following the rules set forth in their agency's conflict of interest code ("designated employees"). Before completing the Form 700, an official should be familiar with the disclosure category for his or her position. For example, since job duties differ from agency to agency and even unit to unit within the same agency, an analyst for one agency, or unit of that agency, may not have the same reporting requirements as an analyst from another agency, or even another unit of the same agency.

   Officials listed in Government Code Section 87200 (e.g., boards of supervisors, city council members, planning commissioners, elected state officials, etc.) must report all sources of gifts, as well as sources of income, and investments and business positions in business entities, doing business within, and real property interests located within, their agency's jurisdiction. For local officials, real property located within 2 miles of the boundaries of the jurisdiction or any real property that the agency has an interest in is deemed to be "within the jurisdiction."

2. Q. Is it necessary to read all of the information before completing the Form 700?

   A. Each individual must verify the Form 700's content under penalty of perjury. Therefore, every effort must be made to understand what is required by the form. When necessary, you may contact the FPPC for specific, personal guidance. You may only obtain immunity from an enforcement action when you receive formal written advice.

3. Q. Where are the Form 700s filed?

   A. Most state and local officials file with their agency. In most instances, the agency is required to forward the originals for specified high-level officials to the FPPC. Only retired judges serving on assignment and legislative staff file the Form 700 *directly* with the FPPC.

4. Q. If the Form 700 is postmarked by the due date, is it considered filed on time?

   A. Yes.

5. Q. If an official holds various positions for which the Form 700 is required, is a statement required for each position?

   A. Yes. However, one expanded statement covering the disclosure requirements for all positions may be completed as long as an originally signed statement is filed with each filing officer.

6. Q. Do individuals need to file a complete Form 700 when they leave office?

   A. Yes. The same requirements apply for the assuming office, the annual, and the leaving office filings.

7. Q. An individual is hired into a newly created management position in her agency's Information Technology Department. How does she complete the Form 700?

   A. Because it is a newly created position, the law requires that economic interests are reported under the broadest disclosure category in the agency's conflict of interest code unless the agency sets interim disclosure that is tailored to the limited range of duties of the position. Generally, the Form 700 must be filed with the agency within 30 days of the date of hire. An individual may request that the agency complete the Form 804 (Agency Report of New Positions) to tailor the disclosure category to the job duties of the new position.

8. Q. Must board members of a non-profit public benefit corporation that operates California charter schools file Form 700?

   A. Yes. Members of charter schools are public officials and must file the Form 700.

Income Questions

9. Q. Must an official report a spouse's or registered domestic partner's salary?

   A. Generally an official is required to report 50% of his or her spouse's or registered domestic partner's salary. The disclosure lists the employer's name as the source of income on Schedule C of the Form 700. If the spouse or registered domestic partner is self-employed, the business entity is reported on Schedule A-2. Officials should check their disclosure category, if applicable, to determine if the income is reportable. A spouse or registered domestic partner's government salary is not reportable (e.g., spouse is a teacher at a public school).

10. Q. If an official owns a business in which he has received income of $10,000 or more from a client, is the official required to disclose the client's name on Schedule A-2, Part 3?

    A. Yes, except for under rare circumstances where disclosure of the identity would violate a legally recognized privilege under California or federal law. In these cases, the FPPC may authorize an exemption. (Regulation 18740)

11. Q. When an official purchases a new car and trades in the old car as credit toward the purchase price, is the trade-in allowance considered reportable income on the Form 700?

A. No. A trade-in allowance is not considered income and is not reportable on an official's Form 700.

Investment Questions

12. Q. An official holds various stocks through an account managed by an investment firm. The account manager decides which stocks to purchase with no input from the official. Are the stocks subject to disclosure?

    A. Yes. Unless the stocks are in a diversified mutual fund registered with the SEC or in a fund similar to a diversified mutual fund (e.g., exchange traded fund (ETF)) if the similar fund meets requirements specified in Regulation 18237. Any investments worth $2,000 or more in a business entity located in or doing business in the jurisdiction must be disclosed on Schedule A-1 or A-2 if the official's disclosure category requires that the investments be reported.

13. Q. Are funds invested in a retirement account required to be disclosed?

    A. Investments held in a government defined-benefit pension program plan (i.e., CalPERS) are not reportable. Investments held in a fund such as a defined contribution plan 401(k) or exchange traded fund (EFT) are not required to be disclosed if the fund meets specified requirements. (Regulation 18237). An official may need to contact his or her account manager for assistance in determining what assets are held in the account.

14. Q. If an official reported stocks that were acquired last year on his or her annual Form 700, must the stocks be listed again on the official's next Form 700?

    A. Yes. Stocks that are worth $2,000 or more during the reporting period must be reported every year that they are held. The "acquired" and "disposed" dates are only required if the stocks were acquired or disposed of during the period covered by the Form 700.

15. Q. How are interests in a living trust reported if the trust includes: (1) rental property in the official's jurisdiction; (2) a primary residence; and (3) investments in diversified mutual funds? Are there different disclosure rules?

    A. The name of the trust is reported, along with the rental property and its income, on Schedule A-2. The official's primary residence, if used exclusively as a personal residence, and investments in diversified mutual funds registered with the SEC, are not reportable. (For secondary residences, see Question 17.) Although the official's primary residence is not required to be disclosed on the Form 700, it is still considered an economic interest for conflict of interest purposes. (See Question 16.)

Real Property Questions

16. Q. Is an official's personal residence reportable?

    A. Generally, any personal residence occupied by an official or his or her family is not reportable if used exclusively as a personal residence. However, a residence for which a business deduction is claimed is reportable if the portion claimed as a tax deduction is valued at $2,000 or more. In addition, any residence for which an official receives rental income is reportable if it is located in the jurisdiction.

17. Q. When an official is required to report interests in real property, is a secondary residence reportable?

    A. It depends. First, the residence must be located in the official's jurisdiction. If the secondary residence is located in the official's jurisdiction and rental income is received (including from a family member), the residence is reportable. However, if the residence is used exclusively for personal purposes and no rental income is received, it is not reportable. Although the secondary residence may not be reportable, it is still considered an economic interest for conflict of interest purposes.

18. Q. If a primary or secondary personal residence is required to be reported, is the street address required to be disclosed?

    A. No. The assessor's parcel number may be listed instead of the street address.

Enforcement Question

19. Q. What is the penalty for not filing the Form 700 on time or not reporting all required economic interests?

    A. A late fine of $10 per day up to a $100 may be assessed. In addition, if a matter is referred to the FPPC Enforcement Division for failure to file or failure to include all required economic interests, the fine may be substantially higher. In 2014, the FPPC collected over $81,000 in fines for late statements and non-disclosure of economic interests. If an individual does not pay a fine, the matter may be referred to the Franchise Tax Board for collection.

Gift/Travel Questions

20. Q. What is the gift limit for 2015-2016?

    A. **$460**: This means that gifts from a single, reportable source, other than a lobbyist or lobbying firm (see below), may not exceed $460 in a calendar year. For officials and employees who file the Form 700 under an agency's conflict of interest code ("designated employees"), this limit applies only if the official or employee would be required to report income or gifts from that source on the Form 700, as outlined in the "disclosure category" portion of the agency's conflict of interest code. For conflict of interest purposes, the gift must be under $460 to avoid consideration under the conflict rules.

    State Lobbyist & Lobbying Firm Limit:
    $10: State candidates, state elected officers, and state legislative officials may not accept gifts aggregating more than **$10 in a calendar month that are made or arranged by a registered state lobbyist or lobbying firm.** The same rule applies to state agency officials, including members of state boards and commissions, if the lobbyist or firm is registered to lobby, or should be registered to lobby, the official's or employee's agency.

21. Q. During the year, an official received several gifts of meals from the same reportable source. Each meal was approximately $35. Is the source reportable?

A. Yes. Gifts from the same reportable source are aggregated, and the official must disclose the source when the total value of all meals reaches $50.

22. Q. Does a gift source have to be reported if it is not doing business in the jurisdiction but is of the type that would need to be reported if it were?

A. Yes. While income reporting has a jurisdictional limitation under the Act, gift reporting does not. Therefore, gifts from sources located anywhere in the world are reportable if they are of the type that do business with the employee's agency such that the employee is required to report sources of that type.

23. Q. How does an individual return a gift so that it is not reportable?

A. Unused gifts that are returned to the donor or reimbursed within 30 days of receipt are not reportable. The recipient may also donate the unused item to a charity or governmental agency within 30 days of receipt or acceptance so long as the donation is not claimed as a tax deduction.

24. Q. Two people typically exchange gifts of similar value on birthdays. Are these items reportable?

A. No. Gift exchanges with individuals, other than lobbyists, on birthdays, holidays, or similar occasions, are not reportable or subject to gift limits. The gifts exchanged must be similar in value.

25. Q. Must an official report gifts received from an individual whom the official is dating?

A. No. Gifts of a personal nature exchanged because the individuals are in a bona fide dating relationship are not reportable or subject to gift limits. However, the official remains subject to the conflict of interest rules and some matters may require recusal from voting.

26. Q. If an official makes a speech related to national public policy and his or her spouse attends the dinner at the event, is the spouse's meal considered a gift to the official?

Yes. The official's meal is not a reportable gift; however, his or her spouse's meal is a gift and reportable on the official's Form 700 if the value is $50 or more.

27. Q. A vendor that does business with the agency provided entertainment tickets to the spouse of one of the agency members. Must the member report the tickets as gifts?

A. Yes. Unless an exception applies, the tickets are a reportable gift. A gift to an official's spouse is a gift to the official when there is no established working, social, or similar relationship between the donor/vendor and the spouse or there is evidence to suggest that the donor had a purpose to influence the official.

28. Q. An agency received two free tickets to a concert from a local vendor. The agency has a policy governing the reporting of tickets and passes distributed to persons for use in ceremonial roles or other agency related activities. The agency had discretion to determine who in the agency

received the tickets. Each ticket was valued at $140. If the agency director used the tickets, how are they reported?

A. The tickets worth $280 are reportable by the agency on the Form 802 (Agency Report of Ceremonial Role Events and Ticket/Pass Distributions), which is a public record that is filed with the FPPC and posted on its website. The director does not report the tickets on the Form 700, and the value of the tickets is not subject to the gift limit.

29. Q. An agency received a large box of chocolates as a holiday gift from a local merchant. It was addressed to the agency and not to a particular employee. Is there a reporting requirement?

A. No, so long as no agency employee receives $50 or more in benefits from the gift. There is no reporting requirement if the value received by each agency employee is less than $50.

30. Q. An agency official receives a gift basket specifically addressed to the official worth more than $50 from a local merchant. Is there a reporting requirement?

A. The official may have to report the gift if it is from a source covered by the official's disclosure category and he or she consumes the contents of the gift basket, or directs and controls who receives the gift. For instance, the official must still report the gift even if he or she shares the gift with other agency employees.

31. Q. Do prizes donated to a governmental agency by an outside source constitute gifts under the Act if they were received by city employees in a drawing conducted by the city for all city employees participating in the city's charitable food drive?

A. Yes. The prizes are gifts if donated by an outside source and subject to the Act's limits and reporting requirements.

32. Q. Is a ticket provided to an official for his or her admission to an event at which the official performs a ceremonial role or function on behalf of his or her agency reportable on the official's Form 700?

A. No, so long as the organization holding the event provides the ticket and so long as the official's agency completes the Form 802 (Agency Report of Ceremonial Role Events and Ticket/Pass Distributions). The form will identify the official's name and explain the ceremonial function. (See Regulation 18942.3 for the definition of "ceremonial role.")

33. Q. Are frequent flyer miles reportable?

A. No. Discounts received under an airline's frequent flyer program that are available to all members of the public are not required to be disclosed.

IMPORTANT NOTE: See Regulation 18950.1 for additional information on reporting travel payments. In some circumstances the agency may report the travel in lieu of the official reporting the travel.

34. Q. If a non-profit organization pays for an official to travel to a conference after receiving the funds to pay for the travel from corporate sponsors, specifically for the purpose of paying for the official's travel, is the non-profit organization or the corporate sponsors the source of the gift?

    A. The corporate sponsors are the source of the gift if the corporate sponsors donated funds specifically for the purpose of the official's travel. Thus, the benefit of the gift received by the official would be pro-rated among the donors. Each reportable donor would be subject to the gift limit and identified on the official's Form 700. The FPPC should be contacted for specific guidance to determine the true source of the travel payment.

35. Q. May an official accept travel, lodging and subsistence from a foreign sister city while representing the official's home city?

    A. Yes. If the travel and related lodging and subsistence is paid by a foreign government and is reasonably related to a legislative or governmental purpose, it is not subject to the gift limit. However, the payments must be disclosed as gifts on the Form 700 for this exception to apply. While in the foreign country, any personal excursions not paid for by the official must also be disclosed and are subject to the gift limit. If private entities make payments to the foreign government to cover the travel expenses, the gift limit will apply and travel payments will likely be prohibited. Please contact the FPPC for more information.

36. Q. An analyst for a state or local agency attends a training seminar on the new federal standards related to the agency's regulatory authority. If the analyst's travel payments are paid by the federal agency, must the analyst report the payment on the Form 700?

    A. No. A payment for travel and related per diem received from a government agency for education, training, or other inter-agency programs or purposes, is not considered a gift or income to the official who uses the payment.

37. Q. A state legislator and a planning commissioner were guest speakers at an association's event. Travel expenses were paid by the association, and the event was held in the United States. Is this reportable?

    A. Yes. The payment is reportable, but not subject to the gift limits. In general, an exception applies to payments for travel within the United States that are provided to attend a function where the official makes a speech. These payments are not limited, but are reportable as gifts. The rules require that the speech be reasonably related to a legislative or governmental purpose, or to an issue of state, national, or international public policy; and the travel payment must be limited to actual transportation and related lodging and subsistence the day immediately preceding, the day of, and the day immediately following the speech. (See Government Code Section 89506. Other rules may be applicable if this exception is not used.)

Tickets to Non-Profit and Political Fundraisers Questions

38. Q. An official is offered a ticket from a 501(c)(3) charitable organization to attend its fundraising event. The face value (price) of the ticket is $500, and the ticket states that the tax deductible portion is $350. If the official accepts the ticket, what must be reported?

A. Nothing is required to be reported on the Form 700 so long as the ticket is provided directly by the 501(c)(3) organization for its own fundraising event and is used for the official's own attendance at the fundraiser. In this case, the ticket is deemed to have no value. The official may also accept a second ticket provided directly by the 501(c)(3) organization for his or her guest attending the event, without a reporting obligation by either the official or the guest.

39. Q. What if someone purchases a table at a non-profit fundraiser and offers an official a seat at the table?

A. If another person or entity provides a ticket, it is a gift and subject to the gift limit. The value is the non-deductible portion on the ticket. If there is no declared face value, then the value is the pro-rata share of the food, catering service, entertainment, and any additional item provided as part of the event. The "no value" exception only applies if the official receives no more than two tickets for his or her own use directly from the 501(c)(3) organization and it is for the organization's fundraising event.

40. Q. A 501(c)(3) organization provides a ticket to an official for its fundraising event. The organization seats the official at a table purchased by a business entity. Does the official have to report the ticket?

A. No. So long as the ticket is provided directly by the 501(c)(3) organization and is used for the official's own attendance at the fundraiser, the ticket is not reportable regardless of where the official is seated.

41. Q. An agency employee who holds a position designated in the conflict of interest code receives a ticket to a fundraiser from a person not "of the type" listed in the agency's code. Is the agency employee required to report the value?

A. No. A ticket or any other gift may be accepted under these circumstances without limit or reporting obligations. Agencies must ensure the conflict of interest code adequately addresses potential conflicts of interests but not be so overbroad as to include sources that are not related to the employee's official duties.

42. Q. An official receives a ticket to attend a political fundraiser held in Washington D.C. from a federal committee. Is the official required to disclose the ticket as a gift, and is it subject to the gift limit?

A. No. The value of the ticket is not a gift so long as the ticket is provided to the official directly by the committee holding the fundraiser and the official personally uses the ticket. (Regulation 18946.4.) Separate rules apply for travel provided to attend the fundraiser. Regulation 18950.3 covers issues on travel paid by or for a campaign committee.

43. Q. A political party committee is holding a political fundraiser at a golf course and a round of golf is included. If the committee provides an elected official a ticket, is the ticket reportable by the official?

A. No, so long as the official uses the ticket for his or her own use. If someone other than the political party provides a ticket, the full cost of the ticket is a gift. The political party must report the total amount spent on the fundraiser on its campaign statement.

44. Q. If a business entity offers an official a ticket or a seat at a table that was purchased for a political fundraiser, what is the value?
    A. Because the ticket was not offered by the campaign committee holding the fundraiser, it is a gift to the official. The value is either the face value of the ticket or the pro-rata share of the food, catering services, entertainment, and any additional benefits provided to attendees.

45. Q. If an official attends an event that serves only appetizers and drinks, does the "drop-in" exception apply no matter how long the official stays or how many appetizers or drinks are consumed?

    A. No. The focus of the food and beverages "drop-in" exception is not on the nature of the event as a whole, but rather on the particular official's brief attendance and limited consumption. If an official attends an event that serves only appetizers and drinks, the "drop-in" exception would only apply if the official just "drops in" for a few minutes and consumes only a "de minimis" amount of appetizers and drinks. However, the "drop-in" exception does not automatically apply just because the event does not serve more than appetizers and drinks.

46. Q. An organization, which is not a 501(c)(3) organization, is holding a fundraiser at a professional sporting event. Tickets to this sporting event are sold out and it appears that tickets are only available at a substantially higher price than the stated face value amount of the ticket provided to the official by the organization. If the official attends the event, what is the value of the gift?

    A. The value is the face value amount stated on the ticket to the sporting event. This valuation rule applies to all tickets to such events that are not covered by a separate valuation exception, such as non-profit and political party fundraisers.

47. Q. An official receives a ticket to a fundraiser, and if accepted, the ticket will result in a reportable gift or a gift over the current gift limit. What are the options?

    A. The official may reimburse the entity or organization that provided the ticket for the amount over the gift limit (or pay down the value to under the $50 gift reporting threshold if the official does not want to disclose the ticket). Reimbursement must occur within 30 days of receipt of the ticket. A candidate or elected official may use campaign funds to make the reimbursement if the official's attendance at the event is directly related to a political, legislative, or governmental purpose for the payment. A ticket that is not used and not given to another person is not considered a gift to the official.

California Fair Political Practices Commission

Frequently Asked Questions: Campaign Activity

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The FAQs listed below are selected from questions people frequently ask the FPPC about campaign-related activity under the Political Reform Act ("Act"). All efforts have been made to provide helpful, easy to understand, answers to common questions. Please note that this fact sheet cannot address all of the unique variables and circumstances related to campaign activity. For more information, see the FPPC's campaign disclosure manuals or contact the FPPC with specific questions.

Getting Started Questions

1. Q. When must a committee file a Statement of Organization (Form 410) with the Secretary of State's office?

   A. The Form 410 is required to be filed within 10 days of raising $2,000 or more, which is the threshold for qualifying as a committee.

2. Q. Is it possible for a committee to receive a committee ID number prior to meeting the $2,000 threshold?

   A. Yes. The Secretary of State will issue a committee ID number upon receipt of the Form 410, even if $2,000 or more has not yet been raised. The "Not Yet Qualified" box should be marked and once the $2,000 threshold is met, an amendment must be filed within 10 days to report the date the committee qualified.

3. Q. Is there a fee to register as a committee?

   A. Yes. Committees are required to pay a $50 fee to the Secretary of State within 15 days of filing the Form 410. In addition, a $50 fee is required to be paid to the Secretary of State by January 15 of each year until the committee terminates.

4. Q. Who must be identified on the Form 410?

   A. The name and contact information of the treasurer and principal officers, if any, must be provided, in addition to any candidate controlling the committee. If the committee will have an assistant treasurer, his or her contact information must be also included.

5. Q. Are there any specific accounting qualifications for someone to serve as a committee's treasurer?

   A. No. However, no individual should accept the position as a mere figurehead. To adequately perform the duties, the treasurer must have a basic understanding of the campaign finance laws and the responsibilities of a committee treasurer.

6. Q. May a candidate serve as his or her committee's treasurer?

   A. Yes.

7. Q. Who is considered the principal officer for a non-candidate controlled committee?

   A. The principal officer(s) is the individual or individuals responsible for approving the political activities of a committee, including: 1) authorizing the content of committee communications; 2) authorizing the committee's expenditures; and, 3) determining the committee's campaign strategy. The principal officer must ensure that accurate records are maintained and may be held liable for violations. A committee may have several principal officers. If there are more than three individuals serving as principal officers, only three must identified on the Form 410. If no individual other than the treasurer is a principal officer, the treasurer must be identified as both the treasurer and the principal officer.

8. Q. After filing a Form 410, what is the next form required to be filed?

   A. Typically the Form 497 (24-Hour Contribution Report) is the next required form. In fact, the Form 497 may be required to be filed *before* the Form 410 is required if the committee qualifies within the 90 days before the election or on the date of the election. During this period, a committee must file a Form 497 within 24 hours each time it receives contributions that total in the aggregate $1,000 or more from a single source.

9. Q. What are the requirements for naming a candidate's committee or a committee primarily formed to support or oppose a ballot measure?

   A. For a candidate's campaign committee, the name must include the candidate's last name, office sought, and year of the election. For example, "Wallace for Supervisor 2016" or "Re-Elect Rosa in 2016 for Water Board" would meet the naming requirements.

   For a primarily formed ballot measure committee, the name must include:

   - The measure's designation (e.g., Proposition 124; Measure BB);
   - The committee's position (support or oppose) on the measure;
   - If sponsored, the name(s) of the sponsor(s) (e.g., "sponsored by the Auto Dealers Association");
   - If the committee has received $50,000 or more cumulatively from a major donor, a name or phrase that identifies the economic or other special interest of the major donor;
   - If the committee has received $50,000 or more from major donors with a common employer, the name of the employer of the major donors;
   - If the committee has received $50,000 or more from a major donor who is a candidate or a candidate's controlled committee, the name of the candidate or the candidate's controlled committee.

   For a comprehensive list of all committee naming requirements, see the Form 410 instructions.

10. Q. May a committee use an electronic recordkeeping system or are records required to be kept on paper?

A. Electronic records are permitted so long as all of the required information is collected and recorded in a timely and uniform manner that ensures the information is accurate and reliable. Committees are responsible for ensuring that electronic records can be read and/or printed for auditing purposes during the required retention period – four years from the date the campaign statement was filed.

11. Q. Is a committee required to have a tax ID number?

A. The FPPC does not require a tax ID number; however, some banks may require one in order to open a campaign bank account. A tax ID number may be requested through the Internal Revenue Service website, www.irs.gov.

Ballot Measure Committee Questions

12. Q. A group has raised $2,000 to circulate petitions for a ballot measure. When does the group trigger reporting obligations?

A. Reporting obligations begin when proponents start gathering signatures (initiative) or when a legislative body acts to place the proposal on the ballot (referendum). Certain contributions received and expenditures made are required to be disclosed even if they were received or made before the proposal became a measure. (See Campaign Disclosure Manual 3 for details.)

13. Q. May a candidate control a ballot measure committee? If so, is the candidate required to file a Form 501 (Candidate Intention Statement)?

A. Yes, a candidate may control a ballot measure committee so long as the committee's funds are not used to support the candidate's election or to support or oppose other candidates. The candidate's last name must be included in the committee name and the Form 410 requires specified information to be disclosed related to the measure or measures for which the committee is formed. A Form 501 is not required.

14. Q. Are there any special reporting requirements for ballot measure committees controlled by a candidate?

A. Ballot measure committees controlled by a **state** officeholder (e.g., Governor, legislator) or a candidate for elective **state** office have additional disclosure requirements when reporting expenditures. For each expenditure of $100 or more, the committee must identify the measure or potential measure associated with the expenditure. For example, a payment to a campaign consultant for research or polling on a specific measure in a local jurisdiction could state: Research/polling for Measure B, City of Sacramento. A committee's expenditures for operating costs, administrative overhead, fundraising, travel, compliance costs and attorney fees do not require the itemization if the payment cannot be attributed to a specific measure or potential measure.

15. Q. During the 90 days before an election, a local primarily formed ballot measure committee for Measure A made a $10,000 contribution to another primarily formed ballot measure committee for Measure A. Does this contribution trigger the filing of a 24-hour Contribution Report (Form 497)?

A. Yes, both committees are required to file a Form 497, even if they are both formed to support the same ballot measure.

16. Q. During the 90 days before an election, supporters of a ballot measure, in coordination with the primarily formed ballot measure committee, will be paying for phone banks. The payments will be considered nonmonetary contributions to the primarily formed ballot measure committee. Rather than file several reports, may the committee file one Form 497 estimating the value of all nonmonetary contributions anticipated to be received from this source during the 90-day period before the election and on the date of the election?

    A. Yes. The committee may make a good faith estimate of the value that will be contributed during the period. The Form 497 must be filed within 48 hours of receiving the initial $1,000 in nonmonetary contributions. If the actual value differs from the estimated amount by 20 percent or more, an amendment must be filed within 24 hours of determining the correct amount.

17. Q. If a non-profit organization makes a contribution to a primarily formed ballot measure committee, what are the campaign reporting requirements for the non-profit organization?

    A. Depending on the amount of the contribution and several other factors, the organization may be required to register as a recipient committee and file campaign reports disclosing its donors or the organization may instead qualify as a major donor committee and be required to file the Form 461. To determine the applicable reporting requirements, see the detailed information in the Multipurpose Organizations Reporting Political Spending fact sheet.

Fundraising Questions

18. Q. If a committee receives two monetary contributions of $99 from one contributor, must the contributor be itemized?

    A. Yes. When a person's contributions, including monetary, non-monetary, and loans, aggregate to $100 or more in a calendar year, the contributor must be itemized on the Form 460, Schedule A.

19. Q. A committee is hosting a dinner fundraiser. The committee is charging $100 per person, but the actual cost of the event to the committee will be $25 per person. When a person purchases a ticket to attend, what amount is considered as the contribution received?

    A. The contribution received is $100. The entire cost of the ticket for the fundraiser is the amount of the contribution – the actual costs to the committee are not subtracted from the ticket price.

20. Q. A committee is going to charge $50 per person at their next fundraiser. May an attendee pay with a $100 bill?

    A. No. Even if change is immediately provided, a committee may not accept $100 or more in cash from a single source. The payment must be made by personal check, debit card, or credit card.

21. Q. Is volunteer work provided by some people considered a nonmonetary contribution because of the volunteer's profession, such as free legal advice provided by a lawyer or bookkeeping done by a CPA?

A. No. Volunteer personal services, regardless of the profession of the individual, are not reportable, so long as the individual providing the services is not paid by a third party.

22. Q. An individual is hosting a fundraising event in her home for a friend who is running for city council. She will spend $425 to provide tea, coffee, wine, cheese, and fruit. Is the amount she pays for the event considered a nonmonetary contribution to the candidate?

A. No. So long as she does not spend more than $500, the event meets the home/office fundraiser exception. ***Note:*** The home/office fundraiser exception does not apply to a state lobbyist (or a cohabitant of a lobbyist) or a lobbying firm.

23. Q. May a private service, such as PayPal, be used to collect contributions electronically?

A. Yes, so long as for each contribution of $100 or more, (a) the service is able to provide the name of the contributor, and (b) the committee reports all the information needed to meet the statutory recordkeeping requirements, including the name, address, occupation, and employer of individual contributors of $100 or more. Even if the company deducts a fee from the amount of the contribution, the entire amount of the contribution must be disclosed. The fees charged by the private service are reported as expenditures.

24. Q. May a committee accept a contribution in the form of bitcoins, a type of digital currency?

A. The Commission has not yet formally addressed this issue. However, staff has done extensive research on the topic and recommends that committees not accept bitcoins or other digital currency as campaign contributions at this time. One of the main purposes of the Act is to allow the public and enforcement agencies to be able to accurately identify the true source of a campaign contribution. Given the anonymous nature of digital currency, which is rapidly developing and constantly evolving, there could be significant difficulties in establishing the true source of bitcoin donors. Donors may, nevertheless, convert bitcoins into U.S. dollars and contribute to a committee by personal check, or by credit card via the Internet if the committee has that option available, which the committee must deposit into their one bank account.

25. Q. If a committee receives a contribution of $100 from an individual, but the individual did not provide the required occupation and employer information, what should the committee do?

A. The individual contributor should be contacted to obtain the occupation and employer information. If the committee is required to report the contribution before the information is received, the committee should indicate on its campaign statement that the information has been requested and the statement will be amended when the information is received. However, if an individual's occupation and employer information is not received within 60 days of receiving the contribution, the contribution must be returned.

26. Q. A business donated the use of an employee to work on two ballot measure campaigns during the month before the election. The employee spent a total of seven percent of her compensated time working on one measure and seven percent of her compensated time on the other measure. Since more than 10 percent of her compensated time was not

spent on a single campaign, is her compensated time required to be reported as a nonmonetary contribution to the ballot measure committees from her employer?

A. Yes. If an employee spends more than 10 percent of his or her compensated time working on campaign activity (one or multiple campaigns) in a calendar month, a nonmonetary contribution from the business must be reported. In this situation, each ballot measure committee must report a nonmonetary contribution in the amount of seven percent of the employee's compensated time. The value of the nonmonetary contribution is based on her gross salary; standard benefits (i.e., retirement and health care) do not need to be counted.

27. Q. If a committee receives a large contribution from an individual or entity, are there any special noticing requirements?

A. Yes. Generally, if a committee receives a contribution of $5,000 or more from an individual or entity, the committee must notify the contributor in writing *within two weeks* that he or she may need to file a major donor report. In the 90 days before an election, if a contribution of $10,000 or more is received, the notification must be sent *within one week*. Language for the notice is found in the applicable campaign disclosure manual. An individual or entity qualifies as a major donor if contributions totaling $10,000 or more are made in a calendar year to California (state and local) candidates and committees.

Expenditure Questions

28. Q. How does a committee report printing expenses of $100 or more paid for with the committee's credit card?

A. The name and address of the credit card company and the amount paid must be listed on Schedule E or F of the Form 460, and the printing vendor's name and address must be listed underneath with the amount paid to that vendor. Another example of "subvendor" reporting is when a campaign consultant purchases television advertisements, the names of the stations that air the advertisements must listed. The campaign disclosure manuals contain examples of how to report subvendors on the Form 460.

29. Q. Is it permissible for a committee to have an agreement with an independent contractor (e.g., committee fundraiser) to pay additional money if fundraising goals are surpassed?

A. Yes, under the Act, a contingency agreement may be made, such as a committee paying a bonus to a contractor if fundraising goals are met or a committee not paying a contractor unless a particular outcome is achieved. The arrangement should be made as part of a written contract. (Note that the Act strictly prohibits contingency fees to a lobbyist for the outcome of legislation or to a placement agent for securing an investment from a state retirement board.)

30. Q. Is it permissible to purchase gifts using campaign funds?

A. Campaign funds may be used to purchase a gift only if the payment is *directly related* to a political, legislative, or governmental purpose. Detailed information on the permissible use of campaign funds may be found in the campaign disclosure manuals. In addition, there are special reporting rules for candidate controlled committees when reporting expenditures for gifts, meals, and travel. (See Question #57 below.)

Communications Questions

31. Q. What are the disclosure requirements for a mass mailing sent by a candidate?

    A. When a candidate sends a mass mailing (more than 200 pieces of the same or similar mail in a calendar month), the words "paid for by" and the name and address of the candidate's committee must appear on the outside of the mailing in no less than six-point type and in a color that contrasts with the background. If two or more candidate controlled committees pay for the mailer, the name and address of at least one of the committees must be shown on the outside and the names and addresses of all committees must appear on at least one insert. The committee ID number is not required to be included, but the FPPC recommends that committees include the committee ID number on all public campaign materials.

32. Q. What information must be included on a mass mailing if it is paid for by an independent expenditure to support or oppose a candidate?

    A. When a mass mailing is paid for by an independent expenditure to support or oppose a candidate, the words "paid for by" and the committee name and address must appear on the outside of the mailing in a color that contrasts with the background. The committee name and "paid for by" disclaimer must appear in no less than 14-point, bold, sans serif type, but the address may appear in no less than six-point type. Committees may combine the display rules and use 14-point, bold, sans serif type for both the committee name and address. The mailing must include the following statement, "[t]his advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office." The statement must be located one-quarter of an inch from the recipient's name and address in a box with a line weight of at least 3.25 pt. The statement must appear in no less than 14-point, bold, sans serif type. Contrasting colors must be used for the background of the ad and the box outline, text and background.

33. Q. Are emails sent by a candidate's committee required to include an advertisement disclaimer statement?

    A. Yes. Mass mailings, including emails, must include a "paid for by" disclaimer (e.g., "Paid for by Jones for Supervisor 2016").

34. Q. How does a committee report payments made to a person to provide favorable or unfavorable content on an Internet site about a candidate or ballot measure?

    A. For each payment of $100 or more, use the code "WEB" and report the amount of the payment, the payee, the name of the individual providing content, and the website name or URL on which the communication is published in the first instance.

35. Q. Does a candidate or committee incur reporting obligations if an unpaid blogger or other individual endorses his or her candidacy in their Internet communications?

    A. No. Uncompensated Internet activity, including blogging, social networking, sending or forwarding an email, or providing a link to a website, does not trigger a reporting obligation.

36. Q. Does the FPPC have a summary of the requirements for disclaimers on advertisements?

    A. Yes, a summary of the requirements, as well as charts for each type of committee are available here.

24-Hour Contribution (Form 497) Report Questions

37. Q. If a contribution of $1,000 or more is made to one of a candidate's campaign committees (i.e., legal defense, ballot measure, past election), but not to the committee that is formed for the election triggering the 90-day reporting, are the candidate and/or the donor required to file a Form 497?

    A. Yes. When a candidate is in a 90-day reporting period, each contribution of $1,000 or more to any of his or her committees requires the Form 497 to be filed by both the candidate and the donor.

38. Q. During the 90-day reporting period, must a candidate file a Form 497 if a contribution of $500 is received by one of the candidate's campaign committees (i.e., legal defense, ballot measure, past election) and another contribution of $500 from the same donor is received by the committee that is formed for the election triggering 90-day reporting?

    A. No. Because a single committee did not receive $1,000 or more, the candidate is not required to file a Form 497. The donor is also not required to file a Form 497 as the donor did not make a contribution of $1,000 or more to a single committee.

39. Q. A candidate received $500 from a donor for the special primary election a few days before the election, and another $500 from the same donor a few days after the primary election when the candidate moved to the special general election. Both contributions were received during the 90 days before the general election. Is a Form 497 required to be filed by the donor and/or the candidate?

    A. No. Because $1,000 or more was not received in connection with one election, the Form 497 is not required to be filed.

40. Q. Must a candidate file a Form 497 if, during the 90 days before the election or on the date of the election, he or she makes a contribution of $1,000 or more from personal funds to his or her campaign?

    A. Yes. The candidate's personal funds are contributions and subject to reporting in the same manner as other contributions received.

41. Q. What are the 24-hour contribution report (Form 497) requirements for contributions received by a political party committee?

    A. A political party must report each contribution of $1,000 or more received within 90 days of **any** state election or on the date of a state election (including a special election). If the contributor is a committee, the contributor must also file the Form 497 within 24 hours.

Enforcement Question

42. Q. If a campaign statement is filed late, what are the potential consequences?

    A. The filing officer with whom the statement is required to be filed may assess a fine of up to $10 for each day that the statement is late (or up to $20 per day for a statement and a

copy). In addition, filing officers are required by law to refer non-filers to an enforcement authority. If a matter is referred to the FPPC's Enforcement Division for failure to file, the fine may increase up to a maximum of $5,000 per violation. In 2015, over 50 committees were fined by the FPPC for failing to timely file campaign statements.

Candidate Questions

43. Q. When may a candidate begin to solicit and raise funds for an election?

    A. Upon filing a Candidate Intention Statement (Form 501), a candidate may begin to solicit and receive contributions. The Form 501 is considered filed when it is personally delivered or placed in the mail to the filing officer.

44. Q. Is a candidate required to file a Form 501 when running for reelection to the same office?

    A. Yes. A separate Form 501 is required for each election, including reelection to the same office.

45. Q. If a candidate does not intend to raise any funds from others and will be spending personal funds only for the filing fee and ballot statement fee, is the candidate required to file a Form 501 and open a campaign bank account?

    A. No, the candidate is not required to file a Form 501 or open a bank account; only the Form 470 (Campaign Statement – Short Form) is required.

46. Q. If a candidate does not intend to raise funds from others, but will be spending $2,000 or more of his or her personal funds on his or her campaign (in addition to the filing fees and ballot statement fees), is the candidate required to open a bank account?

    A. Yes. Even if a candidate does not raise funds from others, if he or she spends $2,000 or more on the campaign (not counting personal funds spent on filing fees and ballot statement fees), he or she qualifies as a committee and must open a campaign bank account. Campaign funds may not be commingled with personal funds.

47. Q. What are the rules related to a candidate spending personal funds on his or her own campaign?

    A. Except for payments for the filing fee, ballot statement fee, and $50 Secretary of State annual committee fee, a candidate must deposit personal funds into the campaign bank account before making campaign expenditures, even if he or she does not want to be reimbursed. Personal funds may be reported as loans or monetary contributions. Personal funds may not be commingled with campaign funds and campaign expenditures may not be made from a personal account.

48. Q. Prior to attending an FPPC webinar and learning that it was not permitted, a candidate starting up his campaign used personal funds to pay for some campaign expenses. How is this reported on the Form 460?

    A. So that the activity is properly disclosed, the amount of personal funds used should be reported on Schedule A as a contribution and the expenditure is reported on Schedule E. If the candidate has not yet been reimbursed by the committee, the amount may be reported on Schedule F as an accrued expense. Non-disclosure of the payments is a

violation of the Act. All future payments must be made from the campaign bank account; personal funds must be deposited into the account before making expenditures.

49. Q. May a campaign worker use personal funds to make campaign expenditures and be reimbursed by the committee?

    A. Yes. Anyone other than the candidate may use personal funds to make campaign expenditures, such as purchasing printing, and be reimbursed after providing a receipt or invoice to the campaign. However, if the campaign does not reimburse the individual who made the expenditure within 45 days, the committee must report the amount expended as a nonmonetary contribution received.

50. Q. What are the contribution limits for local elections?

    A. The Act does not impose contribution limits on local elections. However, many local jurisdictions have adopted campaign finance ordinances that include contribution limits. Contact the city clerk or county elections office to determine if there are local contribution limits. The FPPC's website also posts local campaign ordinances.

51. Q. If a candidate occasionally uses his or her personal vehicle to attend campaign events and meet with voters, is the use of the vehicle reportable even if the candidate does not want to be reimbursed for the mileage?

    A. Incidental use of a candidate's personal vehicle for campaign purposes is not considered a contribution or expenditure and is not reportable. However, if the use of the vehicle is directly related to a political, legislative or governmental purpose, and the candidate would like to be reimbursed by the committee, the reimbursement must be made at the rate approved by the Internal Revenue Service pursuant to Section 162 of the Internal Revenue Code.

52. Q. If a candidate makes long-distance calls using his or her home phone to request support from organizations statewide, may committee funds be used to pay the phone bill?

    A. Committee funds may be used for the campaign portion of the bill; however, the non-campaign portion must be paid with personal funds.

53. Q. If a candidate is defeated in a local election, may the leftover funds be used to run again in the next local election?

    A. Yes, if specified requirements are met. An unsuccessful candidate who plans to run for the *same office* in a future election must file a new Form 501 and an amended Form 410 **before** the funds become surplus. Leftover funds become surplus 90 days after an official leaves office (incumbents) or 90 days after the end of the post-election reporting period, whichever is later. The end of the post-election reporting is June 30 for elections held between January 1 and June 30, and December 31 for elections held between July 1 and December 31. (Note: Candidates should check with the local jurisdiction to determine if there is a local ordinance that does not allow a candidate to use the same committee for a future election.)

    An unsuccessful candidate who plans to run for a *different office* must file a new Form 501, a new Form 410, and open a new campaign bank account and transfer the funds **before** the funds become surplus as described above.

54. Q. If a candidate receives a refund for a filing fee after his or her committee has already been terminated, must the committee and bank account be reopened in order to accept the refund?

    A. No. Candidates are allowed to accept refunds from a governmental entity without reopening the committee and campaign bank account.

55. Q. If a candidate controls a ballot measure committee, must the ballot measure committee file a preelection statement when the candidate's committee is required to?

    A. Yes. If a candidate has multiple controlled committees, each of the committees are required to file on the dates the candidate is required to file preelection statements in connection with his or her election to office. (See Regulation 18405.)

56. Q. May a law enforcement officer, who is running for city council, wear his or her uniform at campaign events or when appearing in political advertisements for his or her campaign?

    A. The Political Reform Act does not contain restrictions related to a candidate wearing a law enforcement uniform; however, other laws may apply. The candidate should contact the District Attorney or City Attorney.

57. Q. What are the special reporting requirements for expenditures made by a candidate controlled committee when purchasing gifts, travel, and meals?

    A. Itemized expenditures made by a candidate controlled committee for gifts, meals, or travel, must be further explained in the "Description of Payment" column, whether or not an expenditure code is used, as described below.

    Gifts: Briefly describe the political, legislative, or governmental purpose of the expenditure, and provide the date of the gift and a description of the gift. If the gift was made to an individual recipient, the name of the recipient must be included. If a gift was made to a group of recipients, the name of each recipient who received a benefit of $50 or more is required. When the recipient of a gift with a value of $50 or more is not known at the time the payment is required to be reported, the committee must report that the gift was for an "undetermined recipient." Once the gift has been given to the recipient, the campaign statement must be amended within 45 calendar days to disclose the name of the recipient.

    Meals: Briefly describe the political, legislative, or governmental purpose of the expenditure, and provide the date of the meal, the number of individuals who were present at the meal, and whether the candidate, a member of his or her household, or an individual with authority to approve expenditures of campaign funds was present at the meal. It is not necessary to include the names of individual attendees on the report. However, the names of the attendees must be maintained in the committee's records. For meals reported as an itemized expenditure for travel, the reporting rules below apply.

    Travel Payments (including lodging and meals): Briefly describe the political, legislative, or governmental purpose of the expenditure, and provide the date or dates of the travel, the destination, and the goods or services purchased. The description must also include the number of individuals for whom the payment was made and whether the trip included the candidate, a member of his or her household, or an individual with the authority to approve expenditures of campaign funds. The names of individuals who traveled are not required to be disclosed on the report. However, the names of the travelers must be maintained in the committee's records.

Fair Political Practice Commission Forms

Candidate Intention Statement

CALIFORNIA FORM 501

Who Files:

A candidate for state or local office must file this form for each election, including reelection to the same office. Exception: Candidates for county central committee that do not raise or spend $2,000 or more in a calendar year.

When to File:

File the Form 501 before you solicit or receive any contributions or before you make expenditures from personal funds on behalf of your candidacy. This form is considered filed the date it is postmarked or hand delivered.

Ensure campaign deadlines are met. Go to www.fppc.ca.gov for most campaign disclosure filing schedules or check with your local filing officer.

Where to File:

State Candidates (including Judges):

Secretary of State
Political Reform Division
1500 11th Street, Room 495
Sacramento, CA 95814
Phone (916) 653-6224
www.sos.ca.gov

Local Candidates:

Generally your county election office or city clerk. Electronic filing may be required.

Bank Account:

A separate campaign bank account must be established including campaigns that are self funded by the candidate. Exception: A bank account is not required if a candidate will not receive contributions or make personal expenditures of less than $2,000. The filing and statement of qualification fees are not included in calculating the $2,000.

How to Complete:

All candidates: Complete Parts 1 and 3.
Candidates for elective state office: Complete Parts 1, 2, and 3.

Exception: Candidates for an election to the State Public Employees Retirement Board and the Teachers' Retirement Board do not complete Part 2.

Part 1. Candidate Information

- Enter your name and street address.
- Enter the title of the office sought, agency name and district number if any (e.g., City Council member, City of Smalltown, Dist. 5), and political party affiliation, if seeking a partisan office.
- Check the appropriate box regarding the office's jurisdiction.

Part 2. Voluntary Expenditure Ceiling

This section applies to certain candidates for elective state offices, including State Senate and Assembly and statewide offices.

The voluntary expenditure ceiling applicable to your office is set forth in FPPC Regulation 18545. You must state whether you accept or reject the expenditure ceiling. Candidates who accept the voluntary expenditure limit will be designated in either the state ballot pamphlet (statewide candidates) or the voter information portion of the sample ballot (Senate and Assembly candidates) and may purchase space for a 250-word statement there.

You may amend the Form 501 to change your acceptance or rejection of the voluntary expenditure ceiling only under the following circumstances:

- Between the date of filing an initial Form 501 for an election and the deadline for filing nomination papers for that election, you may amend your statement of acceptance or rejection of the voluntary expenditure ceiling no more than two times as long as the limit has not been exceeded.
- If you reject the voluntary expenditure ceiling in the primary or special election but do not exceed the ceiling during that election, you may amend the Form 501 to accept the expenditure ceiling for the general or special runoff election and receive all of the benefits accompanying the acceptance of the expenditure ceiling. The amended Form 501 must be filed within 14 days following the primary or special election.

Personal Funds Notification:

You must disclose, if applicable, the date you contribute personal funds to your own campaign that exceed the expenditure ceiling. File an amended Form 501 within 24 hours by guaranteed overnight delivery, personal delivery, or, if applicable, by electronic means.

Part 3. Verification

The verification is signed under penalty of perjury.

This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements and the Information Practices Act of 1977, see the FPPC Campaign Disclosure Manual for your type of committee.

FPPC Form 501 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Candidate Intention Statement

Date Stamp

CALIFORNIA FORM 501

For Official Use Only

Check One: ☐ Initial ☐ Amendment (Explain) _____

1. Candidate Information:

NAME OF CANDIDATE (Last, First, Middle Initial) | DAYTIME TELEPHONE NUMBER | FAX NUMBER (optional) | E-MAIL (optional)

( ) ( )

STREET ADDRESS | CITY | STATE | ZIP CODE

OFFICE SOUGHT (POSITION TITLE) | AGENCY NAME | DISTRICT NUMBER, if applicable. | ☐ NON-PARTISAN / PARTY:

OFFICE JURISDICTION

☐ State (Complete Part 2.)

☐ City ☐ County ☐ Multi-County: _____ (Name of Multi-County Jurisdiction) _____ (Year of Election)

2. State Candidate Expenditure Limit Statement:

(CalPERS and CalSTRS candidates, judges, judicial candidates, and candidates for local offices do not complete Part 2.)

_____ *(Year of Election)* ***Primary/general election*** _____ *(Year of Election)* ***Special/runoff election***

(Check one box)

☐ I **accept** the voluntary expenditure ceiling for the election stated above.

☐ I **do not accept** the voluntary expenditure ceiling for the election stated above.

Amendment:

○ I did not exceed the expenditure ceiling in the primary or special election held on: ____/____/____ and I accept the voluntary expenditure ceiling for the general or special run-off election.

(Mark if applicable)

☐ On ____/____/____, I contributed personal funds in excess of the expenditure ceiling for the election stated above.

3. Verification:

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, *(month, day, year)* Signature _____ *(Candidate)*

Clear Form Print Form

Statement of Organization
Recipient Committee

CALIFORNIA FORM 410

When to File

File this form within 10 days of receiving $2,000 in contributions. Include a $50 payment made payable to the Secretary of State. Thereafter, the $50 fee is due annually no later than January 15. In addition to the $50 fee, a penalty of $150 may be assessed if payment is late.

For early submissions, mark the "not yet qualified" box. The $50 fee is requested at this time but is not legally required until the committee qualification threshold has been met.

The committee's FPPC ID number will be posted at www.sos.ca.gov. Read instructions carefully as a Form 410 will be rejected if all applicable sections are not completed. All committees must disclose the financial institution and bank account number used by the committee.

Where to File

All Committees: Form 410 with original ink signature(s)
Secretary of State
Political Reform Division
1500 11th Street, Rm 495
Sacramento, CA 95814

County & City Committees: Also file a copy with the local filing officer who will receive the original campaign statements.

Amendments

When information contained in the committee's Statement of Organization changes, file an amendment within 10 days of the change with the Secretary of State and local filing officer (if applicable). During the period 16 days before an election, file an amendment within 24 hours as described below.

24-Hour Reporting

In addition to the 10-day rule to file an original Form 410:

- A recipient committee that qualifies during the 16 days prior to an election in which it must file pre-election statements must file a Form 410 within 24 hours of qualification with the filing officer who will receive the committee's original disclosure statements.
- A recipient committee that qualifies during the 90 days prior to an election or on the date of the election in which the committee makes independent expenditures of $1,000 or more to support or oppose a candidate in that election must file the Form 410 within 24 hours of qualification with the filing officer who will receive the committee's original disclosure statements and with the filing officer(s) for the candidate(s) supported or opposed by the independent expenditure.
- If, during the 16 days prior to an election when a committee is required to file pre-election statements, a change occurs in the name of the committee, the treasurer or other principal officers, or the controlling candidate, an amendment must be filed with the filing officer receiving the committee's original campaign statements within 24 hours of the change.

These filings must be made by fax, guaranteed overnight delivery, personal delivery or online (if online filing is available).

Who Files

Persons (including an officeholder or candidate), organizations, groups, or other entities that raise contributions from others totaling $2,000 or more in a calendar year to spend on California elections qualify as a recipient committee. They must register with the Secretary of State and report all receipts and expenditures. "Contributions" include monetary payments, loans and non-monetary goods and services received or made for a political purpose.

A nonprofit organization, federal or out-of-state PAC, or other multipurpose organization that makes contributions or expenditures in California elections may also be required to register as a recipient committee with the Secretary of State. See Supplemental Form 410 Instructions.

Candidates: The personal funds of a candidate or officeholder used to seek or hold elective office are contributions and count toward qualifying as a recipient committee. However, personal funds used to pay a candidate filing fee or a fee for the statement of qualifications to appear in the ballot pamphlet do not count toward the $2,000 threshold.

This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements and the Information Practices Act of 1977, see the FPPC Campaign Disclosure Manual for your type of committee.

FPPC Form 410 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Statement of Organization
Recipient Committee

Statement Type

☐ **Initial**
Not yet qualified ☐ or

_____/_____/_____
Date qualified as committee

☐ **Amendment**
List I.D. number:
#_____

_____/_____/_____
Date qualified as committee
(If applicable)

☐ **Termination – See Part 5**
List I.D. number:
#_____

_____/_____/_____
Date of Termination

Date Stamp

CALIFORNIA FORM 410

For Official Use Only

1. Committee Information

NAME OF COMMITTEE

STREET ADDRESS (NO P.O. BOX)

CITY | STATE | ZIP CODE | AREA CODE/PHONE

MAILING ADDRESS (IF DIFFERENT)

FAX / E-MAIL ADDRESS

COUNTY OF DOMICILE | JURISDICTION WHERE COMMITTEE IS ACTIVE

Attach additional information on appropriately labeled continuation sheets.

2. Treasurer and Other Principal Officers

NAME OF TREASURER

STREET ADDRESS (NO P.O. BOX)

CITY | STATE | ZIP CODE | AREA CODE/PHONE

NAME OF ASSISTANT TREASURER, IF ANY

STREET ADDRESS (NO P.O. BOX)

CITY | STATE | ZIP CODE | AREA CODE/PHONE

NAME OF PRINCIPAL OFFICER(S)

STREET ADDRESS (NO P.O. BOX)

CITY | STATE | ZIP CODE | AREA CODE/PHONE

3. Verification

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ (DATE) By _____ (SIGNATURE OF TREASURER OR ASSISTANT TREASURER)

Executed on _____ (DATE) By _____ (SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT)

Executed on _____ (DATE) By _____ (SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT)

Executed on _____ (DATE) By _____ (SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT)

Instructions for Statement of Organization

CALIFORNIA FORM 410

Statement Type:

Initial

The "date qualified" as a committee is the date that the committee received contributions totaling $2,000 or more during a calendar year.

Amendment

If any of the information reported on an initial statement of organization changes:

- Mark the amendment box;
- Include the committee's ID number and name;
- Provide the changed information; and
- Complete the verification.

Candidates: Under certain circumstances, a candidate for local office may amend the Form 410 to indicate that he or she is seeking another term of the same office (re-election). A candidate for state office must open a separate committee for each term of office and may not amend the Form 410 to redesignate an election committee.

Termination

List the committee's identification number and indicate the date of termination.

1. Committee Information:

Provide the full name of the committee. A committee may use only one name.

The committee's street address, e-mail address, and telephone number must be reported. A post office box is not acceptable. The committee's mailing address must also be reported if it is different from the committee's street address. A post office box is acceptable for the mailing address. A committee's "domicile" is its address as listed on the Form 410. Los Angeles is the county of domicile for committees located outside California.

Identify the jurisdiction where the committee is active. For example a city committee lists the name of the city.

Committee Name Requirements

The following committee name rules apply to the Form 410, the committee's campaign statements and to any other references to the committee required by law. See the instructions for Part 4 for committee definitions.

Candidate Controlled Committees (including ballot measure committees): Any committee that is controlled by a state or local candidate or officeholder must include the last name of the candidate in the name of the committee. In addition, the following rules apply:

- An **election committee** controlled by one or more state or local candidates must also include the office the candidate(s) is seeking and the year of the election (e.g., Friends of Smith for Assembly 20XX, Jones for Council 20XX).
- An **officeholder committee** set up by a state officeholder must also include the office held, the year the officeholder was elected to the current term of office, and the words "Officeholder Account," as part of the committee name (e.g., Anderson Assembly 20XX Officeholder Account).
- A **legal defense fund** set up by a state or local candidate or officeholder must also include the words "Legal Defense Fund" as part of the committee name (e.g., Senator Smith Legal Defense Fund).
- A **ballot measure committee** controlled by one or more state candidates must also state that it is a ballot measure committee (e.g., Senator Lee's Ballot Measure Committee). See additional requirements for primarily formed committees.

Sponsored Committees: A sponsored committee (including most political action committees) must include the full name of its sponsor in the name of the committee. If the committee has more than one sponsor and the sponsors are members of an industry or other identifiable group, include a term identifying that industry or group.

Primarily Formed Committees

Ballot Measures: The name of each committee primarily formed to support or oppose a ballot measure must include:

- A statement identifying the ballot measure(s) number or letter and whether it supports or opposes the measure(s) (e.g., Committee For Proposition/ Measure __ or Committee Against Proposition/ Measure __).
- The economic or other special interests of its major donors of $50,000 or more, in descending order based on the amount contributed to the committee. The list of these economic or special interests may not be interspersed with constituencies such as "concerned citizens, or consumers."
- The name of any state or local candidate that contributes $50,000 or more.

Prior to the designation of the ballot measure number, a primarily formed ballot measure committee controlled by a state candidate must also state that it is a ballot measure committee (e.g., Senator Gomez's Ballot Measure Committee).

Recalls: Each committee established for a recall election must include the name of the officeholder subject to the recall. If the committee is not controlled by the officeholder, the committee must state its support or opposition (e.g., Committee Opposing the Recall of Council Member Doe).

Supporting or Opposing a Candidate: The name of each committee primarily formed to support or oppose a state or local candidate(s) being voted on in a single election, other than a recall election, must include the name of each candidate, the office sought, the year of the election and must state whether the committee supports or opposes the candidate(s) (e.g., Committee to Support Doe for Senate 20XX).

Statement of Organization
Recipient Committee

INSTRUCTIONS ON REVERSE

CALIFORNIA FORM 410

COMMITTEE NAME	I.D. NUMBER

- **All committees must list the financial institution where the campaign bank account is located.**

NAME OF FINANCIAL INSTITUTION	AREA CODE/PHONE	BANK ACCOUNT NUMBER

ADDRESS	CITY	STATE	ZIP CODE

4. Type of Committee Complete the applicable sections.

Controlled Committee

- List the name of each controlling officeholder, candidate, or state measure proponent. If candidate or officeholder controlled, also list the elective office sought or held, and district number, if any, and the year of the election.
- List the political party with which each officeholder or candidate is affiliated or check "nonpartisan."
- If this committee acts jointly with another controlled committee, list the name and identification number of the other controlled committee.

NAME OF CANDIDATE/OFFICEHOLDER/STATE MEASURE PROPONENT	ELECTIVE OFFICE SOUGHT OR HELD (INCLUDE DISTRICT NUMBER IF APPLICABLE)	YEAR OF ELECTION	PARTY
			☐ Nonpartisan
			☐ Nonpartisan

Primarily Formed Committee Primarily formed to support or oppose specific candidates or measures in a single election. List below:

CANDIDATE(S) NAME OR MEASURE(S) FULL TITLE (INCLUDE BALLOT NO. OR LETTER)	CANDIDATE(S) OFFICE SOUGHT OR HELD OR MEASURE(S) JURISDICTION (INCLUDE DISTRICT NO., CITY OR COUNTY, AS APPLICABLE)	CHECK ONE	
		SUPPORT ☐	OPPOSE ☐
		SUPPORT ☐	OPPOSE ☐

Instructions for Statement of Organization

CALIFORNIA FORM 410

2. Treasurer and Other Principal Officers:

A committee may have only one treasurer and one assistant treasurer. A candidate may be his or her own treasurer or assistant treasurer. A committee may not accept a contribution or make an expenditure without a treasurer.

A committee that is not controlled by a candidate or officeholder must disclose the name, street address, and telephone number of the committee's principal officer(s). The principal officer(s) of a committee are the individual(s) primarily responsible for approving the political activity of the committee, including authorizing the content of committee communications, authorizing the committee's contributions and other expenditures, and determining the committee's campaign strategy. If more than three individuals qualify as principal officers of the committee, identify no fewer than three. If no individual other than the committee treasurer qualifies as a principal officer, identify that individual as both the treasurer and the principal officer. An attachment may be necessary.

3. Verification/Original Ink Signature(s):

The Form 410 filed with the Secretary of State must contain original signature(s). The committee treasurer or assistant treasurer must sign the Form 410. Also, each controlling officeholder, candidate or state ballot measure proponent must sign the Form 410. If more than three control the committee, one of them may sign on behalf of all controlling individuals. If a candidate will serve as his or her own treasurer, he or she must sign as the candidate and again as the treasurer

Bank Account Information

- List the name and address of the financial institution where the campaign bank account is located and the bank account number.

  If a campaign bank account is not open at the time of filing an initial Form 410, amend the Form 410 within 10 days of opening the bank account.

4. Type of Committee:

Controlled Committee

A "controlled committee" is one which is controlled directly or indirectly by an officeholder, candidate, or state measure proponent, or which acts jointly with an officeholder, candidate, state measure proponent, or another controlled committee in connection with making expenditures.

A committee is controlled if the officeholder, candidate, or proponent, his/her agent, or any other committee he/she controls, has a significant influence on the actions or decisions of the committee.

"Proponents" of state measures are persons who request the Attorney General to prepare a title and summary of a state initiative, referendum, or measure.

Candidate Election Committee: Identify the candidate's name, office, election year and party, if applicable.

Ballot Measure Committee Controlled by State Candidate: Identify each measure on which the committee has spent or anticipates spending $50,000 or more in the current two-year period, beginning with January 1 of an odd-numbered year. If the ballot designation has not been assigned, describe the purpose of the anticipated measure(s). Amend the Form 410 when a ballot designation is assigned. Provide this information in the primarily formed or general purpose section or on an attachment.

Legal Defense Committee: On an attachment, describe the specific legal dispute(s) for which the legal defense fund was established. The Form 410 must be amended within 10 days when legal disputes are either resolved or new disputes are initiated.

Primarily Formed Committee

A committee is "primarily formed" when it makes or initially plans to make more than 70% of its contributions and expenditures to support or oppose a specific candidate or measure, or a group of measures or specific local candidates all being voted upon in the same election on the same date. (FPPC Regulation 18247.5)

New committees: A new committee formed within six months of a statewide regular election or within 30 days of a state special election is presumed to be primarily formed if the committee makes at least $25,000 in independent expenditures to support or oppose a state candidate or measure. Monthly review is required for other new committees that spend at least $1,000 a month and were formed within six months of an election in connection with which the committee makes contributions or expenditures.

Quarterly review at the end of March, June, September and December is required for other committees.

A committee controlled by a candidate for his or her own candidacy is not a primarily formed committee.

State ballot measures - qualification ID number: Certain committees must list in Section 4, Primarily Formed Committee, the Attorney General's Office assigned identification number to a proposed state ballot measure:

- A committee submitting the title and summary;
- A committee primarily formed for the measure; or
- A committee that spends $100,000 or more on petition circulation for the measure.

Recall Committees: A committee supporting or opposing a recall must list "Recall [Officeholder's Name]," the office held by the recall target officeholder, and mark the appropriate box to indicate whether the committee supports or opposes the recall of the officeholder.

Statement of Organization
Recipient Committee

INSTRUCTIONS ON REVERSE

CALIFORNIA FORM 410

COMMITTEE NAME | I.D. NUMBER

4. Type of Committee (Continued)

General Purpose Committee Not formed to support or oppose specific candidates or measures in a single election. Check only one box:

☐ **CITY Committee** ☐ **COUNTY Committee** ☐ **STATE Committee**

PROVIDE BRIEF DESCRIPTION OF ACTIVITY

Sponsored Committee List additional sponsors on an attachment.

NAME OF SPONSOR | INDUSTRY GROUP OR AFFILIATION OF SPONSOR

STREET ADDRESS | NO. AND STREET | CITY | STATE | ZIP CODE

Small Contributor Committee ☐ _____/_____/_____
Date qualified

5. Termination Requirements

By signing the verification, the treasurer, assistant treasurer and/or candidate, officeholder, or proponent certify that all of the following conditions have been met:

- This committee has ceased to receive contributions and make expenditures;
- This committee does not anticipate receiving contributions or making expenditures in the future;
- This committee has eliminated or has no intention or ability to discharge all debts, loans received, and other obligations;
- This committee has no surplus funds; and
- This committee has filed all campaign statements required by the Political Reform Act disclosing all reportable transactions.
  - -- There are restrictions on the disposition of surplus campaign funds held by elected officers who are leaving office and by defeated candidates. Refer to Government Code Section 89519.
  - -- Leftover funds of ballot measure committees may be used for political, legislative or governmental purposes under Government Code Sections 89511 - 89518, and are subject to Elections Code Section 18680 and FPPC Regulation 18521.5.

Instructions for Statement of Organization

CALIFORNIA FORM 410

General Purpose Committee

A committee is a "general purpose committee" if its principal activity is supporting or opposing a variety of candidates or measures voted on in different elections. (FPPC Regulation 18227.5)

- A **state committee** makes contributions or expenditures to support or oppose candidates or measures voted on in state elections, or in more than one county; it does not make over 70% of its contributions or expenditures in a single local jurisdiction. State contributions include contributions to other state general purpose committees. All political party committees (including county central committees) are state committees.
- A **county committee** makes more than 70% of its contributions or expenditures to support or oppose candidates or measures voted on in a single county, or in more than one jurisdiction within one county. This includes contributions to other general purpose committees in the same county.
- A **city committee** makes more than 70% of its contributions or expenditures to support or oppose candidates or measures voted on in a single city, or in one consolidated city and county. This includes contributions to other city general purpose committees in the same city.

A city or county committee may make up to four contributions in a calendar year to candidates for elective state office whose districts are within the same jurisdiction and is not required to change its status to a state committee.

A committee that has made contributions or expenditures of $5,000 or more during a quarter must review its activity at the end of March, June, September and December to determine if the committee is filing reports in the appropriate jurisdiction. During the first six months, a new committee must check its jurisdictional status each month the committee makes expenditures of $1,000 or more. If a change of filing locations occurs, reports must be filed in both the new and old jurisdiction through the calendar year.

After marking the appropriate state, county or city box, provide a brief description of the committee's political activities such as whether it supports candidates or measures that share a common political affiliation.

Sponsored Committee

A "sponsored committee" is a general purpose or primarily formed committee, other than an officeholder or candidate controlled committee, that has one or more sponsors.

An organization, business, or other entity is a sponsor if one or more of the following apply:

- The committee receives 80% or more of its contributions from the entity or organization or its members, officers, employees, or shareholders.
- The entity or organization collects contributions for the committee by use of payroll deductions or dues from its members, officers or employees.
- The entity or organization, alone or in combination with other entities or organizations, provides all or nearly all of the administrative services for the committee.
- The entity or organization, alone or in combination with other entities or organizations, sets the policies for contribution solicitations or payment of expenditures from committee funds.

See the instructions for Part 1 for a sponsored committee's name requirements.

Small Contributor Committee

A "small contributor committee" is one that has been in existence for more than six months; receives contributions from 100 or more persons; makes contributions to five or more candidates; and has not received more than $200 from one person in a calendar year.

5. Termination Requirements

Recipient committees may only terminate when:

- They have ceased to receive contributions and make expenditures; and
- They do not anticipate receiving contributions, repayments of outstanding loans made to others, or any other receipts in the future, and they do not anticipate making expenditures in the future; and
- They have eliminated or have no intention or ability to discharge all their debts, loans received, and other obligations; and
- They have no funds; and
- They have filed all required campaign statements disclosing all reportable transactions, including disposition of funds.

State Candidates: There are mandatory termination deadlines applicable to your committees.

How to Terminate

State Committees: Complete page one of the Form 410 and mark the termination box. Send the Form and last Form 450 or 460 (mark the termination box) to the Secretary of State.

Local Committees: Complete page one of the Form 410, mark the termination box and send the Form to the Secretary of State. Send a copy of the Form 410 and last Form 450 or 460 (mark the termination box) to your city or county filing officer.

Recipient Committee Campaign Statement

CALIFORNIA FORM 460

The Form 460 is for use by all recipient committees, including:

Candidates, Officeholders and Their Controlled Committees

- A candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend $2,000 or more during a calendar year in connection with election to office or holding office. The Form 460 is also required if $2,000 or more will be raised or spent during the calendar year at the behest of the officeholder or candidate.

Primarily Formed Ballot Measure Committees

- A person, entity, or organization that receives contributions totaling $2,000 or more during a calendar year for the primary purpose of supporting or opposing the qualification, passage, or defeat of a single ballot measure or two or more measures being voted on in the same city, county, multi-county or state election.

Primarily Formed Candidate/Officeholder Committees

- A person, entity, or organization that receives contributions totaling $2,000 or more during a calendar year to support or oppose a single candidate or officeholder, or two or more candidates or officeholders who are being voted upon in the same city, county, or multi-county election. This type of committee is not controlled by the candidate(s) or officeholder(s).

General Purpose Committees

- A person, entity, or organization that receives contributions totaling $2,000 or more during a calendar year to support or oppose various candidates and measures (e.g., political parties, political action committees).

Non-controlled committees that do not receive contributions, loans, or miscellaneous receipts totaling $100 or more from a single source during a calendar year may use Form 450 – Recipient Committee Campaign Statement – Short Form.

Note: Refer to the Statement of Organization, Form 410, for guidance to determine the type of committee.

Use the Form 460 to file any of the following:

- Preelection Statement
- Semi-annual Statement
- Quarterly Statement
- Special Odd-Year Report
- Termination Statement
- Amendment to a previously filed statement

Note: Mark the preelection statement box if a committee files a monthly report in connection with a LAFCO proposal.

See reverse for general guidance on where to file this form.

Contribution Limits: Candidates for elective state office are subject to state contribution limits. Contributions received by committees for the purpose of making contributions to candidates for elective state office are also subject to limits. A chart identifying the limits is located at www.fppc.ca.gov. In addition, local candidates may be subject to contribution limits imposed by local ordinance. Questions concerning local limits should be addressed to election officials in the local jurisdiction.

This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements and the Information Practices Act of 1977, see the FPPC Campaign Disclosure Manual for your type of committee (available from your filing officer or the FPPC). Campaign filing deadlines, forms, and other informational materials are available on the FPPC website (www.fppc.ca.gov).

FPPC Form 460 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Instructions for Recipient Committee Campaign Statement

CALIFORNIA FORM 460

Where to File:

In general, state committees file with the Secretary of State and local committees file with the filing officer of the local jurisdiction.

State Committees:

State committees include state candidates and officeholders, all judicial candidates and judges, committees that support or oppose state candidates and ballot measures (e.g. PACs, political parties), committees that support or oppose candidates and ballot measure in more than one county and candidates and committees formed for CalPERS or CalSTRS elections.

Secretary of State
Political Reform Division
1500 11th Street, Room 495
Sacramento, CA 95814
Phone (916) 653-6224
Fax (916) 653-5045
www.sos.ca.gov

Additional Copies:

- A copy of this form must also be filed with a state candidate's county of domicile's filing officer, if the state candidate committee does not file Form 460 electronically with the Secretary of State.
- A copy of this form must also be filed with a local filing officer if the committee is controlled by a candidate for state elective office and the committee is formed for a local election.
- A copy of this form must also be filed with the relevant CalPERS or CalSTRS office if the committee is a candidate controlled or a primarily formed committee for a CalPERS or CalSTRS election. A candidate seeking a CalPERS or CalSTRS election is not required to file a copy of the statement with the candidate's county of domicile.

Local Committees:

- Elected officers and candidates for local agencies that have jurisdiction in two or more counties and committees that support or oppose candidates or local measures being voted on in one of these jurisdictions, file an original and one copy with the election official for the county with the largest number of registered voters in the district and one copy with their county of domicile.
- Elected county officeholders and candidates for county offices, and committees that support or oppose candidates or ballot measures being voted on within a single county, file an original and one copy with the election official for that county.
- Elected city officeholders and candidates for city offices, and committees that support or oppose candidates and ballot measures in a single city, file an original and one copy with the city clerk.

Fast Facts:

Paper Copies: Most committees must file the original and one copy in paper format with the designated filing officer. Most state committees must also file an electronic version. Some local jurisdictions also require electronic submissions.

Electronic Filing: State committees must file electronic reports with the Secretary of State if the committee receives contributions or makes expenditures totaling $25,000 or more.

General Purpose Committees: FPPC regulation 18227.5 sets out the procedures for determining whether a committee should file with the state, county or city elections office. In general, such committees file with the Secretary of State unless the committee makes more than 70% of its contributions and expenditures in connection with a city election or county election. The regulation sets out review timelines and exceptions. A committee cannot knowingly file in an incorrect jurisdiction with the intention of avoiding the appropriate legal disclosure to the public. Committees that change jurisdictions file in both jurisdictions until the end of the calendar year.

LAFCO Proposals: Committees primarily formed to support or oppose a LAFCO proposal file this form with the county elections office in the county that the proposal may be voted upon. Once a proposal is listed on a ballot, a committee will file as a multi-county, county or city committee.

Statement of Organization: A committee must make certain that its Statement of Organization, Form 410, is current and correct. This form includes information such as a candidate's year of election and the name of the committee's principal officers as well as other important information regarding the committee's formation. Information listed on a Form 460 must be the same as that disclosed on the Form 410.

Recipient Committee Campaign Statement Cover Page

Date Stamp

CALIFORNIA FORM 460

Page _____ **of** _____

For Official Use Only

SEE INSTRUCTIONS ON REVERSE

Statement covers period
from _____
through _____

Date of election if applicable:
(Month, Day, Year)
_____

1. Type of Recipient Committee: All Committees – Complete Parts 1, 2, 3, and 4.

- ☐ Officeholder, Candidate Controlled Committee
  - ○ State Candidate Election Committee
  - ○ Recall
  - *(Also Complete Part 5)*
- ☐ General Purpose Committee
  - ○ Sponsored
  - ○ Small Contributor Committee
  - ○ Political Party/Central Committee
- ☐ Primarily Formed Ballot Measure Committee
  - ○ Controlled
  - ○ Sponsored
  - *(Also Complete Part 6)*
- ☐ Primarily Formed Candidate/ Officeholder Committee
  - *(Also Complete Part 7)*

2. Type of Statement:

- ☐ Preelection Statement
- ☐ Semi-annual Statement
- ☐ Termination Statement (Also file a Form 410 Termination)
- ☐ Amendment (Explain below)
- ☐ Quarterly Statement
- ☐ Special Odd-Year Report

_____

_____

3. Committee Information

I.D. NUMBER

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)

STREET ADDRESS (NO P.O. BOX)

CITY | STATE | ZIP CODE | AREA CODE/PHONE

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

CITY | STATE | ZIP CODE | AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

Treasurer(s)

NAME OF TREASURER

MAILING ADDRESS

CITY | STATE | ZIP CODE | AREA CODE/PHONE

NAME OF ASSISTANT TREASURER, IF ANY

MAILING ADDRESS

CITY | STATE | ZIP CODE | AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ (Date) By _____ (Signature of Treasurer or Assistant Treasurer)

Executed on _____ (Date) By _____ (Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor)

Executed on _____ (Date) By _____ (Signature of Controlling Officeholder, Candidate, State Measure Proponent)

Executed on _____ (Date) By _____ (Signature of Controlling Officeholder, Candidate, State Measure Proponent)

Clear Cover Pg1 | Print Form

Instructions for Recipient Committee Campaign Statement – Cover Page

CALIFORNIA FORM 460

Period Covered by a Statement:

The "period covered" by a campaign statement begins the day after the closing date of the last campaign statement filed. For example, if the closing date of the last statement was September 30, the beginning date of the next statement will be October 1.

If this is the committee's first campaign statement, begin with January 1 of the current calendar year.

The closing date of the statement depends on the type of statement you are filing.

Date of Election:

If you are filing this statement as a preelection statement in connection with an election, enter the date of the election.

Type of Recipient Committee:

Check one box to indicate the type of committee filing the statement. General descriptions are provided on the cover sheet to this form, or contact your filing officer or the FPPC for assistance. Following are some additional guidelines:

Controlled Committee

- A controlled committee is one that is controlled by a candidate, officeholder or, in the case of a state ballot measure committee, by the proponent of the measure. A committee is "controlled" if the candidate, officeholder, or proponent, his or her agent, or any other committee he or she controls, has a significant influence on the actions or decisions of the committee.

Sponsored Committees

- A sponsored committee is one that has a sponsor—a business entity, organization, union, or other entity—that meets certain criteria. Sponsored ballot measure committees and general purpose committees must include the name of the sponsor in the name of the committee.

Small Contributor Committees

- This term is significant only if the committee makes contributions to candidates running for elective state office.

Type of Statement:

Check the appropriate box(es) to indicate the type of statement you are filing (or amending).

Amendments: If you are filing an amendment to a previously filed statement, give a brief explanation of the amendment and list the schedules being amended. Include an amended summary page, if applicable. Be sure to enter the period covered of the statement you are amending.

Termination: A committee must continue filing campaign statements each year until it is eligible to terminate and files a Form 410 Termination. Most officeholders must continue filing campaign statements until they have terminated all controlled committees and have left office.

Committee I.D. Number:

If the committee has not yet received an identification number from the Secretary of State, enter "Not Yet Received." File Form 410 to obtain an I.D. Number.

Verification:

The statement must be signed by the committee treasurer or the assistant treasurer named on the committee's Statement of Organization (Form 410). An officeholder, candidate, or state measure proponent who controls the committee must also sign the statement. If two or three officeholders, candidates, or proponents control the committee, each must sign the statement. If more than three control the committee, one may sign on behalf of the others.

Under certain circumstances, the responsible officer of a sponsoring organization must sign the statement.

Additional Important Information:

Refer to the FPPC Campaign Disclosure Manual for your type of committee for information about:

- When, where, and what type of statements the committee is required to file.
- Closing date of campaign statements.
- Sponsored committee criteria.
- Termination criteria.
- Recordkeeping requirements and prohibitions.

FPPC Form 460 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Recipient Committee Campaign Statement Cover Page — Part 2

CALIFORNIA FORM 460

Page _____ of _____

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)

RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP

Related Committees Not Included in this Statement: *List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.*

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? ☐ YES ☐ NO

COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? ☐ YES ☐ NO

COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

6. Primarily Formed Ballot Measure Committee

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	☐ SUPPORT ☐ OPPOSE

Identify the controlling officeholder, candidate, or state measure proponent, if any.

NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT

OFFICE SOUGHT OR HELD	DISTRICT NO. IF ANY

7. Primarily Formed Candidate/Officeholder Committee *List names of officeholder(s) or candidate(s) for which this committee is primarily formed.*

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	☐ SUPPORT ☐ OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	☐ SUPPORT ☐ OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	☐ SUPPORT ☐ OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	☐ SUPPORT ☐ OPPOSE

Attach continuation sheets if necessary

Clear Cover Pg2 Print Form

Instructions for Recipient Committee Campaign Statement – Cover Page

CALIFORNIA FORM 460

Officeholder or Candidate Controlled Committee:

Candidates must have a separate bank account and committee to run for different elective offices. A candidate who is required to file campaign statements in connection with more than one elective office but is only receiving contributions and making expenditures for one of the offices, may include both offices on one Form 460. In Part 5 of the cover page, enter the candidate's name and under "Office Sought or Held," identify each office, and state whether the candidate is seeking or holding the office. The Form 460 must be filed with the appropriate filing officer(s) for each office.

For example, a city councilmember is raising funds to run for the county board of supervisors. She has no committee and is not raising or spending funds in connection with the city office, and has formed a controlled committee for the county office. To comply with the requirements to file campaign statements for both her city office and her county candidacy, she may complete one Form 460 each campaign reporting period, which she will file with the city clerk and the county elections department. In Part 5 of the Form 460 Cover Page, under "Office Sought or Held," she will state that she is holding the office of city councilmember (including the name of the city) and that she is seeking a seat on the board of supervisors (including the name of the county).

Ballot Measure Committee:

Part 6 of the Form 460 Cover Page must be completed by committees that are primarily formed to support or oppose the qualification or passage of a single ballot measure or two or more measures being voted on in the same city, county, multicounty, or state election. A "general purpose" ballot measure committee (one that supports or opposes a variety of state and/or local ballot measures) is not required to complete Part 6.

Campaign Disclosure Statement Summary Page

Amounts may be rounded to whole dollars.

SUMMARY PAGE

Statement covers period

from _____

through _____

CALIFORNIA FORM 460

Page _____ **of** _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

Contributions Received

		Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions	*Schedule A, Line 3*	$	$
2. Loans Received	*Schedule B, Line 3*		
3. SUBTOTAL CASH CONTRIBUTIONS	*Add Lines 1 + 2*	$	$
4. Nonmonetary Contributions	*Schedule C, Line 3*		
5. TOTAL CONTRIBUTIONS RECEIVED	*Add Lines 3 + 4*	$	$

Expenditures Made

6. Payments Made	*Schedule E, Line 4*	$	$
7. Loans Made	*Schedule H, Line 3*		
8. SUBTOTAL CASH PAYMENTS	*Add Lines 6 + 7*	$	$
9. Accrued Expenses (Unpaid Bills)	*Schedule F, Line 3*		
10. Nonmonetary Adjustment	*Schedule C, Line 3*		
11. TOTAL EXPENDITURES MADE	*Add Lines 8 + 9 + 10*	$	$

Current Cash Statement

12. Beginning Cash Balance	*Previous Summary Page, Line 16*	$
13. Cash Receipts	*Column A, Line 3 above*	
14. Miscellaneous Increases to Cash	*Schedule I, Line 4*	
15. Cash Payments	*Column A, Line 8 above*	
16. **ENDING CASH BALANCE**	*Add Lines 12 + 13 + 14, then subtract Line 15*	$

If this is a termination statement, Line 16 must be zero.

17. LOAN GUARANTEES RECEIVED ..... *Schedule B, Part 2* $ _____

Cash Equivalents and Outstanding Debts

18. Cash Equivalents ..... *See instructions on reverse* $ _____

19. Outstanding Debts ..... *Add Line 2 + Line 9 in Column B above* $ _____

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

	1/1 through 6/30	7/1 to Date
20. Contributions Received	$	$
21. Expenditures Made	$	$

Expenditure Limit Summary for State Candidates

22. Cumulative Expenditures Made*
(If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy)	Total to Date
____/____/____	$
____/____/____	$

*Amounts in this section may be different from amounts reported in Column B.

Clear Summ Pg | Print Form

Instructions for Summary Page Campaign Disclosure Statement

CALIFORNIA FORM 460

The Summary Page provides an overview of the committee's financial activities and is completed for each filing.

Column A reflects activities during the current reporting period as reported on Schedules A through H. It is not necessary to attach a blank schedule if there has been no reportable activity during the period, but it is necessary to enter a zero or the word "none" on the appropriate line in Column A of the Summary Page.

Column B figures should reflect the cumulative total since January 1 of the current calendar year.* Add the totals from Column B of the committee's last campaign statement (if any) to the corresponding amounts in Column A. If this is the first report being filed for a calendar year, only carry forward the amounts reported on Lines 2, 7, and 9 of Column B (if any) from the committee's last statement. (Note: The amounts reported on Lines 2, 7, and 9 of Column B should be the same as the total outstanding amounts disclosed in column (d) of Schedules B, F, and H, respectively, of the current report.)

When loans (Schedules B and H) and accrued expenses (Schedule F) are paid, the figures to be carried from the schedules to Lines 2, 7, and 9 of Column A may be negative numbers. In this case, be sure to show them as negative figures on the Summary Page (e.g., with a minus sign (-) or in parentheses), and subtract them when totaling Columns A and B.

*There are exceptions to the calendar year "cumulation period" for candidate elections and ballot measure elections held in January and early February, and for ballot measure qualification activities. Consult the FPPC Campaign Disclosure Manual for your type of committee for additional information.

Current Cash Statement:

Lines 12-16 of the Summary Page should accurately reflect your current cash position. Beginning and ending cash balances should include the total amount of funds in your campaign checking and savings accounts, plus any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks and bonds, etc. (Officeholders and candidates are subject to bank account restrictions, and all committees should read the FPPC Campaign Disclosure Manual regarding appropriate uses of campaign funds.)

Line 12 (Beginning Cash Balance) must be the same as the ending cash balance reported on Line 16 of your previous statement's Summary Page. If this is your first campaign statement, enter zero on Line 12.

Line 16 (Ending Cash Balance) is the total of Lines 12, 13, and 14, **minus** Line 15.

If you are filing a termination statement, Line 16 must be zero.

Cash Equivalents:

"Cash equivalents" include investments that cannot be readily converted to cash, as well as the balance due on all outstanding loans the committee has made to others (from Line 7 of Column B of the Summary Page). Investments that can be readily converted to cash, such as certificates of deposit or money market funds, should be included in the cash on hand figures on Lines 12 and 16 of the Summary Page.

Summary for Primary and General Elections (Lines 20 and 21):

This section is only for committees that are:

- Controlled by a candidate who is being voted on in both the state primary and general elections (does not apply to controlled ballot measure committees); or
- Primarily formed to support or oppose candidates being voted on in both the state primary and general elections.

Complete this summary on the preelection and semi-annual statements for the general election, covering periods during the last six months of the year (July 1 – December 31).

Expenditure Ceiling Summary for State Candidates (Line 22):

Candidates for elective state office who have accepted the voluntary expenditure ceiling for a particular election must disclose the total amount of expenditures made through the end of the reporting period that are subject to the expenditure ceiling for the election. Report the date of the election and total amount expended for that election. Report totals for the primary and general elections separately. This information is no longer required if the expenditure ceiling has been lifted. (See FPPC Campaign Disclosure Manual 1.)

FPPC Form 460 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Schedule A
Monetary Contributions Received

Amounts may be rounded to whole dollars.

SCHEDULE A

Statement covers period

from _____

through _____

CALIFORNIA FORM 460

Page _____ **of** _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
			SUBTOTAL $			

Schedule A Summary

1. Amount received this period – itemized monetary contributions.
   (Include all Schedule A subtotals.) .....$ _____
2. Amount received this period – unitemized monetary contributions of less than $100 .....$ _____
3. Total monetary contributions received this period.
   (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.).....**TOTAL $** _____

*Contributor Codes
IND – Individual
COM – Recipient Committee (other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Clear Sch. A | Print Form

Instructions for Schedule A Monetary Contributions Received

CALIFORNIA FORM 460

Report monetary contributions (except loans) received during the reporting period on Schedule A. Also report on Schedule A if a contributor forgives a loan for your committee or a third party pays a loan for your committee. Loans received during the period are reported on Schedule B. Certain transfers between a state candidate's controlled committees are also disclosed on Schedule A. (See FPPC Campaign Disclosure Manual 1.)

If a total of $100 or more is received from a single contributor during a calendar year, report the name, street address, city, state and zip code of the contributor, the amount contributed this period, and the cumulative amount received from the contributor since January 1 of the current calendar year.* Include monetary and nonmonetary contributions and loans when reporting the cumulative amount.

Contributions totaling less than $100 received from a single contributor during a calendar year are reported as a lump sum on Line 2 of the Schedule A Summary.

*There are exceptions to the calendar year "cumulation period" for candidate elections and ballot measure elections held in January and early February, and for ballot measure qualification activities. (See the FPPC Campaign Disclosure Manuals for candidates and ballot measure committees.)

Date Received:

A monetary contribution has been received when the candidate or committee, or an agent of the candidate or committee, receives or obtains control of the check or other negotiable instrument. There are special rules for reporting the date contributions are received by a committee that collects contributions through employee payroll deductions or membership dues and contributions received electronically (e.g., credit card, text).

Contributor Codes:

For each itemized contributor, check the applicable contributor code:

IND – contributions from any individual's personal funds.

COM – contributions from other committees that receive contributions. These committees will have an identification number assigned by the Secretary of State. Examples: political action committees, other candidates' committees. (State committees should use PTY or SCC when appropriate.)

OTH – business entities and other contributors.

PTY – contributions from political parties (including state and county central committees).

SCC – contributions from small contributor committees (applicable only to state candidates and committees).

Contributions from Individuals:

When itemizing a contribution from an individual, also disclose the contributor's occupation and the name of his or her employer. If the contributor is self-employed, provide the name of his or her business. If the contributor is not employed, enter "none."

It is not necessary to enter occupation and employer information for other types of contributors (such as business entities).

Missing Contributor Information: A contribution of $100 or more must be returned to the contributor within 60 days if the recipient does not obtain the contributor's address, occupation and employer.

Contributions from Committees:

When itemizing a contribution from another recipient committee, disclose the identification number assigned to that committee by the Secretary of State in addition to its name and address. If no ID number has been assigned, provide the name and address of that committee's treasurer.

Intermediaries:

If you receive a contribution through an intermediary (i.e., you have received a contribution check from a person other than the true source of the funds), disclose all of the required information for both the intermediary and the actual contributor.

Per Election to Date:

Candidates subject to state contribution limits (or if required by local ordinance) must disclose the cumulative amount received from each contributor during the limitation cycle in addition to the calendar year cumulative amount. (Candidates for elective state office should refer to FPPC Campaign Disclosure Manual 1.)

Additional Important Information:

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about aggregating monetary and nonmonetary contributions, recordkeeping, prohibitions on cash contributions, returning contributions, and more.

FPPC Form 460 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Schedule A (Continuation Sheet)
Monetary Contributions Received

Amounts may be rounded to whole dollars.

SCHEDULE A (CONT.)

Statement covers period

from _____

through _____

CALIFORNIA FORM 460

Page _____ **of** _____

NAME OF FILER

I.D. NUMBER

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
				SUBTOTAL $		

*Contributor Codes

IND – Individual
COM – Recipient Committee (other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Clear Sch. A Con.

Print Form

Schedule B – Part 1
Loans Received

Amounts may be rounded to whole dollars.

Statement covers period
from _____
through _____

CALIFORNIA FORM 460

Page _____ of _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	(b) AMOUNT RECEIVED THIS PERIOD	(c) AMOUNT PAID OR FORGIVEN THIS PERIOD *	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	(e) INTEREST PAID THIS PERIOD	(f) ORIGINAL AMOUNT OF LOAN	(g) CUMULATIVE CONTRIBUTIONS TO DATE
† ☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		$ _____	$ _____	☐ PAID $ _____ ☐ FORGIVEN $ _____	$ _____ DATE DUE	_____% RATE $ _____	$ _____ DATE INCURRED	CALENDAR YEAR $ _____ PER ELECTION** $ _____
† ☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		$ _____	$ _____	☐ PAID $ _____ ☐ FORGIVEN $ _____	$ _____ DATE DUE	_____% RATE $ _____	$ _____ DATE INCURRED	CALENDAR YEAR $ _____ PER ELECTION** $ _____
† ☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		$ _____	$ _____	☐ PAID $ _____ ☐ FORGIVEN $ _____	$ _____ DATE DUE	_____% RATE $ _____	$ _____ DATE INCURRED	CALENDAR YEAR $ _____ PER ELECTION** $ _____
	SUBTOTALS	**$**	**$**	**$**	**$**			

(Enter (e) on Schedule E, Line 3)

Schedule B Summary

1. Loans received this period ..... $ _____
   (Total Column (b) plus unitemized loans of less than $100.)

2. Loans paid or forgiven this period ..... $ _____
   (Total Column (c) plus loans under $100 paid or forgiven.)
   (Include loans paid by a third party that are also itemized on Schedule A.)

3. Net change this period. (**Subtract** Line 2 from Line 1.) ..... **NET** $ _____
   Enter the net here and on the Summary Page, Column A, Line 2.
   (May be a negative number)

†Contributor Codes
IND – Individual
COM – Recipient Committee (other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

*Amounts forgiven or paid by another party also must be reported on Schedule A.
** If required.

Clear Sch. B-1 | Print Form

Instructions for Schedule B – Part 1 Loans Received

CALIFORNIA FORM 460

All loans received or outstanding are reported on Schedule B. Loans include monetary loans and amounts drawn on lines of credit.

Report loan guarantors on Schedule B – Part 2. A "guarantor" is a third party that co-signs, endorses, or provides security for a loan, or establishes or provides security for a line of credit. A guarantor is also making a contribution.

When a state candidate guarantees a loan from a commercial lending institution in connection with his or her election, both the lending institution and the candidate are required to be disclosed as the lender.

For each loan of $100 or more that was received or was outstanding during the reporting period, disclose the lender's name and address. Report the original source of all loans received. E.g., for a loan from a commercial lending institution for which a candidate is personally liable, report the lending institution as the lender.

Column (a) – Enter the outstanding loan balance at the beginning of this period (Column (d) of last report). If the loan was received this period, this column will be blank.

Column (b) – Enter the amount received from the lender during this reporting period. If this loan was received in a previous reporting period, leave blank.

Column (c) – Enter the amount of any reduction of the loan during this reporting period. Check whether the loan was paid or forgiven. When the lender forgives a loan or a third party makes a payment on a loan, also report the lender or third party on Schedule A.

Column (d) – Enter the outstanding balance of the loan at the close of this reporting period. Enter the due date, if any.

Column (e) – Enter the interest rate and the amount of interest paid on the loan(s) during this reporting period. Interest paid is reported separately from payments made on the loan principal. Interest payments are also transferred to the Schedule E Summary.

Column (f) – Enter the original amount of the loan and date received. If this is the first time you are reporting the loan, this will be the same amount reported in Column (b).

Column (g) – Enter the cumulative amount of contributions (loans, monetary and nonmonetary contributions) received from the lender during the calendar year covered by this statement. Candidates subject to state contribution limits (or if required by local ordinance) must disclose the cumulative amount received from each contributor during the limitation cycle in addition to the calendar year cumulative amount. (Candidates for elective state office should refer to FPPC Campaign Disclosure Manual 1.)

Schedule B Summary:

The Schedule B Summary reflects the "net change" in your loan activity. That is, loan payments made during the period are subtracted from new loans received. When the loan payments number is larger than the amount of new loans received, Line 3 will be a negative figure. For example, if $200 is paid during the period and only $100 is received in new loans, report the net change on Line 3 as "-$100" or "($100)." Be sure to carry this figure to the Summary Page as a negative figure to be subtracted from Summary Page totals.

Additional Important Information:

Refer to the Instructions for Schedule A for important information about:

- Contributor codes
- Contributions from individuals
- Contributions from committees
- Intermediaries

A loan received from a commercial lending institution in the normal course of business is reportable on Schedule B but is not considered a contribution. Contributor codes and cumulative amounts (Column (g)) are required only for loans that are contributions.

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about recordkeeping, prohibitions on cash contributions, returning contributions, and more.

Schedule B – Part 2
Loan Guarantors

Amounts may be rounded to whole dollars.

Statement covers period
from _____
through _____

CALIFORNIA FORM 460

Page _____ **of** _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

FULL NAME, STREET ADDRESS AND ZIP CODE OF GUARANTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	LOAN	AMOUNT GUARANTEED THIS PERIOD	CUMULATIVE TO DATE	BALANCE OUTSTANDING TO DATE
	☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		LENDER DATE		CALENDAR YEAR $ _____ PER ELECTION (IF REQUIRED) $ _____	
	☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		LENDER DATE		CALENDAR YEAR $ _____ PER ELECTION (IF REQUIRED) $ _____	
	☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		LENDER DATE		CALENDAR YEAR $ _____ PER ELECTION (IF REQUIRED) $ _____	
	☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		LENDER DATE		CALENDAR YEAR $ _____ PER ELECTION (IF REQUIRED) $ _____	
			SUBTOTAL $		Enter on Summary Page, Line 17 only.	

Clear Sch. B-2

Print Form

Instructions for Schedule B – Part 2 Loan Guarantors

CALIFORNIA FORM 460

Guarantors of loans received or outstanding during the reporting period are reported on Schedule B – Part 2. A "guarantor" is a third party that co-signs, endorses, or provides security for a loan, or establishes or provides security for a line of credit. A guarantor is also making a contribution.

For each guarantor of $100 or more, enter the name and address of the guarantor and, if the guarantor is an individual, his/her occupation and employer or, if self employed, the name of his/her business.

Enter the name of the lender or the entity at which a line of credit was established and the date of the loan or the date the line of credit was established.

Enter the amount guaranteed this period, if applicable. For lines of credit, enter the full amount established or secured by the guarantor during the period. (Report amounts **drawn** on a line of credit on Schedule B – Part 1.)

Enter the cumulative amount guaranteed during the calendar year covered by the statement. Candidates subject to state contribution limits (or if required by local ordinance) must disclose the cumulative amount received from each contributor during the limitation cycle in addition to the calendar year cumulative amount. (Candidates for elective state office should refer to FPPC Campaign Disclosure Manual 1.)

Report the outstanding balance for which the guarantor is liable at the close of this reporting period.

Loan guarantees are not included in the Schedule B Summary, but are carried forward in a lump sum to Line 17 of the Summary Page.

Schedule C
Nonmonetary Contributions Received

Amounts may be rounded to whole dollars.

SCHEDULE C

Statement covers period

from _____

through _____

CALIFORNIA FORM 460

Page _____ **of** _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	DESCRIPTION OF GOODS OR SERVICES	AMOUNT/ FAIR MARKET VALUE	CUMULATIVE TO DATE CALENDAR YEAR (JAN 1 - DEC 31)	PER ELECTION TO DATE (IF REQUIRED)
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC					
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC					
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC					
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC					

Attach additional information on appropriately labeled continuation sheets. **SUBTOTAL $**

Schedule C Summary

1. Amount received this period – itemized nonmonetary contributions.
   (Include all Schedule C subtotals.).....$ _____
2. Amount received this period – unitemized nonmonetary contributions of less than $100 .....$ _____
3. Total nonmonetary contributions received this period.
   (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Lines 4 and 10.).....**TOTAL $** _____

*Contributor Codes
IND – Individual
COM – Recipient Committee (other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Clear Sch. C | Print Form

Instructions for Schedule C Nonmonetary Contributions Received

CALIFORNIA FORM 460

Report the receipt of nonmonetary contributions on Schedule C.

Nonmonetary contributions include:

- Goods and services for which you have not paid the fair market value, including items donated for auctions or garage sales, such as artwork or furniture.
- A discount that is not available to the public generally.
- Salary payments made by an employer for an employee who spends 10% or more of his or her compensated time in a calendar month working for your committee.

Volunteer personal services and payments voluntarily made by a person for his or her own campaign-related travel expenses are not reportable. The occupant of a home or office can host a fundraiser without making a nonmonetary contribution as long as the total cost of the fundraiser is $500 or less.

If a total of $100 or more is received from a single contributor during a calendar year, report the name, street address, city, state and zip code of the contributor, the amount contributed this period, and the cumulative amount received from the contributor since January 1 of the current calendar year. Include monetary and nonmonetary contributions and loans when reporting the cumulative amount.

Contributions totaling less than $100 received from a single contributor during a calendar year are reported as a lump sum on Line 2 of the Schedule C Summary.

Date Received:

A nonmonetary contribution has been received on the earlier of the following: 1) the date the contributor made an expenditure for goods or services at your behest (in consultation or coordination with you, or at your request or suggestion); or 2) the date you or your agent obtained possession or control of the goods or services.

Per Election to Date:

Candidates subject to state contribution limits (or if required by local ordinance) must disclose the cumulative amount received from each contributor during the limitation cycle in addition to the calendar year cumulative amount. (Candidates for elective state office should refer to FPPC Campaign Disclosure Manual 1.)

Fair Market Value:

The fair market value of a nonmonetary contribution is the amount it would cost to purchase the goods or services on the open market. The fair market value can be more than the amount it cost the contributor to provide the goods or services to you.

If you do not know the value of a nonmonetary contribution, you may request the contributor to provide you with a written statement of the value. If you make a request in writing and the value of the contribution is $100 or more, the contributor is required by law to provide the information.

Administrative Services:

Administrative overhead and start-up expenses paid by a sponsoring organization for its sponsored committee are not contributions to the committee but must be reported on Schedule C. Report the value of the services in the “Description of Goods or Services” column and a zero in the “Amount” and “Cumulative to Date” columns.

Nonmonetary Contributions as Expenditures:

The total of nonmonetary contributions is reported on the Summary Page as both contributions received and expenditures made. Enter the total on Line 3 of the Schedule C Summary on both Lines 4 and 10 of the Summary Page. (State Candidates: Most nonmonetary contributions also count for purposes of the voluntary expenditure limits.)

Additional Important Information:

Refer to the Instructions for Schedule A for important information about:

- Contributor codes
- Contributions from individuals
- Contributions from committees
- Intermediaries

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about aggregating monetary and nonmonetary contributions, recordkeeping, and more.

FPPC Form 460 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Schedule D
Summary of Expenditures Supporting/Opposing Other Candidates, Measures and Committees

SEE INSTRUCTIONS ON REVERSE

Amounts may be rounded to whole dollars.

SCHEDULE D

Statement covers period

from _____

through _____

CALIFORNIA FORM 460

Page _____ **of** _____

NAME OF FILER

I.D. NUMBER

DATE	NAME OF CANDIDATE, OFFICE, AND DISTRICT, OR MEASURE NUMBER OR LETTER AND JURISDICTION, OR COMMITTEE	TYPE OF PAYMENT	DESCRIPTION (IF REQUIRED)	AMOUNT THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
	☐ Support ☐ Oppose	☐ Monetary Contribution ☐ Nonmonetary Contribution ☐ Independent Expenditure				
	☐ Support ☐ Oppose	☐ Monetary Contribution ☐ Nonmonetary Contribution ☐ Independent Expenditure				
	☐ Support ☐ Oppose	☐ Monetary Contribution ☐ Nonmonetary Contribution ☐ Independent Expenditure				
			SUBTOTAL $			

Schedule D Summary

1. Itemized contributions and independent expenditures made this period. (Include all Schedule D subtotals.)..... $ _____

2. Unitemized contributions and independent expenditures made this period of under $100..... $ _____

3. Total contributions and independent expenditures made this period. (Add Lines 1 and 2. Do not enter on the Summary Page.) ..... **TOTAL** .. **$** _____

Clear Sch. D | Print Form

Instructions for Schedule D Summary of Expenditures Supporting/Opposing Other Candidates, Measures, and Committees

CALIFORNIA FORM 460

Schedule D is a summary of payments reported on Schedules E, F, and H that are contributions or independent expenditures to support or oppose candidates and committees. These include:

- A direct monetary contribution or loan made to another candidate or committee.
- A payment made to a vendor for goods or services for a candidate or committee (a nonmonetary contribution).
- A donation to a candidate or committee of goods on hand, or the payment of salary or expenses for a campaign employee who spends 10% or more of his or her compensated time working for another candidate or committee.
- A payment made for a communication (e.g., a mailing, billboard, radio ad) that expressly advocates the election, passage or defeat of a clearly identified candidate or ballot measure, but the payment is **not** made to–or at the behest of–the candidate or a ballot measure committee. These payments are "independent expenditures" and may trigger additional reports for your committee.

If a total of $100 or more is contributed or expended during a calendar year to support or oppose a single candidate, ballot measure, or a general purpose committee (e.g., a political party), disclose the name of the candidate and the office sought or held and the candidate's district, if any, the number or letter and jurisdiction of the ballot measure, or the name of the general purpose committee. For each candidate or measure listed, indicate whether the payment was made to support or oppose the candidate or measure. For example, if you made a contribution to the Committee Against Measure A, check the "Oppose" box.

Disclose the date(s) and amount(s) of contributions or independent expenditures made this period relative to each candidate, measure, or committee, and the cumulative amount contributed or paid to date relative to the candidate, measure, or committee since January 1 of the current calendar year. Cumulate contributions and independent expenditures separately.

Contributions and expenditures of less than $100 to support or oppose a single candidate or measure during a calendar year are totaled and reported as a lump sum on Line 2 of the Schedule D Summary.

Per Election to Date:

If a contribution is made to a candidate that is subject to state contribution limits (or if required by local ordinance), disclose the total amount contributed to the committee in connection with each limitation cycle and identify the election year. The primary and general elections are separate elections. For example, a $4,200 contribution to a candidate for the primary election in 2016 would be disclosed as "$4,200 P-16."

"Per Election to Date" Column

Limitation Cycle		Year of Election	
Primary	P	2016	16
General	G	2017	17
Special	S	2018	18
Runoff	R	2019	19

Description:

If you contributed goods on hand to another candidate or committee (e.g., office supplies), describe the goods or services in the "Description" column and disclose the fair market value of the contribution. The fair market value is the amount it would cost the recipient to purchase the goods or services. Because payments must be described when they are reported on Schedules E and F, you need not provide a description on Schedule D for payments reported on Schedules E or F that are nonmonetary contributions or independent expenditures.

Date of Contribution or Expenditure:

A monetary contribution is made on the date it is mailed, delivered, or otherwise transmitted it to the candidate or committee. A nonmonetary contribution is made on the earlier of the following: 1) the date you made an expenditure for goods or services at the behest of the candidate or committee; or 2) the date the candidate or committee obtained possession or control of the goods or services.

Additional Important Information:

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about recordkeeping, prohibitions on cash payments, restrictions on the use of campaign funds, and more.

Schedule D
(Continuation Sheet)
Summary of Expenditures Supporting/Opposing Other Candidates, Measures and Committees

Amounts may be rounded to whole dollars.

SCHEDULE D (CONT.)

Statement covers period

from _____

through _____

CALIFORNIA FORM 460

Page _____ **of** _____

NAME OF FILER

I.D. NUMBER

DATE	NAME OF CANDIDATE, OFFICE, AND DISTRICT, OR MEASURE NUMBER OR LETTER AND JURISDICTION, OR COMMITTEE	TYPE OF PAYMENT	DESCRIPTION (IF REQUIRED)	AMOUNT THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
	☐ Support ☐ Oppose	☐ Monetary Contribution ☐ Nonmonetary Contribution ☐ Independent Expenditure				
	☐ Support ☐ Oppose	☐ Monetary Contribution ☐ Nonmonetary Contribution ☐ Independent Expenditure				
	☐ Support ☐ Oppose	☐ Monetary Contribution ☐ Nonmonetary Contribution ☐ Independent Expenditure				
	☐ Support ☐ Oppose	☐ Monetary Contribution ☐ Nonmonetary Contribution ☐ Independent Expenditure				
				SUBTOTAL $		

Clear Sch. D-Con. | Print Form

SCHEDULE E

Schedule E
Payments Made

Amounts may be rounded to whole dollars.

Statement covers period

from _____

through _____

CALIFORNIA FORM 460

Page _____ **of** _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP	campaign paraphernalia/misc.	MBR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	RFD	returned contributions
CTB	contribution (explain nonmonetary)*	OFC	office expenses	SAL	campaign workers' salaries
CVC	civic donations	PET	petition circulating	TEL	t.v. or cable airtime and production costs
FIL	candidate filing/ballot fees	PHO	phone banks	TRC	candidate travel, lodging, and meals
FND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
IND	independent expenditure supporting/opposing others (explain)*	POS	postage, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LIT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (internet, e-mail)

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

SUBTOTAL $

Schedule E Summary

1. Itemized payments made this period. (Include all Schedule E subtotals.) ..... $ _____
2. Unitemized payments made this period of under $100 ..... $ _____
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... $ _____
4. Total payments made this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.) ..... **TOTAL $** _____

Clear Sch. E | Print Form

Instructions for Schedule E Payments Made

CALIFORNIA FORM 460

Report payments on Schedule E (other than loans).

For each payment of $100 or more made during the period, report the name and street address, city, state, and zip code of the payee or creditor, and the amount paid during the period. Payments of less than $100 during the period are reported as a lump sum on Line 2 of the Schedule E Summary. However, if two or more payments under $100 were made for a single product or service and the total paid during the period was $100 or more, itemize the total amount paid during the period.

Report payments made on accrued expenses. Also report the required information on Schedule F.

Code or Description of Payment:

If one of the codes listed on Schedule E fully describes the payment, enter the code. A full description of each code is provided on the back of the Schedule E-Continuation Sheet. If none of the codes fully explains the payment, leave the "Code" column blank and enter a brief description of the goods or services purchased in the "Description of Payment" column.

Credit Card Payments:

Disclose the name, address, and amount paid to the credit card company during the period. Also disclose the name, address, amount paid, and code or description of payment for each vendor paid $100 or more. You may disclose the vendor payments on Schedule E or Schedule G.

Payments by Agents and Independent Contractors:

When an agent or independent contractor (e.g., campaign worker, advertising agency, campaign management firm) makes payments on your behalf ("subvendor payments"), disclose the name, address, amount paid, and code or description of payment for each vendor paid $500 or more. Disclose payments to the agent or independent contractor on Schedule E. You may disclose the subvendor payments on Schedule E or Schedule G.

Loans:

Report interest paid on loans received on Line 3 of the Schedule E Summary (from Schedule B, Part 1, Column (e)).

Report payments made on loans received on Schedule B and loans made to others on Schedule H. Do not report on Schedule E.

Savings Accounts/Certificates of Deposit/Money Market Accounts:

Do not report transfers of campaign funds into savings accounts, certificates of deposit, money market accounts, or the purchase of any other asset that can readily be converted to cash on Schedule E. Continue reporting these amounts as part of your cash on hand on the Summary Page.

Candidates:

- Candidates must briefly describe the political, legislative, or governmental purpose of an itemized expenditure for gifts, meals, and travel payments. FPPC Regulation 18421.7 sets out the requirements.
- Candidate controlled ballot measure committee funds may only be used to make payments related to a state or local measure or potential measure (including qualification activities) anticipated by the committee. See FPPC regulation 18521.5.

Ballot Measure Committees

A ballot measure committee that makes a payment to any business entity (1) which is owned 50 percent or more by any of the individuals listed below, or (2) in which any of the individuals listed below is an officer, partner, consultant or employee, must report that individual's name, relationship to the committee, and a description of the ownership interest or position with the business entity. Individuals covered by (1) and (2) above include:

-- A candidate or person controlling the committee; or

-- An officer or employee of the committee; or

-- The spouse of any of the above.

Schedule E (Continuation Sheet) Payments Made

Amounts may be rounded to whole dollars.

Statement covers period

from _____

through _____

CALIFORNIA FORM 460

Page _____ **of** _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP	campaign paraphernalia/misc.	MBR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	RFD	returned contributions
CTB	contribution (explain nonmonetary)*	OFC	office expenses	SAL	campaign workers' salaries
CVC	civic donations	PET	petition circulating	TEL	t.v. or cable airtime and production costs
FIL	candidate filing/ballot fees	PHO	phone banks	TRC	candidate travel, lodging, and meals
FND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
IND	independent expenditure supporting/opposing others (explain)*	POS	postage, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LIT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (internet, e-mail)

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

SUBTOTAL $

Clear Sch. E-Con. | Print Form

Instructions for Schedule E (Continued) Payments Made

CALIFORNIA FORM 460

Codes:

CMP: Campaign paraphernalia/misc. Lawn signs, buttons, bumper stickers, T-shirts, potholders, etc. Includes costs of election night event.

CNS: Campaign consultants. Fees and commissions paid to professional campaign management or consulting firms.

CTB: Contributions. Contributions made to other candidates and committees. Use "CTB" for direct monetary contributions. For nonmonetary (in-kind) contributions, use "CTB" and, if one of the other codes accurately describes the expenditure, you may enter that code also. Otherwise, describe the payment. Also provide the name of the candidate or committee that received the nonmonetary contribution in the "Description of Payment" column.*

CVC: Civic donations. Donations to civic, nonprofit or education organizations; payments for community events.

FIL: Candidate Filing/Ballot Fees. Payments to election officials for candidate filing fees and fees charged for publication of a ballot statement.

FND: Fundraising events. Expenditures associated with holding a fundraising event, including payments for event space to hotels or halls, payments for food and beverages to restaurants, caterers and other vendors, and payments for speakers, entertainment, and decorations. Includes costs of house parties. (Use "LIT" for costs of invitations, brochures, and solicitations associated with fundraising events.)

IND: Independent expenditures. Payments for communications that support/oppose other candidates or measures that are not made in consultation or coordination with the candidates or a ballot measure committee. Use "IND" and, if one of the other codes accurately describes the independent expenditure, you may enter that code also. Otherwise, describe the payment. Also provide the name of the candidate or ballot measure supported or opposed by the expenditure.*

LEG: Legal Defense. Attorney or other fees paid for legal defense.

LIT: Campaign literature and mailings. Preparation, production, and distribution of campaign literature, direct mail pieces, fundraising solicitations, and door hangers. Includes costs of mailing lists, design/graphics, copy and layout, printing and photocopying. Includes payments to be on a slate mailer, and for absentee ballot mailers.

MBR: Member Communications. Payments for communications to members, employees, or shareholders of an organization, or their family members, for the purpose of supporting or opposing a candidate or ballot measure.

MTG: Meetings and appearances. Costs associated with meetings, press conferences, town halls, constituent meetings, etc.

OFC: Office expenses. Expenditures for office rent; utilities (including cellular phone service); purchase or rental of office equipment (computer, fax, photocopier, etc.) and furniture; office supplies, etc.

PET: Petition circulating. Includes payments for printing petitions and payments to signature gathering firms for ballot measure qualification drives.

PHO: Phone banks. Costs of phone banks.

POL: Polling and survey research. Costs of designing and conducting polls, reports on election trends, voter surveys, etc.

POS: Postage, delivery and messenger services. Includes U.S. Postal Service, Federal Express, United Parcel Service, and other delivery and courier services.

PRO: Professional services. Includes legal, accounting, and bookkeeping services.

PRT: Print space and production costs. Includes advertising space in newspapers, magazines and other publications, and billboard ads.

RAD: Radio airtime and production costs.

RFD: Returned contributions.

SAL: Campaign workers salaries. Includes state and federal payroll taxes.

TEL: Television or cable airtime and video production costs.

TRC: Candidate travel. Payments or reimbursements for travel, lodging, and meals of a candidate.

TRS: Staff/spouse travel. Payments or reimbursements for travel, lodging, and meals of a candidate's representative (staff), or member of the candidate's household.

TSF: Transfers. Only use this code to report the transfer of funds to another authorized committee of the same candidate or sponsoring organization. Report funds this committee gives to other committees on Schedule E, as contributions ("CTB") to those committees, not as transfers.

VOT: Voter registration costs.

WEB: Information technology costs. Includes payments for website design, e-mail, internet access, production of website and e-mail advertising.

***Payments that are contributions or independent expenditures to support or oppose other candidates, measures, and committees must also be summarized on Schedule D.**

FPPC Form 460 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Schedule F
Accrued Expenses (Unpaid Bills)

Amounts may be rounded to whole dollars.

Statement covers period
from _____
through _____

CALIFORNIA FORM 460

Page _____ **of** _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP	campaign paraphernalia/misc.	MBR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	RFD	returned contributions
CTB	contribution (explain nonmonetary)*	OFC	office expenses	SAL	campaign workers' salaries
CVC	civic donations	PET	petition circulating	TEL	t.v. or cable airtime and production costs
FIL	candidate filing/ballot fees	PHO	phone banks	TRC	candidate travel, lodging, and meals
FND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
IND	independent expenditure supporting/opposing others (explain)*	POS	postage, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LIT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (internet, e-mail)

NAME AND ADDRESS OF CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR DESCRIPTION OF PAYMENT	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
* Payments that are contributions or independent expenditures must also be summarized on Schedule D.	**SUBTOTALS**	$	$	$	$

Schedule F Summary

1. Total accrued expenses incurred this period. (Include all Schedule F, Column (b) subtotals for accrued expenses of $100 or more, plus total unitemized accrued expenses under $100.) ..... **INCURRED TOTALS $** _____
2. Total accrued expenses paid this period. (Include all Schedule F, Column (c) subtotals for payments on accrued expenses of $100 or more, plus total unitemized payments on accrued expenses under $100.) ..... **PAID TOTALS $** _____
3. Net change this period. (**Subtract** Line 2 from Line 1. Enter the difference here and on the Summary Page, Column A, Line 9.) ..... **NET $** _____ May be a negative number

Clear Sch. F | Print Form

Instructions for Schedule F Accrued Expenses (Unpaid Bills)

CALIFORNIA FORM 460

Report unpaid bills for goods or services on Schedule F.

If the amount owed to a single vendor is $100 or more at the end of the reporting period, you must disclose the name and street address, city, state, and zip code of the payee or creditor and the amount incurred during the period that is outstanding at the end of the period (Column (b)). Continue reporting the accrued expense on each subsequent campaign statement until it is paid.

You are not required to report on Schedule F regular administrative overhead expenses, such as rent, utilities, phones, or employee salaries if you have not received a bill in the normal course of business or if the due date for the payment is after the closing date of the statement.

If you do not know the exact amount of a debt or obligation, provide an estimate. Once the exact amount is known, amend the estimated amount or note the correct amount on the next campaign statement.

Unpaid bills of less than $100 at the end of the reporting period are added together and included in the total reported on Line 1 of the Schedule F Summary.

When accrued expenses are paid, the payments are reported on Schedule E. Also report the payment on Schedule F, Column (c).

Code or Description of Payment:

If one of the expenditure codes listed on Schedule F fully describes the payment, enter the code. A full description of each code is provided on the back of the Schedule E Continuation Sheet. If none of the codes fully explains the expenditure, enter a brief description of the goods or services instead.

There are special instructions on the back of the Schedule E Continuation Sheet for coding and describing nonmonetary contributions and independent expenditures to support/oppose other candidates, committees, and ballot measures.

Accrued expenses that are nonmonetary contributions and independent expenditures must also be summarized on Schedule D when incurred.

Credit Card Payments:

Disclose the name, address, and amount owed or paid to the credit card company during the period. Also disclose the name, address, amount paid, and code or description of payment for each vendor paid $100 or more. You may disclose the vendor payments on Schedule F or Schedule G.

Payments by Agents and Independent Contractors:

When an agent or independent contractor (e.g., campaign worker, advertising agency, campaign management firm) makes payments on your behalf ("subvendor payments"), disclose the name, address, amount paid, and code or description of payment for each vendor paid $500 or more. Disclose amounts owed to the agent or independent contractor on Schedule F. You may disclose the subvendor payments on Schedule F or Schedule G.

Note: It is not necessary to reitemize credit card vendors or agent subvendors on Schedule F or G when payments are made on accrued expenses, or if an accrued expense is itemized on more than one statement.

Forgiveness or Third Party Payment of an Accrued Expense:

If a creditor forgives or reduces an outstanding debt, or a third party pays a debt for you, report the transaction as follows:

- In the "Description of Payment" column, state that the debt was forgiven, reduced, or paid by a third party.
- Report the amount forgiven, reduced, or paid by a third party as a negative figure in the "Amount Incurred This Period" column (Column (b)).
- Report a nonmonetary contribution from the creditor or third party on Schedule C.

Do not report the forgiveness, reduction, or third party payment on Schedule E.

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about recordkeeping, cash expenditures, permissible uses of campaign funds, and more.

FPPC Form 460 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Schedule F
(Continuation Sheet)
Accrued Expenses (Unpaid Bills)

Amounts may be rounded to whole dollars.

Statement covers period

from _____

through _____

CALIFORNIA FORM 460

Page _____ **of** _____

NAME OF FILER

I.D. NUMBER

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP	campaign paraphernalia/misc.	MBR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	RFD	returned contributions
CTB	contribution (explain nonmonetary)*	OFC	office expenses	SAL	campaign workers' salaries
CVC	civic donations	PET	petition circulating	TEL	t.v. or cable airtime and production costs
FIL	candidate filing/ballot fees	PHO	phone banks	TRC	candidate travel, lodging, and meals
FND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
IND	independent expenditure supporting/opposing others (explain)*	POS	postage, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LIT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (internet, e-mail)

*** Payments that are contributions or independent expenditures must also be summarized on Schedule D.**

NAME AND ADDRESS OF CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR DESCRIPTION OF PAYMENT	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
	SUBTOTALS $	**$**	**$**	**$**	**$**

Clear Sch. F-Con. | Print Form

Schedule G
Payments Made by an Agent or Independent Contractor (on Behalf of This Committee)

Amounts may be rounded to whole dollars.

Statement covers period
from _____
through _____

CALIFORNIA FORM 460

Page _____ **of** _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

NAME OF AGENT OR INDEPENDENT CONTRACTOR

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP	campaign paraphernalia/misc.	MBR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	RFD	returned contributions
CTB	contribution (explain nonmonetary)*	OFC	office expenses	SAL	campaign workers' salaries
CVC	civic donations	PET	petition circulating	TEL	t.v. or cable airtime and production costs
FIL	candidate filing/ballot fees	PHO	phone banks	TRC	candidate travel, lodging, and meals
FND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
IND	independent expenditure supporting/opposing others (explain)*	POS	postage, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LIT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (internet, e-mail)

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID

Attach additional information on appropriately labeled continuation sheets.

TOTAL* $

** Do not transfer to any other schedule or to the Summary Page. This total may not equal the amount paid to the agent or independent contractor as reported on Schedule E.*

Clear Sch. G | Print Form

Instructions for Schedule G Payments Made by an Agent or Independent Contractor

CALIFORNIA FORM 460

Report payments made on your behalf during the reporting period by an agent or independent contractor (such as a campaign management firm or an advertising agency) on Schedule G.

Schedule G may be completed by the agent or independent contractor and provided to you or Schedule G may be completed by you from information provided by the agent or independent contractor.

Report expenditures of $500 or more (other than expenditures for the agent's or independent contractor's overhead and normal operating expenses) made on your behalf during the reporting period.

Once a subvendor payment has been itemized on Schedule E, F, or G, it does not need to be itemized again. For example, if a subvendor payment is reported on Schedule F or G as part of an accrued expense, the subvendor information does not need to be reported again on subsequent reports.

Code or Description of Payment:

If one of the expenditure codes listed on Schedule G fully describes the payment, enter the code. A full description of each code is provided on the back of the Schedule E Continuation Sheet. If none of the codes fully explains the expenditure, enter a brief description of the payment instead.

Important: Officeholders and candidates may reimburse an agent or independent contractor for expenditures made on their behalf only if all of the following criteria are met:

- There is a written contract between the officeholder or candidate and the agent or independent contractor that provides for the reimbursement;
- The treasurer is provided with a dated receipt and written description of each expenditure prior to reimbursement; and
- Reimbursement is paid within 45 calendar days after the agent or independent contractor makes the expenditures.

Generally, if reimbursement is not paid within 45 calendar days, report the expenditure as a nonmonetary contribution on Schedule C.

Refer to the FPPC Campaign Disclosure Manual for your type of committee for additional instructions.

Schedule H
Loans Made to Others*

Amounts may be rounded to whole dollars.

Statement covers period
from _____
through _____

CALIFORNIA FORM 460

Page _____ **of** _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

FULL NAME, STREET ADDRESS AND ZIP CODE OF RECIPIENT (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	(b) AMOUNT LOANED THIS PERIOD	(c) REPAYMENT OR FORGIVENESS THIS PERIOD*	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	(e) INTEREST RECEIVED	(f) ORIGINAL AMOUNT OF LOAN	(g) CUMULATIVE LOANS TO DATE
		$ _____	$ _____	☐ PAID $ _____ ☐ FORGIVEN $ _____	$ _____ DATE DUE	_____% RATE $ _____	$ _____ DATE INCURRED	CALENDAR YEAR $ _____ PER ELECTION** $ _____
		$ _____	$ _____	☐ PAID $ _____ ☐ FORGIVEN $ _____	$ _____ DATE DUE	_____% RATE $ _____	$ _____ DATE INCURRED	CALENDAR YEAR $ _____ PER ELECTION** $ _____
*Loans that are contributions to another candidate or committee must also be summarized on Schedule D. Loans forgiven must also be reported on Schedule E.	**SUBTOTALS**	**$**	**$**	**$**	**$**			

(Enter (e) on Schedule I, Line 3)

Schedule H Summary

1. Loans made this period ..... $ _____
   (Total Column (b) plus unitemized loans of less than $100.)

2. Payments received on loans ..... $ _____
   (Total Column (c) plus unitemized payments of less than $100.)

3. Net change this period. (**Subtract** Line 2 from Line 1.) ..... **NET** $ _____
   (Enter the net here and on the Summary Page, Column A, Line 7.)
   (May be a negative number)

**If Required

Clear Sch. H Print Form

Instructions for Schedule H Loans Made to Others

CALIFORNIA FORM 460

All loans made or outstanding are reported on Schedule H.

Generally, campaign funds may be used to make loans to other candidates, officeholders, or committees (unless otherwise prohibited) and to bona fide charitable, educational, civic, religious, or similar tax-exempt nonprofit organizations. There are restrictions on loans to any other person, including a candidate who controls the committee, or to a nonprofit organization that is affiliated with a candidate, the treasurer, or other committee officials.

For each loan of $100 or more that was made or was outstanding during the reporting period, disclose the recipient's name and address and, if an individual, his/her occupation and employer or, if self employed, the name of the business.

Column (a) – Enter the outstanding loan balance at the beginning of this period (column (d) of last report.) If the loan was made this period, this column will be blank.

Column (b) – Enter the amount loaned to the recipient during this reporting period. If this loan was made in a previous reporting period, leave blank.

Column (c) – Enter the amount of any reduction of the loan during this reporting period. Check whether the loan was paid or forgiven. If the committee forgives a loan, also report the transaction on Schedule E.

Column (d) – Enter the outstanding balance of the loan(s) at the close of this reporting period. Enter the due date, if any.

Column (e) – Enter the interest rate and amount of interest received on the loan(s) during this reporting period. Interest received is reported separately from payments received on the loan principal. Interest payments are also transferred to the Schedule I Summary.

Column (f) – Enter the original amount of the loan and date made. If this is the first time you are reporting the loan, this will be the same amount reported in Column (b).

Column (g) – For each loan made during this reporting period that is a contribution,* enter the cumulative amount of contributions (loans, monetary and nonmonetary contributions) made to the recipient during the calendar year covered by the statement. If the recipient is a candidate subject to state contribution limits, or the information is required by local ordinance, also enter the total amount contributed to the candidate in connection with each limitation cycle and identify the election year. (For contributions to state candidates, see the Schedule D instructions.)

Schedule H Summary:

The Schedule H Summary reflects the "net change" in the committee's loan activity. That is, repayments received are subtracted from new loans made. When the repayment number is larger than the amount of the new loans made, Line 3 will be a negative figure. For example, if $200 is received by the committee during the period and only $100 is made in new loans, report the net change on Line 3 as "-$100" or "($100)." Be sure to carry this figure to the Summary Page as a negative figure to be subtracted from Summary Page totals.

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about recordkeeping, prohibitions on cash contributions, loan restrictions, and more.

*Loans that are contributions to candidates or other committees must also be reported on Schedule D.

Schedule I
Miscellaneous Increases to Cash

Amounts may be rounded to whole dollars.

SCHEDULE I

Statement covers period

from _____

through _____

CALIFORNIA FORM 460

Page _____ **of** _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

DATE RECEIVED	FULL NAME AND ADDRESS OF SOURCE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	DESCRIPTION OF RECEIPT	AMOUNT OF INCREASE TO CASH

Attach additional information on appropriately labeled continuation sheets.

SUBTOTAL $

Schedule I Summary

1. Itemized increases to cash this period. .....$ _____
2. Unitemized increases to cash of under $100 this period. .....$ _____
3. Total of all interest received this period on loans made to others. (Schedule H, Column (e).) .....$ _____
4. Total miscellaneous increases to cash this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Line 14.) ..... **TOTAL $** _____

Clear Sch. I | Print Form

Instructions for Schedule I Miscellaneous Increases to Cash

CALIFORNIA FORM **460**

Report any transaction that increases the cash position of the officeholder, candidate, or committee, but is not a monetary contribution, loan, or loan repayment, on Schedule I.

Itemize the sources of $100 or more received during the reporting period.

Examples include:

- Interest received or credited to checking or savings accounts or other time deposits.
- Proceeds from the sale of property, such as paintings, furniture, or other items sold at garage sales or auctions, etc., when the amount received is the “fair market value” of the item. Amounts received over the fair market value are reported on Schedule A. (Report donated items as nonmonetary contributions on Schedule C.)
- Proceeds from the sale of campaign property, such as office furniture or equipment.
- Refunds received on deposits, such as telephone deposits.
- Refunds received from overpayment of bills.
- Transfers received from another authorized committee of the same candidate. (Candidates for elective state office should refer to FPPC Campaign Disclosure Manual 1 for information about reporting transferred funds that must be attributed to specific contributors of the committee making the transfer.)

Report on Line 3 of the Schedule I Summary the lump sum of interest payments received on loans made to others. Do not itemize. This amount is transferred from Schedule H, Column (g).

Officeholder and Candidate Campaign Statement - Short Form - AND - Form 470 Supplement

CALIFORNIA FORM 470

Who Uses Form 470:

Form 470 is for use by officeholders and candidates who:

- do not have a controlled committee;
- do not receive contributions totaling $1,000 or more during the calendar year; and
- do not spend $1,000 or more during the calendar year.

Officeholders and candidates who have a controlled committee or who have raised or spent $1,000 file the Recipient Committee Statement – Form 460.

Exception:

The following individuals seeking or holding office are not required to file campaign disclosure statements (Form 470 or Form 460).

- candidates for county central committee offices that do not raise or spend $1,000 or more in a calendar year.
- officeholders whose salaries are less than $200 per month and judicial candidates who have not made or received contributions or made expenditures during non-election years; and
- judges who do not receive contributions and who make personal expenditures of less than $1,000 or more in non-election years.

Period Covered:

The period covered is always the calendar year (January 1 through December 31).

$1,000 Threshold:

To determine if $1,000 has been raised or spent, or will be raised or spent, the candidate's personal funds for the filing fee or statement of qualifications are excluded.

A campaign bank account must be established if the candidate receives contributions from other persons.

When to File:

Ensure campaign deadlines are met. Go to www.fppc.ca.gov for campaign disclosure filing schedules.

If the Form 470 is filed in connection with an election, or on or before the filing deadline for the first campaign statement required for the calendar year, no additional campaign statements need be filed for that calendar year as long as total contributions received remain less than $1,000 and total expenditures made remain less than $1,000. In most cases, July 31 is the filing deadline for the first campaign statement required to be filed by officeholders and candidates not being voted upon.

The Form 470 is filed in connection with an election if it is filed with the declaration of candidacy, or as a first preelection statement in connection with an election, covering the year of the election. If, after filing Form 470, receipts or expenditures reach $1,000 or more, see the attached Form 470 Supplement for important reporting requirements.

Where to File:

State Elections:

State officeholders, state candidates, candidates and members of CalPERS and CalSTRS, judges and judicial candidates must file the original and one copy with:

Secretary of State
Political Reform Division
1500 11th Street, Room 495
Sacramento, CA 95814
Phone (916) 653-6224
www.sos.ca.gov

Additional Copies:

A copy of the Form 470 must also be filed with the candidate's county of domicile's filing officer. CalPERS and CalSTRS board candidates must file a copy of the Form 470 with the relevant CalPERS or CalSTRS office and not the candidate's county of domicile.

Local Elections:

- Elected officers and candidates for local multi-county agencies file an original and one copy with the election official for the county with the largest number of registered voters in the district and one copy with the candidate's county of domicile.
- Elected county officeholders and candidates for county offices file an original and one copy with the election official for that county.
- Elected city officeholders and candidates for city offices file an original and one copy with the city clerk.

Note: A local agency may impose additional requirements including electronic filing.

Amendments: If you are filing an amendment to a previously filed statement, give a brief explanation of the amendment. Be sure to enter the calendar year covered by the statement you are amending and the date of election, if applicable.

This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements and the Information Practices Act of 1977, see the FPPC Campaign Disclosure Manual.

FPPC Form 470/470 Supplement (Jan/2008)
FPPC Form 470/470 Supplement Instructions - Rev. 2 (Dec/2012)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Officeholder and Candidate Campaign Statement - Short Form

Date of election if applicable: (Month, Day, Year)	☐ Amendment (Explain Below)	Date Stamp	CALIFORNIA FORM 470
			For Official Use Only

1. Statement Covers Calendar Year 20 _____ .

2. Officeholder or Candidate Information

NAME OF OFFICEHOLDER OR CANDIDATE

STREET ADDRESS

CITY | STATE | ZIP CODE

AREA CODE/DAYTIME PHONE NUMBER | OPTIONAL: FAX / E-MAIL ADDRESS

3. Office Sought or Held

OFFICE SOUGHT OR HELD

JURISDICTION (LOCATION) | DISTRICT NUMBER (IF APPLICABLE)

4. Committee Information

List all committees of which you have knowledge that are primarily formed to receive contributions or to make expenditures on behalf of your candidacy.

COMMITTEE NAME AND I.D. NUMBER	COMMITTEE ADDRESS	NAME OF TREASURER

5. Verification

I declare under penalty of perjury that to the best of my knowledge I anticipate that I will receive less than $1,000 and that I will spend less than $1,000 during the calendar year and that I have used all reasonable diligence in preparing this statement. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ (DATE)

By _____ (SIGNATURE OF OFFICEHOLDER OR CANDIDATE)

Clear Form | Print Form

FPPC Form 470/470 Supplement (Jan/2008)
FPPC Form 470/470 Supplement Instructions - Rev. 2 (Dec/2012)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Officeholder and Candidate Campaign Statement - Form 470 Supplement

SEE INSTRUCTIONS ON REVERSE

☐ **Amendment** (Explain Below)

Date Stamp

CALIFORNIA FORM 470

For Official Use Only

This form is written notification that the officeholder/candidate listed below has received contributions totaling $1,000 or more or has made expenditures of $1,000 or more during the calendar year.

1. Officeholder or Candidate Information

NAME OF OFFICEHOLDER OR CANDIDATE

STREET ADDRESS

CITY | STATE | ZIP CODE

AREA CODE/DAYTIME PHONE NUMBER | OPTIONAL: FAX / E-MAIL ADDRESS

2. Office Sought

OFFICE SOUGHT | DISTRICT NUMBER (IF APPLICABLE)

DATE OF ELECTION (MONTH, DAY, YEAR)

3. Date Contributions Totaling $1,000 or More Were Received or Date Expenditures of $1,000 or More Were Made

(MONTH, DAY, YEAR)

Clear Form Print Form

FPPC Form 470/470 Supplement (Jan/2008)
FPPC Form 470/470 Supplement Instructions - Rev. 2 (Dec/2012)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Instructions for Completing Form 470 Supplement

CALIFORNIA FORM 470

Form 470 Supplement:
If an officeholder or candidate files the Form 470 for an election year and later receives contributions (including monetary and non-monetary contributions, loans, and the candidate's personal funds) totaling $1,000 or more or makes expenditures totaling $1,000 or more during the same calendar year, the officeholder or candidate must send a written notice within 48 hours. Use the attached Form 470 Supplement or follow the instructions below for preparing the notice.

When to File:

The notice must be sent within 48-hours of receiving contributions totaling $1,000 or more or making expenditures of $1,000 or more.

Note: The 48-hour notice requirement is applicable only when the Form 470 is filed with a declaration of candidacy or as a first pre-election statement.

Method of Delivery:

The notice must be sent by guaranteed overnight delivery service, personal delivery, fax, or email. Regular mail may not be used.

Where to File:

- Secretary of State's Office;
- local filing officer with whom the officeholder/candidate is required to file the originals of his/her campaign statements; and
- each candidate seeking the same office.

Contact your filing officer for candidate addresses.

Officeholder/Candidate Information:

Enter the officeholder/candidate's full name, residential or business address and daytime telephone number.

Office Sought:

- Enter the title of the office sought;
- the district number, if any; and
- the date of the election.

Date Contributions/Expenditures Were Made or Received:

Enter the date monetary or non-monetary contributions totaling $1,000 or more (including the candidate's personal funds) were received or the date expenditures of $1,000 or more were made.

Amendments: If you are filing an amendment to a previously filed statement, give a brief explanation of the amendment.

Note: Once an officeholder or candidate reaches the $1,000 threshold in receipts or expenditures, in addition to filing the Form 470 Supplement, other forms are required. See FPPC Campaign Disclosure Manual 1 for state candidates or Manual 2 for local candidates.

FPPC Form 470/470 Supplement (Jan/2008)
FPPC Form 470/470 Supplement Instructions - Rev. 2 (Dec/2012)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

497 24-hour Contribution Report Instructions

CALIFORNIA FORM 497

Use this form for:

- State and local committees making or receiving contribution(s) that total in the aggregate $1,000 or more in the 90 days before an election or on the date of the election.
- Committees reporting contributions of $5,000 or more in connection with a state ballot measure.
- State candidates and state ballot measure committees that receive $5,000 or more at any time other than a 90-day election cycle.

State Committees
State committees must file a Form 497 in the following situations:

- Contributions that total in the aggregate $1,000 or more within the 90-day election cycle that are either:
  - made to a candidate, officeholder or ballot measure committee; or
  - received by a candidate, officeholder or ballot measure committee.

- Contributions that total in the aggregate $1,000 or more received by a committee primarily formed to support or oppose a state candidate(s) or measure(s) within the 90-day election cycle.

- Contributions that total in the aggregate $1,000 or more made to and received by a state or county political party committee within 90 days before or on the date of any state election.

- Contributions that total in the aggregate $1,000 or more made to a candidate in a CalPERS or CalSTRS election 90 days before an election or on the date of the election.

.• Contributions made by a recipient committee that total $5,000 or more to support or oppose a single state ballot measure.
  - Required of state E-filers only
  - Complete Parts 1 and 2 of this form
  - Not required when a primarily formed ballot measure committee makes a contribution to another primarily formed committee formed for the same measure or another measure on the same ballot. (Refer to FPPC Reg. 18466.)

- A single contribution received by a state candidate's committee or a state primarily formed ballot measure committee of $5,000 or more from a single contributor at any time other than during a 90-day election cycle.

State committees file this form with the Secretary of State. No paper copies of this report are required, and no copies are required to be filed with other filing officers.

Local Committees
Local committees must file a Form 497 in the following situations:

- Contributions that total in the aggregate $1,000 or more within the 90 days before an election or on the date of the election that are either:
  - made to a candidate or ballot measure committee; or
  - received by a candidate or ballot measure committee.

- Contributions that total in the aggregate $1,000 or more made to committees primarily formed to support or oppose a local candidate(s) or measure(s) 90 days prior to or on the date of the election. A measure includes certain LAFCO proceedings.

- Contributions that total in the aggregate $1,000 or more made to a state or county political party committee 90 days prior to or on the date of any state election.

- Contributions that total in the aggregate $1,000 or more made to a candidate in a CalPERS or CalSTRS election 90 days before an election or on the date of the election.

File Form 497 at the same location(s) you regularly file campaign statements. Regular mail may not be used. The Form 497 must be filed by fax, guaranteed overnight delivery service, or personal delivery. Some jurisdictions require electronic submissions. Check with your local elections office.

FPPC Form 497 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Clear Page Print Form

497 Contribution Report

Amounts may be rounded to whole dollars.

NAME OF FILER

AREA CODE/PHONE NUMBER | I.D. NUMBER *(if applicable)*

STREET ADDRESS

CITY | STATE | ZIP CODE

Date of This Filing _____

Report No. _____

☐ **Amendment to Report No.** _____
(explain below)

No. of Pages _____

Date Stamp

CALIFORNIA FORM 497

For Official Use Only

1. Contribution(s) Received

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		☐ Check if Loan _____% Provide interest rate
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		☐ Check if Loan _____% Provide interest rate
		☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC		☐ Check if Loan _____% Provide interest rate

**Contributor Codes

IND – Individual
COM – Recipient Committee (other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Reason for Amendment: _____

497 24-hour Contribution Report Instructions

CALIFORNIA FORM 497

Filing Deadlines:

24-hour Deadline

The Form 497 is due within 24 hours of receiving or making contributions of $1,000 or more.

Exceptions:

- Reports due on a weekend or state holiday, other than the weekend before an election, are extended to the next business day.
- Those who **receive** a late non-monetary or in-kind contribution must file Form 497 **within 48 hours** of the date the contribution was received.

10 Business Day Deadline

- A recipient committee that makes a contribution totaling $5,000 or more to support or oppose a single state ballot measure must file Form 497 **within 10 business days**. If all required information is reported on a 90-day election cycle report, this 10 business day report is not required.
- If any of a state candidate's committees or a state primarily formed ballot measure committee **receives** a contribution of $5,000 or more from a single contributor at any time other than during a 90-day election cycle, a Form 497 must be filed **within 10 business days.**

Fast Facts:

Refer to the FPPC filing schedule for deadlines, and the local jurisdiction's filing schedule, where applicable.

Contributions that must be reported include monetary and non-monetary contributions, loans, or any combination of monetary and non-monetary contributions and loans, including contributions or loans from a candidate's personal funds to his or her campaign and contributions to a legal defense committee.

The donor of a non-monetary contribution must notify the recipient of the contribution's value within 24 hours of the date the contribution was made.

Contributions of $5,000 or more received from a non-recipient committee require a major donor notification to be sent to the donor.

The $1,000 reports are required for contributions that total in the aggregate $1,000 during the 90-day election cycle. For example, during the 90 day period before an election, a Form 497 is required if a single source made two $500 contributions to the same candidate.

The $5,000 reports are required only if a single contribution of $5,000 or more is made. It is not cumulated with other contributions from the same source.

Form 497 is not required when a transfer is made between two campaign for elective office committees controlled by the same candidate.

How to Complete:

Report Number: A unique identifying number to each Form 497 is required and amendments to a report must clearly identify the original report and the reason for the amendment.

Date of Election: If the contribution was made to a city or county committee, you must enter the date of the election.

Contributions Received:
Complete Part 1.

Contributions Made:
Complete Part 2.

State Ballot Measure Contribution Reports:
Complete Parts 1 and 2. In Part 1, report all contributions of $100 or more received since the closing date of the last campaign statement (Form 450 or 460) filed.

Contributions listed on this form must also be reported on the next regular campaign statement (Form 450 or 460).

This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements and the Information Practices Act of 1977, see the FPPC Campaign Disclosure Manual for your type of committee. Campaign filing deadlines, forms, and other informational materials are available on the FPPC website (www.fppc.ca.gov).

FPPC Form 497 (Jan/2016)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Clear Page Print Form

497 Contribution Report

Amounts may be rounded to whole dollars.

NAME OF FILER		Date of This Filing _____	Date Stamp	CALIFORNIA FORM 497
AREA CODE/PHONE NUMBER	I.D. NUMBER *(if applicable)*	Report No. _____		For Official Use Only
STREET ADDRESS		☐ Amendment to Report No. _____ (explain below)		
CITY STATE ZIP CODE		No. of Pages _____		

2. Contribution(s) Made

DATE MADE	FULL NAME, STREET ADDRESS AND ZIP CODE OF RECIPIENT (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CANDIDATE AND OFFICE OR MEASURE AND JURISDICTION	AMOUNT OF CONTRIBUTION	DATE OF ELECTION (IF APPLICABLE)

Reason for Amendment: _____

2015/2016 Statement of Economic Interests

Form 700

A Public Document

Also available on the FPPC website:

- ***Form 700 in Excel format***
- *Reference Pamphlet for Form 700*

California Fair Political Practices Commission

428 J Street, Suite 620 • Sacramento, CA 95814
Email Advice: advice@fppc.ca.gov
Toll-free advice line: 1 (866) ASK-FPPC • 1 (866) 275-3772
Telephone: (916) 322-5660 • Website: www.fppc.ca.gov

December 2015

What's New

Gifts of Travel

Effective January 1, 2016, if an individual receives a travel payment that is a reportable gift, he or she must disclose the travel destination. (See the Schedule E instructions for information about other details that must be disclosed.) This applies to travel taken on or after January 1, 2016. An individual who is filing a 2015 annual statement is not required to disclose the travel destination, but may do so.

Who must file:

- Elected and appointed officials and candidates listed in Government Code Section 87200
- Employees, appointed officials, and consultants filing pursuant to a conflict of interest code ("code filers"). **Obtain your disclosure categories, which describe the interests you must report, from your agency;** they are not part of the Form 700
- Candidates running for local elective offices that are designated in a conflict of interest code (e.g., county sheriffs, city clerks, school board trustees, and water board members)
- Members of newly created boards and commissions not yet covered under a conflict of interest code
- Employees in newly created positions of existing agencies

See Reference Pamphlet, page 3, at *www.fppc.ca.gov.*

Where to file:

87200 Filers

State offices	➲	Your agency
Judicial offices	➲	The clerk of your court
Retired Judges	➲	Directly with FPPC
County offices	➲	Your county filing official
City offices	➲	Your city clerk
Multi-County offices	➲	Your agency

Code Filers — State and Local Officials, Employees, and Consultants Designated in a Conflict of Interest Code: File with your agency, board, or commission unless otherwise specified in your agency's conflict of interest code (e.g., Legislative staff files directly with FPPC). In most cases, the agency, board, or commission will retain the statements.

Members of Boards and Commissions of Newly Created Agencies: File with your newly created agency or with your agency's code reviewing body.

Employees in Newly Created Positions of Existing Agencies: File with your agency or with your agency's code reviewing body. See Reference Pamphlet, page 3.

Candidates: File with your local elections office.

How to file:

The Form 700 is available at *www.fppc.ca.gov*. Form 700 schedules are also available in Excel format. All statements must have an original "wet" signature or be duly authorized by your filing officer to file electronically under Government Code Section 87500.2. Instructions, examples, FAQs, and a reference pamphlet are available to help answer your questions.

When to file:

Annual Statements

➲ **March 1, 2016**
- Elected State Officers
- Judges and Court Commissioners
- State Board and Commission Members listed in Government Code Section 87200

➲ **April 1, 2016**
- Most other filers

Individuals filing under conflict of interest codes in city and county jurisdictions should verify the annual filing date with their local filing officers.

Statements postmarked by the filing deadline are considered filed on time.

Assuming Office and Leaving Office Statements
Most filers file within 30 days of assuming or leaving office or within 30 days of the effective date of a newly adopted or amended conflict of interest code.

Exception:

If you assumed office between October 1, 2015, and December 31, 2015, and filed an assuming office statement, you are not required to file an annual statement until March 1, 2017, or April 3, 2017, whichever is applicable. The annual statement will cover the day after you assumed office through December 31, 2016. See Reference Pamphlet, pages 6 and 7, for additional exceptions.

Candidate Statements
File no later than the final filing date for the declaration of candidacy or nomination documents.

Amendments
Statements may be amended at any time. You are only required to amend the schedule that needs to be revised. It is not necessary to amend the entire filed form. Obtain amendment schedules at *www.fppc.ca.gov.*

There is no provision for filing deadline extensions unless the filer is serving in active military duty.
Statements of 30 pages or less may be faxed by the deadline as long as the originally signed paper version is sent by first class mail to the filing official within 24 hours.

Introduction

The Political Reform Act (Gov. Code Sections 81000-91014) requires most state and local government officials and employees to publicly disclose their personal assets and income. They also must disqualify themselves from participating in decisions that may affect their personal economic interests. The Fair Political Practices Commission (FPPC) is the state agency responsible for issuing the attached Statement of Economic Interests, Form 700, and for interpreting the law's provisions.

Gift Prohibition

Gifts received by most state and local officials, employees, and candidates are subject to a limit. For years 2015-2016, the limit is $460 from a single source during a calendar year.

In addition, state officials, state candidates, and certain state employees are subject to a $10 limit per calendar month on gifts from lobbyists and lobbying firms registered with the Secretary of State. See Reference Pamphlet, page 10.

State and local officials and employees should check with their agency to determine if other restrictions apply.

Disqualification

Public officials are, under certain circumstances, required to disqualify themselves from making, participating in, or attempting to influence governmental decisions that will affect their economic interests. This may include interests they are not required to disclose (i.e., a personal residence is often not reportable, but may be disqualifying). Specific disqualification requirements apply to 87200 filers (e.g., city councilmembers, members of boards of supervisors, planning commissioners, etc.). These officials must publicly identify the economic interest that creates a conflict of interest and leave the room before a discussion or vote takes place at a public meeting. For more information, consult Government Code Section 87105, Regulation 18707, and the Guide to Recognizing Conflicts of Interest at *www.fppc.ca.gov.*

Honorarium Ban

Most state and local officials, employees, and candidates are prohibited from accepting an honorarium for any speech given, article published, or attendance at a conference, convention, meeting, or like gathering. See Reference Pamphlet, page 10.

Loan Restrictions

Certain state and local officials are subject to restrictions on loans. See Reference Pamphlet, page 14.

Post-Governmental Employment

There are restrictions on representing clients or employers before former agencies. The provisions apply to elected state officials, most state employees, local elected officials, county chief administrative officers, city managers, including the chief administrator of a city, and general managers or chief administrators of local special districts and JPAs. The FPPC website has fact sheets explaining the provisions.

Late Filing

The filing officer who retains originally-signed or electronically filed statements of economic interests may impose on an individual a fine for any statement that is filed late. The fine is $10 per day up to a maximum of $100. Late filing penalties may be reduced or waived under certain circumstances.

Persons who fail to timely file their Form 700 may be referred to the FPPC's Enforcement Division (and, in some cases, to the Attorney General or district attorney) for investigation and possible prosecution. In addition to the late filing penalties, a fine of up to $5,000 per violation may be imposed.

For assistance concerning reporting, prohibitions, and restrictions under the Act:

- Email questions to advice@fppc.ca.gov.
- Call the FPPC toll-free at (866) 275-3772.

Form 700 is a Public Document Public Access Must Be Provided

Statements of Economic Interests are public documents. The filing officer must permit any member of the public to inspect and receive a copy of any statement.

- Statements must be available as soon as possible during the agency's regular business hours, but in any event not later than the second business day after the statement is received. Access to the Form 700 is not subject to the Public Records Act procedures.
- No conditions may be placed on persons seeking access to the forms.
- No information or identification may be required from persons seeking access.
- Reproduction fees of no more than 10 cents per page may be charged.

Types of Form 700 Filings

Assuming Office Statement:

If you are a newly appointed official or are newly employed in a position designated, or that will be designated, in a state or local agency's conflict of interest code, your assuming office date is the date you were sworn in or otherwise authorized to serve in the position. If you are a newly elected official, your assuming office date is the date you were sworn in.

- Investments, interests in real property, and business positions held on the date you assumed the office or position must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date you assumed the office or position is reportable.

For positions subject to confirmation by the State Senate or the Commission on Judicial Performance, your assuming office date is the date you were appointed or nominated to the position.

Example:

Maria Lopez was nominated by the Governor to serve on a state agency board that is subject to state Senate confirmation. The assuming office date is the date Maria's nomination is submitted to the Senate. Maria must report investments, interests in real property, and business positions she holds on that date, and income (including loans, gifts, and travel payments) received during the 12 months prior to that date.

If your office or position has been added to a newly adopted or newly amended conflict of interest code, use the effective date of the code or amendment, whichever is applicable.

- Investments, interests in real property, and business positions held on the effective date of the code or amendment must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the effective date of the code or amendment is reportable.

Annual Statement:

Generally, the period covered is January 1, 2015, through December 31, 2015. If the period covered by the statement is different than January 1, 2015, through December 31, 2015, (for example, you assumed office between October 1, 2014, and December 31, 2014 or you are combining statements), you must specify the period covered.

- Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2015.
- If your disclosure category changes during a reporting period, disclose under the old category until the effective date of the conflict of interest code amendment and disclose under the new disclosure category through the end of the reporting period.

Leaving Office Statement:

Generally, the period covered is January 1, 2015, through the date you stopped performing the duties of your position. If the period covered differs from January 1, 2015, through the date you stopped performing the duties of your position (for example, you assumed office between October 1, 2014, and December 31, 2014, or you are combining statements), the period covered must be specified. The reporting period can cover parts of two calendar years.

- Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2015.

Candidate Statement:

If you are filing a statement in connection with your candidacy for state or local office, investments, interests in real property, and business positions held on the date of filing your declaration of candidacy must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date of filing your declaration of candidacy is reportable. Do not change the preprinted dates on Schedules A-1, A-2, and B.

Candidates running for local elective offices (e.g., county sheriffs, city clerks, school board trustees, or water district board members) must file candidate statements, as required by the conflict of interest code for the elected position. The code may be obtained from the agency of the elected position.

Amendments:

If you discover errors or omissions on any statement, file an amendment as soon as possible. You are only required to amend the schedule that needs to be revised; it is not necessary to refile the entire form. Obtain amendment schedules from the FPPC website at *www.fppc.ca.gov.*

Instructions
Cover Page

Enter your name, mailing address, and daytime telephone number in the spaces provided. **Because the Form 700 is a public document, you may list your business/office address instead of your home address.**

Part 1. Office, Agency, or Court

- Enter the name of the office sought or held, or the agency or court. Consultants must enter the public agency name rather than their private firm's name. (Examples: State Assembly; Board of Supervisors; Office of the Mayor; Department of Finance; Hope County Superior Court)
- Indicate the name of your division, board, or district, if applicable. (Examples: Division of Waste Management; Board of Accountancy; District 45). **Do not use acronyms.**
- Enter your position title. (Examples: Director; Chief Counsel; City Council Member; Staff Services Analyst)
- If you hold multiple positions (i.e., a city council member who also is a member of a county board or commission), you may be required to file statements with each agency. To simplify your filing obligations, you may complete an expanded statement.
- To do this, enter the name of the other agency(ies) with which you are required to file and your position title(s) in the space provided. **Do not use acronyms.** Attach an additional sheet if necessary. Complete one statement covering the disclosure requirements for all positions. Each copy must contain an original signature. Therefore, before signing the statement, make a copy for each agency. Sign each copy with an original signature and file with each agency.

If you assume or leave a position after a filing deadline, you must complete a separate statement. For example, a city council member who assumes a position with a county special district after the April 1 annual filing deadline must file a separate assuming office statement. In subsequent years, the city council member may expand his or her annual filing to include both positions.

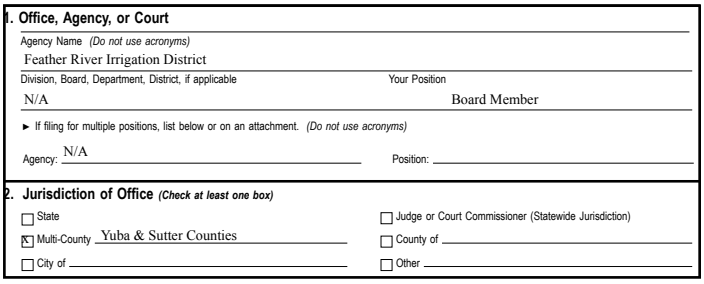
Example:
Scott Baker is a city council member for the City of Lincoln and a board member for the Camp Far West Irrigation District – a multi-county agency that covers Placer and Yuba counties. Scott will complete one Form 700 using full disclosure (as required for the city position) and covering interests in both Placer and Yuba counties (as required for the multi-county position) and list both positions on the Cover Page. Before signing the statement, Scott will make a copy and sign both statements. One statement will be filed with City of Lincoln and the other will be filed with Camp Far West Irrigation District. Both will contain an original signature.

Part 2. Jurisdiction of Office

- Check the box indicating the jurisdiction of your agency and, if applicable, identify the jurisdiction. Judges, judicial candidates, and court commissioners have statewide jurisdiction. All other filers should review the Reference Pamphlet, page 13, to determine their jurisdiction.
- If your agency is a multi-county office, list each county in which your agency has jurisdiction.
- If your agency is not a state office, court, county office, city office, or multi-county office (e.g., school districts, special districts and JPAs), check the "other" box and enter the county or city in which the agency has jurisdiction.

Example:
This filer is a member of a water district board with jurisdiction in portions of Yuba and Sutter Counties.

Part 3. Type of Statement


1. Office, Agency, or Court
Agency Name (Do not use acronyms)
Feather River Irrigation District
Division, Board, Department, District, if applicable: N/A
Your Position: Board Member
► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)
Agency: N/A Position:
2. Jurisdiction of Office (Check at least one box)
☐ State ☐ Judge or Court Commissioner (Statewide Jurisdiction)
☒ Multi-County Yuba & Sutter Counties ☐ County of
☐ City of ☐ Other

Check at least one box. The period covered by a statement is determined by the type of statement you are filing. If you are completing a 2015 annual statement, **do not** change the pre-printed dates to reflect 2016. Your annual statement is used for reporting the **previous year's** economic interests. Economic interests for your annual filing covering January 1, 2016, through December 31, 2016, will be disclosed on your statement filed in 2017. See Reference Pamphlet, page 4.

Combining Statements: Certain types of statements may be combined. For example, if you leave office after January 1, but before the deadline for filing your annual statement, you may combine your annual and leaving office statements. File by the earliest deadline. Consult your filing officer or the FPPC.

Part 4. Schedule Summary

- Complete the Schedule Summary after you have reviewed each schedule to determine if you have reportable interests.
- Enter the total number of completed pages including the cover page and either check the box for each schedule you use to disclose interests; **or** if you have nothing to disclose on any schedule, check the "No reportable interests" box. Please **do not** attach any blank schedules.

Part 5. Verification

Complete the verification by signing the statement and entering the date signed. All statements must have an original "wet" signature or be duly authorized by your filing officer to file electronically under Government Code Section 87500.2. Instructions, examples, FAQs, and a reference pamphlet are available to help answer your questions. **When you sign your statement, you are stating, under penalty of perjury, that it is true and correct.** Only the filer has authority to sign the statement. An unsigned statement is not considered filed and you may be subject to late filing penalties.

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
A PUBLIC DOCUMENT

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

Date Initial Filing Received
Official Use Only

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*

Division, Board, Department, District, if applicable Your Position

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

☐ State
☐ Multi-County _____
☐ City of _____
☐ Judge or Court Commissioner (Statewide Jurisdiction)
☐ County of _____
☐ Other _____

3. Type of Statement *(Check at least one box)*

☐ **Annual:** The period covered is January 1, 2015, through December 31, 2015.
-or-
The period covered is _____/_____/_____, through December 31, 2015.

☐ **Assuming Office:** Date assumed _____/_____/_____

☐ **Leaving Office:** Date Left _____/_____/_____
(Check one)
○ The period covered is January 1, 2015, through the date of leaving office.
-or-
○ The period covered is _____/_____/_____, through the date of leaving office.

☐ **Candidate:** Election year _____ and office sought, if different than Part 1: _____

4. Schedule Summary (must complete) ► *Total number of pages including this cover page:* _____

Schedules attached

☐ **Schedule A-1 -** *Investments* – schedule attached
☐ **Schedule A-2 -** *Investments* – schedule attached
☐ **Schedule B -** *Real Property* – schedule attached
☐ **Schedule C -** *Income, Loans, & Business Positions* – schedule attached
☐ **Schedule D -** *Income – Gifts* – schedule attached
☐ **Schedule E -** *Income – Gifts – Travel Payments* – schedule attached

-or-

☐ ***None*** **-** *No reportable interests on any schedule*

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER
( )

E-MAIL ADDRESS

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed _____
(month, day, year)

Signature _____
(File the originally signed statement with your filing official.)

Clear Page Print Form

Which Schedule Do I Use?

Common Reportable Interests

Schedule A-1	Stocks, including those held in an IRA or a 401K
Schedule A-2	Business entities (including certain independent contracting), sole proprietorships, partnerships, LLCs, corporations, and trusts
Schedule B	Rental property in the jurisdiction
Schedule C	Non-governmental salaries of public official and spouse/registered domestic partner
Schedule D	Gifts from businesses (such as tickets to sporting or entertainment events)
Schedule E	Travel payments from third parties (not your employer)

Common Non-Reportable Interests

Schedule A-1	Insurance policies, government bonds, diversified mutual funds, certain funds similar to diversified mutual funds (such as exchange traded funds) and investments held in certain retirement accounts. See Reference Pamphlet, page 13, for detailed information. (Regulation 18237)
Schedule A-2	Savings and checking accounts and annuities
Schedule B	A residence used exclusively as a personal residence (such as a home or vacation cabin)
Schedule C	Governmental salary (such as a school district)
Schedule D	Gifts from family members
Schedule E	Travel paid by your government agency

Remember:

- ✓ Mark the "No reportable interests" box on Part 4 of the Schedule Summary on the Cover Page if you determine you have nothing to disclose and file the Cover Page only. **Make sure you carefully read all instructions to ensure proper reporting.**
- ✓ The Form 700 is a public document.
- ✓ **Most individuals must consult their agency's conflict of interest code for reportable interests.**
- ✓ Most individuals file the Form 700 with their agencies.

Questions and Answers

General

Q. What is the reporting period for disclosing interests on an assuming office statement or a candidate statement?

A. On an assuming office statement, disclose all reportable investments, interests in real property, and business positions held on the date you assumed office. In addition, you must disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you assumed office.

On a candidate statement, disclose all reportable investments, interests in real property, and business positions held on the date you file your declaration of candidacy. You must also disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you file your declaration of candidacy.

Q. I hold two other board positions in addition to my position with the county. Must I file three statements of economic interests?

A. Yes, three are required. However, you may complete one statement listing the county and the two boards on the Cover Page or an attachment as the agencies for which you will be filing. Report your economic interests using the largest jurisdiction and highest disclosure requirements assigned to you by the three agencies. Make two copies of the entire statement before signing it, sign each copy with an original signature, and distribute one original to the county and to each of the two boards. Remember to complete separate statements for positions that you leave or assume during the year.

Q. I am a department head who recently began acting as city manager. Should I file as the city manager?

A. Yes. File an assuming office statement as city manager. Persons serving as "acting," "interim," or "alternate" must file as if they hold the position because they are or may be performing the duties of the position.

Q. As a designated employee, I left one state agency to work for another state agency. Must I file a leaving office statement?

A. Yes. You may also need to file an assuming office statement for the new agency.

Q. My spouse and I are currently separated and in the process of obtaining a divorce. Must I still report my spouse's income, investments, and interests in real property?

A. Yes. A public official must continue to report a spouse's economic interests until such time as dissolution of marriage proceedings is final. However, if a separate property agreement has been reached prior to that time, your estranged spouse's income may not have to be reported. Contact the FPPC for more information.

Investment Disclosure

Q. I have an investment interest in shares of stock in a company that does not have an office in my jurisdiction. Must I still disclose my investment interest in this company?

A. Probably. The definition of "doing business in the jurisdiction" is not limited to whether the business has an office or physical location in your jurisdiction. See Reference Pamphlet, page 13.

Q. My spouse and I have a living trust. The trust holds rental property in my jurisdiction, our primary residence, and investments in diversified mutual funds. I have full disclosure. How is this trust disclosed?

A. Disclose the name of the trust, the rental property and its income on Schedule A-2. Your primary residence and investments in diversified mutual funds registered with the SEC are not reportable.

Q. I am required to report all investments. I have an IRA that contains stocks through an account managed by a brokerage firm. Must I disclose these stocks even though they are held in an IRA and I did not decide which stocks to purchase?

A. Yes. Disclose on Schedule A-1 or A-2 any stock worth $2,000 or more in a business entity located in or doing business in your jurisdiction.

Q. I am the sole owner of my business, an S-Corporation. I believe that the nature of the business is such that it cannot be said to have any "fair market value" because it has no assets. I operate the corporation under an agreement with a large insurance company. My contract does not have resale value because of its nature as a personal services contract. Must I report the fair market value for my business on Schedule A-2 of the Form 700?

A. Yes. Even if there are no *tangible* assets, intangible assets, such as relationships with companies and clients are commonly sold to qualified professionals. The "fair market value" is often quantified for other purposes, such as marital dissolutions or estate planning. In addition, the IRS presumes that "personal services corporations" have a fair market value. A professional "book of business" and the associated goodwill that generates income are not without a determinable value. The Form 700 does not require a precise fair market value; it is only necessary to check a box indicating the broad range within which the value falls.

Q. I own stock in IBM and must report this investment on Schedule A-1. I initially purchased this stock in the early 1990s; however, I am constantly buying and selling shares. Must I note these dates in the "Acquired" and "Disposed" fields?

A. No. You must only report dates in the "Acquired" or "Disposed" fields when, during the reporting period, you initially purchase a reportable investment worth $2,000 or more or when you dispose of the entire investment. You are not required to track the partial trading of an investment.

Q. On last year's filing I reported stock in Encoe valued at $2,000 - $10,000. Late last year the value of this stock fell below and remains at less than $2,000. How should this be reported on this year's statement?

A. You are not required to report an investment if the value was less than $2,000 during the **entire** reporting period. However, because a disposed date is not required for stocks that fall below $2,000, you may want to report the stock and note in the "comments" section that the value fell below $2,000. This would be for informational purposes only; it is not a requirement.

Q. We have a Section 529 account set up to save money for our son's college education. Is this reportable?

A. If the Section 529 account contains reportable interests (e.g., common stock valued at $2,000 or more), those interests are reportable (not the actual Section 529 account). If the account contains solely mutual funds, then nothing is reported.

Income Disclosure

Q. I reported a business entity on Schedule A-2. Clients of my business are located in several states. Must I report all clients from whom my pro rata share of income is $10,000 or more on Schedule A-2, Part 3?

A. No, only the clients located in or doing business on a regular basis in your jurisdiction must be disclosed.

Q. I believe I am not required to disclose the names of clients from whom my pro rata share of income is $10,000 or more on Schedule A-2 because of their right to privacy. Is there an exception for reporting clients' names?

A. Regulation 18740 provides a procedure for requesting an exemption to allow a client's name not to be disclosed if disclosure of the name would violate a legally recognized privilege under California or Federal law. This regulation may be obtained from our website at *www.fppc.ca.gov.* See Reference Pamphlet, page 14.

Q. I am sole owner of a private law practice that is not reportable based on my limited disclosure category. However, some of the sources of income to my law practice are from reportable sources. Do I have to disclose this income?

A. Yes, even though the law practice is not reportable, reportable sources of income to the law practice of $10,000 or more must be disclosed. This information would be disclosed on Schedule C with a note in the "comments" section indicating that the business entity is not a reportable investment. The note would be for informational purposes only; it is not a requirement.

Q. I am the sole owner of my business. Where do I disclose my income - on Schedule A-2 or Schedule C?

A. Sources of income to a business in which you have an ownership interest of 10% or greater are disclosed on Schedule A-2. See Reference Pamphlet, page 8, for the definition of "business entity."

Q. My husband is a partner in a four-person firm where all of his business is based on his own billings and collections from various clients. How do I report my community property interest in this business and the income generated in this manner?

A. If your husband's investment in the firm is 10% or greater, disclose 100% of his share of the business on Schedule A-2, Part 1 and 50% of his income on Schedule A-2, Parts 2 and 3. For example, a client of your husband's must be a source of at least $20,000 during the reporting period before the client's name is reported.

Q. How do I disclose my spouse's or registered domestic partner's salary?

A. Report the name of the employer as a source of income on Schedule C.

Q. I am a doctor. For purposes of reporting $10,000 sources of income on Schedule A-2, Part 3, are the patients or their insurance carriers considered sources of income?

A. If your patients exercise sufficient control by selecting you instead of other doctors, then your patients, rather than their insurance carriers, are sources of income to you. See Reference Pamphlet, page 14, for additional information.

Q. I received a loan from my grandfather to purchase my home. Is this loan reportable?

A. No. Loans received from family members are not reportable.

Q. Many years ago, I loaned my parents several thousand dollars, which they paid back this year. Do I need to report this loan repayment on my Form 700?

A. No. Payments received on a loan made to a family member are not reportable.

Real Property Disclosure

Q. During this reporting period we switched our principal place of residence into a rental. I have full disclosure and the property is located in my agency's jurisdiction, so it is now reportable. Because I have not reported this property before, do I need to show an "acquired" date?

A. No, you are not required to show an "acquired" date because you previously owned the property. However, you may want to note in the "comments" section that the property was not previously reported because it was used exclusively as your residence. This would be for informational purposes only; it is not a requirement.

Q. My daughter is buying her first home and I am the co-signer on the loan. I won't occupy the home, but my daughter will. The home is located in my agency's jurisdiction. Must I report this property?

A. No. Property occupied by a family member is not reportable as long as you are not receiving rental income or using the property for business purposes.

Gift Disclosure

Q. If I received a reportable gift of two tickets to a concert valued at $100 each, but gave the tickets to a friend because I could not attend the concert, do I have any reporting obligations?

A. Yes. Since you accepted the gift and exercised discretion and control of the use of the tickets, you must disclose the gift on Schedule D.

Q. Mary and Joe Benson, a married couple, want to give a piece of artwork to a county supervisor. Is each spouse considered a separate source for purposes of the gift limit and disclosure?

A. Yes, each spouse may make a gift valued at the gift limit during a calendar year. For example, during 2015 the gift limit was $460, so the Bensons may have given the supervisor artwork valued at no more than $920. The supervisor must identify Joe and Mary Benson as the sources of the gift.

Q. I am a Form 700 filer with full disclosure. Our agency holds a holiday raffle to raise funds for a local charity. I bought $10 worth of raffle tickets and won a gift basket valued at $120. The gift basket was donated by Doug Brewer, a citizen in our city. At the same event, I bought raffle tickets for, and won a quilt valued at $70. The quilt was donated by a coworker. Are these reportable gifts?

A. Because the gift basket was donated by an outside source (not an agency employee), you have received a reportable gift valued at $110 (the value of the basket less the consideration paid). The source of the gift is Doug Brewer and the agency is disclosed as the intermediary. Because the quilt was donated by an employee of your agency, it is not a reportable gift.

Q. My agency is responsible for disbursing grants. An applicant (501(c)(3) organization) met with agency employees to present its application. At this meeting, the applicant provided food and beverages. Would the food and beverages be considered gifts to the employees? These employees are designated in our agency's conflict of interest code and the applicant is a reportable source of income under the code.

A. Yes. If the value of the food and beverages consumed by any one filer, plus any other gifts received from the same source during the reporting period total $50 or more, the food and beverages would be reported using the fair market value and would be subject to the gift limit.

Q. I received free admission to an educational conference related to my official duties. Part of the conference fees included a round of golf. Is the value of the golf considered informational material?

A. No. The value of personal benefits, such as golf, attendance at a concert, or sporting event, are gifts subject to reporting and limits.

Instructions – Schedules A-1 and A-2
Investments

"Investment" means a financial interest in any business entity (including a consulting business or other independent contracting business) that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling $2,000 or more at any time during the reporting period. See Reference Pamphlet, page 13.

Reportable investments include:

- Stocks, bonds, warrants, and options, including those held in margin or brokerage accounts and managed investment funds (See Reference Pamphlet, page 13.)
- Sole proprietorships
- Your own business or your spouse's or registered domestic partner's business (See Reference Pamphlet, page 8, for the definition of "business entity.")
- Your spouse's or registered domestic partner's investments even if they are legally separate property
- Partnerships (e.g., a law firm or family farm)
- Investments in reportable business entities held in a retirement account (See Reference Pamphlet, page 15.)
- If you, your spouse or registered domestic partner, and dependent children together had a 10% or greater ownership interest in a business entity or trust (including a living trust), you must disclose investments held by the business entity or trust. See Reference Pamphlet, page 15, for more information on disclosing trusts.
- Business trusts

You are not required to disclose:

- Insurance policies, government bonds, diversified mutual funds, certain funds similar to diversified mutual funds (such as exchange traded funds) and investments held in certain retirement accounts. See Reference Pamphlet, page 13, for detailed information. (Regulation 18237)
- Bank accounts, savings accounts, money market accounts and certificates of deposits
- Insurance policies
- Annuities
- Commodities
- Shares in a credit union
- Government bonds (including municipal bonds)
- Retirement accounts invested in non-reportable interests (e.g., insurance policies, mutual funds, or government bonds) (See Reference Pamphlet, page 15.)
- Government defined-benefit pension plans (such as CalPERS and CalSTRS plans)
- Certain interests held in a blind trust (See Reference Pamphlet, page 16.)

Use Schedule A-1 to report ownership of less than 10% (e.g., stock). Schedule C (Income) may also be required if the investment is not a stock or corporate bond. See second example below.

Use Schedule A-2 to report ownership of 10% or greater (e.g., a sole proprietorship).

To Complete Schedule A-1:

Do not attach brokerage or financial statements.

- Disclose the name of the business entity.
- Provide a general description of the business activity of the entity (e.g., pharmaceuticals, computers, automobile manufacturing, or communications).
- Check the box indicating the highest fair market value of your investment during the reporting period. If you are filing a candidate or an assuming office statement, indicate the fair market value on the filing date or the date you took office, respectively.
- Identify the nature of your investment (e.g., stocks, warrants, options, or bonds).
- An acquired or disposed of date is only required if you initially acquired or entirely disposed of the investment interest during the reporting period. The date of a stock dividend reinvestment or partial disposal is not required. Generally, these dates will not apply if you are filing a candidate or an assuming office statement.

Examples:

John Smith holds a state agency position. His conflict of interest code requires full disclosure of investments. John must disclose his stock holdings of $2,000 or more in any company that is located in or does business in California, as well as those stocks held by his spouse or registered domestic partner and dependent children.

Susan Jones is a city council member. She has a 4% interest, worth $5,000, in a limited partnership located in the city. Susan must disclose the partnership on Schedule A-1 and income of $500 or more received from the partnership on Schedule C.

Reminders

- Do you know your agency's jurisdiction?
- Did you hold investments at any time during the period covered by this statement?
- Code filers – your disclosure categories may only require disclosure of specific investments.

SCHEDULE A-1
Investments
Stocks, Bonds, and Other Interests
(Ownership Interest is Less Than 10%)

Do not attach brokerage or financial statements.

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name _____

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ◯ Income Received of $0 - $499
◯ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
____/____/ 15 ACQUIRED ____/____/ 15 DISPOSED

Comments: _____

Clear Page Print Form

Instructions – Schedule A-2
Investments, Income, and Assets of Business Entities/Trusts

Use Schedule A-2 to report investments in a business entity (including a consulting business or other independent contracting business) or trust (including a living trust) in which you, your spouse or registered domestic partner, and your dependent children, together or separately, had a 10% or greater interest, totaling $2,000 or more, during the reporting period and which is located in, doing business in, planning to do business in, or which has done business during the previous two years in your agency's jurisdiction. See Reference Pamphlet, page 13. A trust located outside your agency's jurisdiction is reportable if it holds assets that are located in or doing business in the jurisdiction. Do not report a trust that contains non-reportable interests. For example, a trust containing only your personal residence not used in whole or in part as a business, your savings account, and some municipal bonds, is not reportable.

Also report on Schedule A-2 investments and real property held by that entity or trust if your pro rata share of the investment or real property interest was $2,000 or more during the reporting period.

To Complete Schedule A-2:

Part 1. Disclose the name and address of the business entity or trust. If you are reporting an interest in a business entity, check "Business Entity" and complete the box as follows:

- Provide a general description of the business activity of the entity.
- Check the box indicating the highest fair market value of your investment during the reporting period.
- If you initially acquired or entirely disposed of this interest during the reporting period, enter the date acquired or disposed.
- Identify the nature of your investment.
- Disclose the job title or business position you held with the entity, if any (i.e., if you were a director, officer, partner, trustee, employee, or held any position of management). A business position held by your spouse is not reportable.

Part 2. Check the box indicating **your pro rata** share of the **gross** income received **by** the business entity or trust. This amount includes your pro rata share of the **gross** income **from** the business entity or trust, as well as your community property interest in your spouse's or registered domestic partner's share. Gross income is the total amount of income before deducting expenses, losses, or taxes.

Part 3. Disclose the name of each source of income that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency's jurisdiction, as follows:

- Disclose each source of income and outstanding loan **to the business entity or trust** identified in Part 1 if your pro rata share of the **gross** income (including your community property interest in your spouse's or registered domestic partner's share) to the business entity or trust from that source was $10,000 or more during the reporting period. See Reference Pamphlet, page 11, for examples. Income from governmental sources may be reportable if not considered salary. See Regulation 18232. Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.
- Disclose each individual or entity that was a source of commission income of $10,000 or more during the reporting period through the business entity identified in Part 1. See Reference Pamphlet, page 8, for an explanation of commission income.

You may be required to disclose sources of income located outside your jurisdiction. For example, you may have a client who resides outside your jurisdiction who does business on a regular basis with you. Such a client, if a reportable source of $10,000 or more, must be disclosed.

Mark "None" if you do not have any reportable $10,000 sources of income to disclose. Using phrases such as "various clients" or "not disclosing sources pursuant to attorney-client privilege" may trigger a request for an amendment to your statement. See Reference Pamphlet, page 14, for details about requesting an exemption from disclosing privileged information.

Part 4. Report any investments or interests in real property held or leased **by the entity or trust** identified in Part 1 if your pro rata share of the interest held was $2,000 or more during the reporting period. Attach additional schedules or use FPPC's Form 700 Excel spreadsheet if needed.

- Check the applicable box identifying the interest held as real property or an investment.
- If investment, provide the name and description of the business entity.
- If real property, report the precise location (e.g., an assessor's parcel number or address).
- Check the box indicating the highest fair market value of your interest in the real property or investment during the reporting period. (Report the fair market value of the portion of your residence claimed as a tax deduction if you are utilizing your residence for business purposes.)
- Identify the nature of your interest.
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property or investment during the reporting period.

SCHEDULE A-2
Investments, Income, and Assets of Business Entities/Trusts
(Ownership Interest is 10% or Greater)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name

▶ 1. BUSINESS ENTITY OR TRUST

Name

Address *(Business Address Acceptable)*

Check one

☐ Trust, *go to 2* ☐ Business Entity, *complete the box, then go to 2*

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
- ☐ $0 - $1,999
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:

___/___/ 15 ACQUIRED ___/___/ 15 DISPOSED

NATURE OF INVESTMENT

☐ Partnership ☐ Sole Proprietorship ☐ _____ Other

YOUR BUSINESS POSITION _____

▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF $10,000 OR MORE (Attach a separate sheet if necessary.)

☐ None or ☐ Names listed below

▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:

☐ INVESTMENT ☐ REAL PROPERTY

Name of Business Entity, if Investment, or
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or
City or Other Precise Location of Real Property

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:

___/___/ 15 ACQUIRED ___/___/ 15 DISPOSED

NATURE OF INTEREST

☐ Property Ownership/Deed of Trust ☐ Stock ☐ Partnership

☐ Leasehold _____ Yrs. remaining ☐ Other _____

☐ Check box if additional schedules reporting investments or real property are attached

---

▶ 1. BUSINESS ENTITY OR TRUST

Name

Address *(Business Address Acceptable)*

Check one

☐ Trust, *go to 2* ☐ Business Entity, *complete the box, then go to 2*

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE
- ☐ $0 - $1,999
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:

___/___/ 15 ACQUIRED ___/___/ 15 DISPOSED

NATURE OF INVESTMENT

☐ Partnership ☐ Sole Proprietorship ☐ _____ Other

YOUR BUSINESS POSITION _____

▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF $10,000 OR MORE (Attach a separate sheet if necessary.)

☐ None or ☐ Names listed below

▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:

☐ INVESTMENT ☐ REAL PROPERTY

Name of Business Entity, if Investment, or
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or
City or Other Precise Location of Real Property

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:

___/___/ 15 ACQUIRED ___/___/ 15 DISPOSED

NATURE OF INTEREST

☐ Property Ownership/Deed of Trust ☐ Stock ☐ Partnership

☐ Leasehold _____ Yrs. remaining ☐ Other _____

☐ Check box if additional schedules reporting investments or real property are attached

Comments: _____

Clear Page Print Form

Instructions – Schedule B
Interests in Real Property

Report interests in real property located in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling $2,000 or more any time during the reporting period. See Reference Pamphlet, page 13.

Interests in real property include:

- An ownership interest (including a beneficial ownership interest)
- A deed of trust, easement, or option to acquire property
- A leasehold interest (See Reference Pamphlet, page 14.)
- A mining lease
- An interest in real property held in a retirement account (See Reference Pamphlet, page 15.)
- An interest in real property held by a business entity or trust in which you, your spouse or registered domestic partner, and your dependent children together had a 10% or greater ownership interest (Report on Schedule A-2.)
- Your spouse's or registered domestic partner's interests in real property that are legally held separately by him or her

You are <u>not</u> required to report:

- A residence, such as a home or vacation cabin, used exclusively as a personal residence (However, a residence in which you rent out a room or for which you claim a business deduction may be reportable. If reportable, report the fair market value of the portion claimed as a tax deduction.)

  Please note: A non-reportable residence can still be grounds for a conflict of interest and may be disqualifying.
- Interests in real property held through a blind trust (See Reference Pamphlet, page 16, for exceptions.)

To Complete Schedule B:

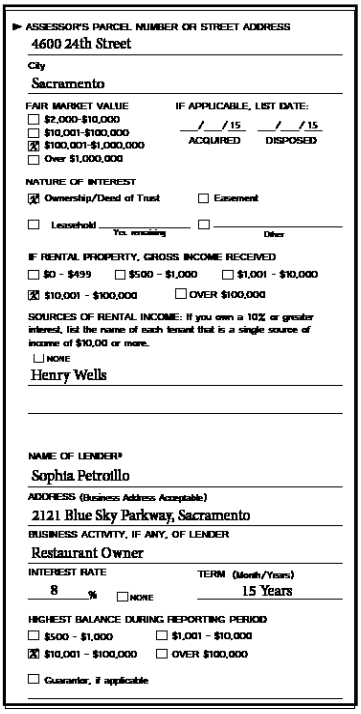
- Report the precise location (e.g., an assessor's parcel number or address) of the real property.
- Check the box indicating the fair market value of your interest in the property (regardless of what you owe on the property).
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property during the reporting period.
- Identify the nature of your interest. If it is a leasehold, disclose the number of years remaining on the lease.
- If you received rental income, check the box indicating the gross amount you received.
- If you had a 10% or greater interest in real property and received rental income, list the name of the source(s) if your pro rata share of the gross income from any single tenant was $10,000 or more during the reporting period. If you received a total of $10,000 or more from two or more tenants acting in concert (in most cases, this will apply to married couples), disclose the name of each tenant. Otherwise, mark "None."
- Loans from a private lender that total $500 or more and are secured by real property may be reportable. **Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.**

  When reporting a loan:
  - Provide the name and address of the lender.
  - Describe the lender's business activity.
  - Disclose the interest rate and term of the loan. For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period. The term of a loan is the total number of months or years given for repayment of the loan at the time the loan was established.
  - Check the box indicating the highest balance of the loan during the reporting period.
  - Identify a guarantor, if applicable.

If you have more than one reportable loan on a single piece of real property, report the additional loan(s) on Schedule C.

Example:

Joe Nelson is a city planning commissioner. Joe received rental income of $12,000 during the reporting period from a single tenant who rented property Joe owned in the city's jurisdiction. If Joe had received the $12,000 from two or more tenants, the tenants' names would not be required as long as no single tenant paid $10,000 or more. A married couple would be considered a single tenant.



▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS
4600 24th Street

City
Sacramento

FAIR MARKET VALUE
☐ $2,000-$10,000
☐ $10,001-$100,000
☒ $100,001-$1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/15 ACQUIRED
__/__/15 DISPOSED

NATURE OF INTEREST
☒ Ownership/Deed of Trust ☐ Easement
☐ Leasehold _____ Yrs. remaining ☐ _____ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED
☐ $0 - $499 ☐ $500 - $1,000 ☐ $1,001 - $10,000
☒ $10,001 - $100,000 ☐ OVER $100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,00 or more.
☐ NONE
Henry Wells

NAME OF LENDER*
Sophia Petrotllo

ADDRESS (Business Address Acceptable)
2121 Blue Sky Parkway, Sacramento

BUSINESS ACTIVITY, IF ANY, OF LENDER
Restaurant Owner

INTEREST RATE
8 % ☐ NONE

TERM (Month/Years)
15 Years

HIGHEST BALANCE DURING REPORTING PERIOD
☐ $500 - $1,000 ☐ $1,001 - $10,000
☒ $10,001 - $100,000 ☐ OVER $100,000

☐ Guarantor, if applicable

Reminders

- Income and loans already reported on Schedule B are not also required to be reported on Schedule C.
- Real property already reported on Schedule A-2, Part 4 is not also required to be reported on Schedule B.
- Code filers – do your disclosure categories require disclosure of real property?

SCHEDULE B
Interests in Real Property
(Including Rental Income)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name

► ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

CITY

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/ 15 ACQUIRED __/__/ 15 DISPOSED

NATURE OF INTEREST
- ☐ Ownership/Deed of Trust
- ☐ Easement
- ☐ Leasehold _____ Yrs. remaining
- ☐ _____ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED
- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,000 or more.
- ☐ None

► ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

CITY

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
__/__/ 15 ACQUIRED __/__/ 15 DISPOSED

NATURE OF INTEREST
- ☐ Ownership/Deed of Trust
- ☐ Easement
- ☐ Leasehold _____ Yrs. remaining
- ☐ _____ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED
- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,000 or more.
- ☐ None

---

* You are not required to report loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE TERM (Months/Years)

_____% ☐ None

HIGHEST BALANCE DURING REPORTING PERIOD
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

☐ Guarantor, if applicable

NAME OF LENDER*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE TERM (Months/Years)

_____% ☐ None

HIGHEST BALANCE DURING REPORTING PERIOD
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

☐ Guarantor, if applicable

Comments: _____

Clear Page Print Form

Instructions – Schedule C
Income, Loans, & Business Positions
(Income Other Than Gifts and Travel Payments)

Reporting Income:
Report the source and amount of gross income of $500 or more you received during the reporting period. Gross income is the total amount of income before deducting expenses, losses, or taxes and includes loans other than loans from a commercial lending institution. See Reference Pamphlet, page 11. You must also report the source of income to your spouse or registered domestic partner if your community property share was $500 or more during the reporting period.

A source of income must be reported only if the source is located in, doing business in, planning to do business in, or has done business during the previous two years in your agency's jurisdiction. See Reference Pamphlet, page 13, for more information about doing business in the jurisdiction. Reportable sources of income may be further limited by your disclosure category located in your agency's conflict of interest code.

Reporting Business Positions:
You must report your job title with each reportable business entity even if you received no income during the reporting period. Use the comments section to indicate that no income was received.

Commonly reportable income and loans include:
- Salary/wages, per diem, and reimbursement for expenses including travel payments provided by your employer
- Community property interest (50%) in your spouse's or registered domestic partner's income - **report the employer's name and all other required information**
- Income from investment interests, such as partnerships, reported on Schedule A-1
- Commission income not required to be reported on Schedule A-2 (See Reference Pamphlet, page 8.)
- Gross income from any sale, including the sale of a house or car (Report your pro rata share of the total sale price.)
- Rental income not required to be reported on Schedule B
- Prizes or awards not disclosed as gifts
- Payments received on loans you made to others
- An honorarium received prior to becoming a public official (See Reference Pamphlet, page 10, concerning your ability to receive future honoraria.)
- Incentive compensation (See Reference Pamphlet, page 12.)

Reminders
- Code filers – your disclosure categories may not require disclosure of all sources of income.
- If you or your spouse or registered domestic partner are self-employed, report the business entity on Schedule A-2.
- Do not disclose on Schedule C income, loans, or business positions already reported on Schedules A-2 or B.

You are <u>not</u> required to report:
- Salary, reimbursement for expenses or per diem, or social security, disability, or other similar benefit payments received by you or your spouse or registered domestic partner from a federal, state, or local government agency.
- Stock dividends and income from the sale of stock unless the source can be identified.
- Income from a PERS retirement account.

See Reference Pamphlet, page 11, for more exceptions to income reporting.

To Complete Schedule C:

Part 1. Income Received/Business Position Disclosure
- Disclose the name and address of each source of income or each business entity with which you held a business position.
- Provide a general description of the business activity if the source is a business entity.
- Check the box indicating the amount of gross income received.
- Identify the consideration for which the income was received.
- For income from commission sales, check the box indicating the gross income received and list the name of each source of commission income of $10,000 or more. See Reference Pamphlet, page 8. **Note: If you receive commission income on a regular basis or have an ownership interest of 10% or more, you must disclose the business entity and the income on Schedule A-2.**
- Disclose the job title or business position, if any, that you held with the business entity, even if you did not receive income during the reporting period.

Part 2. Loans Received or Outstanding During the Reporting Period
- Provide the name and address of the lender.
- Provide a general description of the business activity if the lender is a business entity.
- Check the box indicating the highest balance of the loan during the reporting period.
- Disclose the interest rate and the term of the loan.
  - For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period.
  - The term of the loan is the total number of months or years given for repayment of the loan at the time the loan was entered into.
- Identify the security, if any, for the loan.

SCHEDULE C
Income, Loans, & Business Positions
(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name

► 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

YOUR BUSINESS POSITION

GROSS INCOME RECEIVED

☐ $500 - $1,000 ☐ $1,001 - $10,000
☐ $10,001 - $100,000 ☐ OVER $100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____ *(Real property, car, boat, etc.)*

☐ Loan repayment

☐ Commission or ☐ Rental Income, *list each source of $10,000 or more*

_____ *(Describe)*

☐ Other _____ *(Describe)*

► 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

YOUR BUSINESS POSITION

GROSS INCOME RECEIVED

☐ $500 - $1,000 ☐ $1,001 - $10,000
☐ $10,001 - $100,000 ☐ OVER $100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____ *(Real property, car, boat, etc.)*

☐ Loan repayment

☐ Commission or ☐ Rental Income, *list each source of $10,000 or more*

_____ *(Describe)*

☐ Other _____ *(Describe)*

► 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF LENDER

HIGHEST BALANCE DURING REPORTING PERIOD

☐ $500 - $1,000
☐ $1,001 - $10,000
☐ $10,001 - $100,000
☐ OVER $100,000

INTEREST RATE

_____% ☐ None

TERM (Months/Years)

_____

SECURITY FOR LOAN

☐ None ☐ Personal residence

☐ Real Property _____ *Street address*

_____ *City*

☐ Guarantor _____

☐ Other _____ *(Describe)*

Comments: _____

FPPC Form 700 (2015/2016) Sch. C
FPPC Advice Email: advice@fppc.ca.gov
FPPC Toll-Free Helpline: 866/275-3772 www.fppc.ca.gov

Clear Page Print Form

Instructions – Schedule D
Income – Gifts

A gift is anything of value for which you have not provided equal or greater consideration to the donor. A gift is reportable if its fair market value is $50 or more. In addition, multiple gifts totaling $50 or more received during the reporting period from a single source must be reported.

It is the acceptance of a gift, not the ultimate use to which it is put, that imposes your reporting obligation. Except as noted below, you must report a gift even if you never used it or if you gave it away to another person.

If the exact amount of a gift is unknown, you must make a good faith estimate of the item's fair market value. Listing the value of a gift as "over $50" or "value unknown" is not adequate disclosure. In addition, if you received a gift through an intermediary, you must disclose the name, address, and business activity of both the donor and the intermediary. You may indicate an intermediary either in the "source" field after the name or in the "comments" section at the bottom of Schedule D.

Commonly reportable gifts include:

- Tickets/passes to sporting or entertainment events
- Tickets/passes to amusement parks
- Parking passes not used for official agency business
- Food, beverages, and accommodations, including those provided in direct connection with your attendance at a convention, conference, meeting, social event, meal, or like gathering
- Rebates/discounts not made in the regular course of business to members of the public without regard to official status
- Wedding gifts (See Reference Pamphlet, page 16)
- An honorarium received prior to assuming office (You may report an honorarium as income on Schedule C, rather than as a gift on Schedule D, if you provided services of equal or greater value than the payment received. See Reference Pamphlet, page 10, regarding your ability to receive future honoraria.)
- Transportation and lodging (See Schedule E.)
- Forgiveness of a loan received by you

You are <u>not</u> required to disclose:

- Gifts that were not used and that, within 30 days after receipt, were returned to the donor or delivered to a charitable organization or government agency without being claimed by you as a charitable contribution for tax purposes
- Gifts from your spouse or registered domestic partner, child, parent, grandparent, grandchild, brother, sister, and certain other famly members (See Regulation 18942 for a complete list.). The exception does not apply if the donor was acting as an agent or intermediary for a reportable source who was the true donor.
- Gifts of similar value exchanged between you and an individual, other than a lobbyist registered to lobby your state agency, on holidays, birthdays, or similar occasions
- Gifts of informational material provided to assist you in the performance of your official duties (e.g., books, pamphlets, reports, calendars, periodicals, or educational seminars)
- A monetary bequest or inheritance (However, inherited investments or real property may be reportable on other schedules.)
- Personalized plaques or trophies with an individual value of less than $250
- Campaign contributions
- Up to two tickets, for your own use, to attend a fundraiser for a campaign committee or candidate, or to a fundraiser for an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The ticket must be received from the organization or committee holding the fundraiser.
- Gifts given to members of your immediate family if the source has an established relationship with the family member and there is no evidence to suggest the donor had a purpose to influence you. (See Regulation 18943.)
- Free admission, food, and nominal items (such as a pen, pencil, mouse pad, note pad or similar item) available to all attendees, at the event at which the official makes a speech (as defined in Regulation 18950(b)(2)), so long as the admission is provided by the person who organizes the event.
- Any other payment not identified above, that would otherwise meet the definition of gift, where the payment is made by an individual who is not a lobbyist registered to lobby the official's state agency, where it is clear that the gift was made because of an existing personal or business relationship unrelated to the official's position and there is no evidence whatsoever at the time the gift is made to suggest the donor had a purpose to influence you.

Reminders

- Gifts from a single source are subject to a $460 limit. See Reference Pamphlet, page 10.
- Code filers – you only need to report gifts from reportable sources.

Gift Tracking Mobile Application

- FPPC has created a gift tracking app for mobile devices that helps filers track gifts and provides a quick and easy way to upload the information to the Form 700. Visit FPPC's website to download the app.

To Complete Schedule D:

- Disclose the full name (not an acronym), address, and, if a business entity, the business activity of the source.
- Provide the date (month, day, and year) of receipt, and disclose the fair market value and description of the gift.

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name

SCHEDULE D
Income – Gifts

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	$_____	_____
____/____/____	$_____	_____
____/____/____	$_____	_____

Comments: _____

Clear Page Print Form

Instructions – Schedule E
Travel Payments, Advances, and Reimbursements

Travel payments reportable on Schedule E include advances and reimbursements for travel and related expenses, including lodging and meals.

Gifts of travel may be subject to the gift limit. In addition, certain travel payments are reportable gifts, but are not subject to the gift limit. To avoid possible misinterpretation or the perception that you have received a gift in excess of the gift limit, you may wish to provide a specific description of the purpose of your travel. See the FPPC fact sheet entitled "Limitations and Restrictions on Gifts, Honoraria, Travel, and Loans" at *www.fppc.ca.gov*.

You are <u>not</u> required to disclose:

- Travel payments received from any state, local, or federal government agency for which you provided services equal or greater in value than the payments received, such as reimbursement for travel on agency business from your government agency employer.
- A payment for travel from another local, state, or federal government agency and related per diem expenses when the travel is for education, training or other inter-agency programs or purposes.
- Travel payments received from your employer in the normal course of your employment that are included in the income reported on Schedule C.
- A travel payment that was received from a non-profit entity exempt from taxation under Internal Revenue Code Section 501(c)(3) for which you provided equal or greater consideration, such as reimbursement for travel on business for a 501(c)(3) organization for which you are a board member.

  Note: Certain travel payments may not be reportable if reported on Form 801 by your agency.

To Complete Schedule E:

- Disclose the full name (not an acronym) and address of the source of the travel payment.
- Identify the business activity if the source is a business entity.
- Check the box to identify the payment as a gift or income, report the amount, and disclose the date(s).
  - **Travel payments are gifts** if you did not provide services that were equal to or greater in value than the payments received. You must disclose gifts totaling $50 or more from a single source during the period covered by the statement.

    When reporting travel payments that are gifts, you must provide a description of the gift and the **date(s)** received. If the travel occurred on or after January 1, 2016, you must also disclose the **travel destination.**
  - **Travel payments are income** if you provided services that were equal to or greater in value than the payments received. You must disclose income totaling $500 or more from a single source during the period covered by the statement. You have the burden of proving the payments are income rather than gifts. When reporting travel payments as income, you must describe the services you provided in exchange for the payment. You are not required to disclose the date(s) for travel payments that are income.

Example:

City council member Rick Chandler is the chairman of a 501 (c)(6) trade association and the association pays for Rick's travel to attend its meetings. Because Rick is deemed to be providing equal or greater consideration for the travel payment by virtue of serving on the board, this payment may be reported as income. Payments for Rick to attend other events for which he is not providing services are likely considered gifts.


► NAME OF SOURCE
Health Services Trade Association
ADDRESS *(Business Address Acceptable)*
1230 K Street, Ste. 610
CITY AND STATE
Sacramento, CA
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
Association of Healthcare Workers
DATE(S): ___/___/___ - ___/___/___ *(If applicable)* AMT: $ 588.00
TYPE OF PAYMENT: (must check one) ☐ Gift ☒ Income
DESCRIPTION: Travel reimbursement for board meeting

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name _____

SCHEDULE E
Income – Gifts
Travel Payments, Advances, and Reimbursements

- **Mark either the gift or income box.**
- **Mark the "501(c)(3)" box for a travel payment received from a nonprofit 501(c)(3) organization or the "Speech" box if you made a speech or participated in a panel. These payments are not subject to the $460 gift limit, but may result in a disqualifying conflict of interest.**
- **For gifts of travel that occurred on or after January 1, 2016, provide the travel destination.**

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

CITY AND STATE

☐ 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE(S): ____/____/____ - ____/____/____ AMT: $_____
(If gift)

► MUST CHECK ONE: ☐ Gift **-or-** ☐ Income

◯ Made a Speech/Participated in a Panel

◯ Other - Provide Description _____

► If Gift, Provide Travel Destination _____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

CITY AND STATE

☐ 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE(S): ____/____/____ - ____/____/____ AMT: $_____
(If gift)

► MUST CHECK ONE: ☐ Gift **-or-** ☐ Income

◯ Made a Speech/Participated in a Panel

◯ Other - Provide Description _____

► If Gift, Provide Travel Destination _____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

CITY AND STATE

☐ 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE(S): ____/____/____ - ____/____/____ AMT: $_____
(If gift)

► MUST CHECK ONE: ☐ Gift **-or-** ☐ Income

◯ Made a Speech/Participated in a Panel

◯ Other - Provide Description _____

► If Gift, Provide Travel Destination _____

► NAME OF SOURCE *(Not an Acronym)*

ADDRESS *(Business Address Acceptable)*

CITY AND STATE

☐ 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE(S): ____/____/____ - ____/____/____ AMT: $_____
(If gift)

► MUST CHECK ONE: ☐ Gift **-or-** ☐ Income

◯ Made a Speech/Participated in a Panel

◯ Other - Provide Description _____

► If Gift, Provide Travel Destination _____

Comments: _____

Clear Page Print Form

City Information

A History of Los Alamitos

In 1896 ex-Senator William Clark of Montana purchased 8,139 acres of rancho land for raising sugar beets. He planned the township of Los Alamitos, built the first sugar refinery in Southern California, constructed housing and recreation buildings for workers, and guaranteed to purchase all the sugar beets that could be raised in the surrounding 70 square miles of territory during the next five years. Practically all the land between what is now Lakewood and the Santa Ana River became one vast field of sugar beets.

The township of Los Alamitos had already begun, the first school was built in 1881 at what is now Katella and Los Alamitos Boulevard. Most of the workers in the fields were Mexican, but many immigrants from Belgium, France and Germany came here to work and establish their own farms and businesses. When nematodes (burrowing insects that fed on the roots of the plants) destroyed the sugar beet industry, the sugar refinery was closed and eventually leased in 1921 to Dr. Ross, who used it to process wild horsemeat into dog food. The 1929 depression, followed by damage caused by the 1933 earthquake, ruined this enterprise. Dr. Ross died a pauper, and eventually the mill was torn down.

While the sugar mill was prospering, Los Alamitos had become a throw-back to the typical Wild West town. Reagan Street was the principal thoroughfare until Los Alamitos Boulevard was black topped in 1921. There were two hotels in town, and reportedly an average of two shootings or stabbings every weekend. Katella was a country road that led to the entrance of a farm on the edge of Coyote Creek. It was named after the two daughters of the farmer, “Kate” and “Ella,” who were well into their eighties, and proudly present when “their” road was named and dedicated.

Following Pearl Harbor the U. S. Navy moved its training field for aircraft from Terminal Island to Los Alamitos, where a 1,300-acre tract was commissioned. Here, Navy and Marine fliers were trained, as well as fliers from Australia, New Zealand, England, Free France, Poland and Norway. Its presence revitalized the sleepy country town of Los Alamitos, bringing new settlers and businesses to the area. When the war ended, the air base was used as a reserve training field for military fliers, operated under control of the Navy. It was reactivated during the Korean and Vietnam conflicts, following which the Navy turned it over to the California National Guard, which currently uses it as a reserve training center for all branches of the military, and personnel.

On March 1, 1960, the township of Los Alamitos became a chartered city. Since then it has advanced both as a residential and business community.

Vital Statistics

Population	11,854
Men	47.97%
Women	52.03%
College Degree	27.21%
Median Age	36.2
0-13	17.03%
14-24	14.29%
25-34	16.49%
35-44	17.39%
45-59	17.32%
60-64	4.07%
65+	13.41%
Income Per Capita	$23,845
Household	$53,865
Area in Square Miles	4.3
Registered Voters	6,807
Sales Tax Revenue	$2,230,000
Mileage of City Streets	28
Average Rainfall in Inches	9.46
Average Temperature	69 degrees
Elevation at City Hall	26ft
Longitude at City Hall	118 5’ W
Latitude at City Hall	33 50’ N

Los Alamitos has excellent recreational and park facilities, a top-notch police force and an enthusiastic Chamber of Commerce. All in all, the city of Little Cottonwoods is best described as “A Little Jewel of a City.” Its city seal reflects its ancestry; its official flower, the Daisy, reflects its youth. With it’s outstanding schools, friendly neighbors and strategic location at the crossroads of two of the area’s principal freeways,
Los Alamitos has nowhere to go but up!

LOS ALAMITOS CITY COUNCIL
Troy D. Edgar, Mayor
Marilynn M. Poe, Mayor Pro Tem
Gerri Graham-Mejia, Council Member
Warren Kusumoto, Council Member
Ken Stephens, Council Member

City of Los Alamitos

Historical and Vital City Statistics

3191 KATELLA AVENUE
LOS ALAMITOS, CA 90720
(562) 431-3538

WWW.CI.LOS-ALAMITOS.CA.US

A History of Los Alamitos

The Puvu Indians, a branch of the Shoshones, lived in what is now the Southern California basin. There are indications they had lived here some 3,000 years or more. When the expedition of Spaniards, led by Gaspar De Portola, arrived to explore and colonize Northern California in 1769, they found the land marked by many Indian villages, or "rancherias," containing from 500 to 1500 huts, in what is now Los Angeles and Orange Counties.

The Portola expedition consisted of colonists to settle in selected pueblos or towns, missionaries to convert the natives and prepare them to become "civilized" enough to assume control of the land which the missions held in trust for the Indians, and soldiers to establish military strong points or "presidios" to protect both groups, as well as to keep foreign interests such as Russia or England from invading lands claimed by Spain.

The noble intention of holding the land in trust for the Indians ended in 1784 when Governor Fages, an original member of the expedition, made vast grants of lands to two of his former soldier companions, Sergeants Dominguez and Nieto. The Nieto Grant consisted of the lands lying between the Santa Ana and San Gabriel Rivers, extending from the ocean to the foothills of the San Gabriel Mountains. This huge landmass is now occupied by most of the cities in Los Angeles County and northern Orange County.

Upon the death of Don Manuel Nieto, the Grant was divided into five large ranchos and divided among his children. The two ranchos most familiar to us are Los Cerritos (The Little Hills), located in northwest Long Beach and Los Alamitos (The Little Cottonwoods), with its ranch house atop the hill at the south end of Palo Verde Avenue, also in Long Beach.

Los Alamitos contained six square leagues, or 85,000 acres of rangeland. Granted to son Juan Jose Nieto, he soon sold the property to then-Governor Figueroa for $500. Upon the death of the governor, Abel Stearns bought the land in 1842 for $5,934. The price included not only the land, but also the cattle grazing upon it. He successfully raised cattle until the extended drought of 1863 which killed more than 30,000 head of stock. He lost the rancho through foreclosure to Michael Reese, a moneylender in San Francisco.

Reese let the land lie fallow until 1878, when John Bixby leased the rancho to raise grain and sheep. In 1881, I. W. Hellman and the J. Bixby Company jointly purchased the Los Alamitos Rancho which by then had been reduced to 28,087 acres by sales of parcels during the years. Five thousand acres were set aside for a township to be established in the near future. It was a township that developed after John Bixby had died.

Symbols of Los Alamitos

City Seal

The City seal of Los Alamitos represents the many factors of its past. The official seal of the City of Los Alamitos was accepted in October 1960, and was designed by William Daniels. The lovely seal consists of a wide, circling band with the words "City of Los Alamitos" interposed on a flat outline of the State of California. In the center of the band is a Cottonwood Tree, for which the City is named. Across the tree trunk are the three flags (Spanish, Mexican, and American) which have flown over the City. The Spanish flag reminds Los Alamitos of its beginning in 1784, when it was founded by a Spanish Land Grant. The other flags on the seal - the Mexican flag and the American flag - show the history of the City when it was included in the territory of those two countries.

Cottonwood Tree

When the Indians lived in this area for 3,000 years, and when the first Spanish expedition under Gaspar De Portola arrived, the land was dotted with Indian settlements, meandering rivers and creeks, along with clusters of Cottonwood Trees.



Considering Los Alamitos means "Little Cottonwoods" in Spanish, it was from this first vision that the City of Los Alamitos received its name.

City Flower

In 1981, the Los Alamitos City Council discovered Los Alamitos was one of a very few Orange County cities which had not chosen an official city flower. Therefore, the Council immediately assigned the task of choosing an official flower to the City's Fine Arts & Cultural Affairs Commission.

The Commission enthusiastically made plans to involve the entire community in the project by conducting a citywide contest for recommendations in choosing a flower. It was decided that those eligible to enter the contest would be elementary through high school students attending Los Alamitos Unified School District schools.

The winning recommendation, based on originality, was submitted by Stan Weed, an elementary school student. Stan recommended the Daisy be chosen as the official flower of the City of Los Alamitos because he felt "The Daisy would be a good flower because it is bright and sunny, like the Los Alamitos climate." As over-all winner, Stan won a $100 prize bond, and the Daisy became the official flower for Los Alamitos.

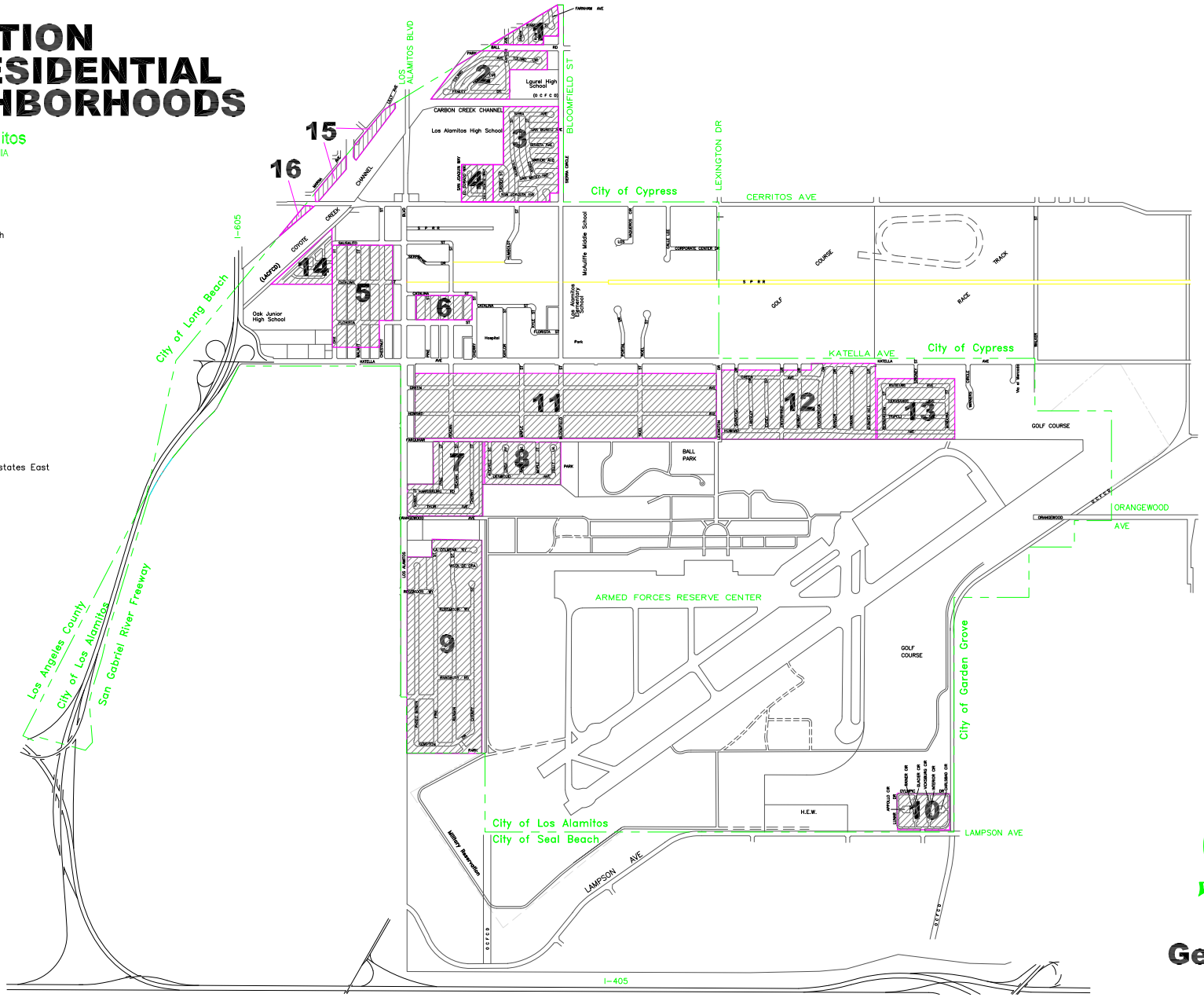


LOCATION OF RESIDENTIAL NEIGHBORHOODS

City of Los Alamitos
ORANGE COUNTY - CALIFORNIA

LEGEND

- City Boundary
- 1 Country Square
- 2 College Park North
- 3 Greenbrook
- 4 Woodcrest
- 5 Old Town West
- 6 Old Town East
- 7 Old Dutch Haven
- 8 Suburbia
- 9 Highlands
- 10 Parkewood
- 11 Apartment Row
- 12 Carrier Row
- 13 New Dutch Haven
- 14 Royal Oak Park
- 15 El Dorado Park Estates East
- 16 Bungalows



NOT TO SCALE

General Plan

FIGURE 1-4

City of Los Alamitos

General Municipal Election
Tuesday, November 8, 2016

Los Alamitos Municipal Code
(http://qcode.us/codes/losalamitos/)

CHAPTER 2.04 CITY COUNCIL

2.04.010 Regular meetings.

The regular meetings of the city council shall be held on the third Monday in each month to commence at the hour of six p.m. Study sessions shall be limited to public sessions of the city council, along with any other boards, commissions or public bodies if deemed necessary by the presiding officer, involving detailed discussions without final action of any kind by the city council and may be commenced at any time consistent with the notice requirements of the Ralph M. Brown Act and the notice and call therefor. Closed session matters, if any, shall commence at the hour of five p.m. or as soon thereafter as is deemed necessary by the presiding officer. Regular meetings shall be held in the council chamber of the City Hall, 3191 Katella Avenue, or in such other place within the city limits to which the meeting may be adjourned. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on the holiday, but a regular meeting shall be held at the same hour on the following business day. (Ord. 12-02 § 1, 2012; Ord. 679 § 1, 2004; Ord. 678 § 1, 2004; Ord. 646 § 1, 2001; Ord. 598 § 1, 1996; Ord. 321 § A, 1975; Ord. 293 § 2, 1974)

2.04.020 Special meetings.

At the direction of the mayor or two members of the city council, the city clerk or city manager may call a special meeting at any time by delivering or by mailing written notice to each councilmember and to each newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered personally or by mail and shall be received at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. Such written notice may be disposed with as to any councilmember who at or prior to the time the meeting convenes files with the city clerk a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any councilmember who is actually present at the meeting at the time it convenes. The call and notice shall be posted at least twenty-four (24) hours prior to the special meeting in a location that is freely accessible to members of the public. (For special meetings see Government Code Section 54956; for emergency meetings see Government Code Section

54956.5.) (Ord. 12-03 § 1, 2012; Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.030 Meeting to be public—Exception for closed sessions.

A. All regular and special meetings on the city council shall be public; provided, however, the city council may hold closed sessions during a regular meeting or special meeting, from which the public may be excluded, for the purpose of considering matters permitted by the laws of the state of California.

B. No member of the city council, employee of the city, or any other person present during closed session of the council shall disclose to any person the content or substance of any discussion which took place during the closed session unless the city council shall authorize the disclosure of such information by majority vote. No record or transcript of such closed session shall be made without approval of a majority of the city council. If such record or transcript is made it shall be kept in the confidential files of the office of the city attorney. (For closed sessions see Government Code Sections 54954.5 and 54956.7 through 54957.1.) (Ord. 598 § 1, 1996; Ord. 293 § 2, 1974)

2.04.040 Agenda.

All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the council at a city council meeting shall be delivered to the city clerk prior to the deadline established by administrative policy. The city clerk shall prepare the agenda under the direction of the city manager. Any councilmember desiring to place an item on the agenda shall accordingly inform the city clerk and city manager and shall provide any documentation and information on the item prior to the agenda deadline. The agenda shall be made available to the councilmembers on the Friday preceding the Monday council meeting to which it pertains. (Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.050 Council correspondence.

Authority of city manager and city clerk. The city manager and city clerk are authorized to open and examine all mail or other written communications addressed to the city council and to give it immediate attention to the end that all administration business referred to in such communications and not necessarily requiring council action may be acted upon between council meetings. (Ord. 598 § 1, 1996; Ord. 293 § 2, 1974)

2.04.060 Order of business.

The business of the council shall be taken up for consideration and disposition in accordance with policy resolutions which are from time to time adopted by the city council. (Ord. 598 § 1, 1996; Ord. 293 § 2, 1974)

2.04.070 Preparation of minutes— Retention of tapes.

The city clerk shall have exclusive responsibility for preparation of the minutes, and any directions for change in the minutes shall be made only by majority action of the city

council. (Ord. 10-03 § 1, 2010; Ord. 632 § 1, 2000; Ord. 598 § 1, 1996; Ord. 419 § 3, 1981; Ord. 293 § 2, 1974)

2.04.080 Reading of minutes.

Unless the reading of the minutes of a council meeting is ordered by a majority vote of the council, such minutes may be approved without reading if the city clerk has previously furnished each councilmember with a copy. No minutes shall be official until approved by the council. (Ord. 598 §1 (part), 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.090 Presiding officer.

The mayor shall be the presiding officer at all meetings of the city council. In the absence of the mayor, the mayor pro tempore shall preside. In the absence of the mayor and mayor pro tempore, the city clerk shall call the council to order, whereupon a temporary presiding officer shall be elected by the councilmembers present to serve until the arrival of the mayor or the mayor pro tempore or until adjournment. Wherever in this chapter the term “mayor” is used, it shall apply equally to the presiding officer as defined in this section. (Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.100 Election of mayor and mayor pro tempore.

A. Annually, at the first regularly scheduled city council meeting in December, the city council shall elect a member of the city council to serve as mayor. Immediately after the mayoral election, the newly elected mayor shall conduct a city council election to select a mayor pro tempore.

B. At any regular or regular adjourned meeting of the city council, and upon motion duly adopted by a majority of the entire council, as then constituted, the mayor or mayor pro tempore, or both, may be removed from that office and thereupon his, her or their successor(s) shall be elected by the members of the city council. (Ord. 598 § 1, 1996; Ord. 419 § 4, 1981; Ord. 293 § 2, 1974)

2.04.110 Powers and duties of presiding officer.

A. Participation. The presiding officer may move, second, debate and vote from the chair.

B. Question to Be Stated. The presiding officer or such member of the city staff as he or she may designate shall verbally restate each question immediately prior to calling for the vote. Following the vote, the city clerk may announce whether the question carried or was defeated. The presiding officer in his or her discretion may publicly explain the effect of a vote for the audience, or he or she may direct a member of the city staff to do so, before proceeding to the next item of business.

C. Signing of Documents. The presiding officer shall sign all ordinances, resolutions, contracts and other documents necessitating his or her signature which were adopted in his or her presence, unless he or she is unavailable, in which case the signature of an alternate presiding officer may be used.

D. Sworn Testimony. The presiding officer may require any person addressing the city council to be sworn as a witness and to testify under oath, and the presiding officer shall so require if directed to do so by a majority vote of the council. (Ord. 598 § 1, 1996; Ord. 293 § 2, 1974)

2.04.120 Rules of debate.

A. Getting the Floor. Every councilmember desiring to speak shall first address the chair, gain recognition by the presiding officer and shall confine him or herself to the question under debate, avoiding personalities and indecorous language.

B. Questions to Staff. Every councilmember desiring to question the city staff shall, after recognition by the presiding officer, address his or her questions to the city manager, the city clerk or the city attorney, who shall be entitled either to answer the inquiry or designate a member of the staff for that purpose.

C. Interruptions. A councilmember, once recognized, shall not be interrupted when speaking unless called to order by the presiding officer unless a point of order of business or personal privilege is raised by another councilmember. If a councilmember, while speaking, is called to order, he or she shall cease speaking until the question of order is determined and, if determined to be in order, he or she may proceed. Members of the city staff after recognition by the presiding officer shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

D. Points of Order. The presiding officer shall determine all points of order subject to the right of any councilmember to appeal to the council. If an appeal is taken, the question shall be: “Shall the decision of the Presiding Officer be sustained?” A majority vote shall conclusively determine such question of order.

E. Point of Personal Privilege. The right of a councilmember to address the council on a question of personal privilege shall be limited to cases in which his or her integrity, character or motives are questioned or where the welfare of the council is concerned. A councilmember raising a point of personal privilege may interrupt another councilmember who has the floor only if the presiding officer recognizes the privilege.

F. Limitation of Debate. No councilmember shall be allowed to speak more than once upon any particular subject until every other councilmember desiring to do so shall have spoken. (Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.130 Remarks of councilmember and synopsis of debate.

A councilmember may request through the presiding officer the privilege of having an abstract of his or her statement on any subject under consideration by the council entered in the minutes. If the council consents thereto, such statement shall be entered in the minutes. (Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.140 Protest against council action.

Any councilmember shall have the right to have the reasons for his or her dissent from, or his or her protest against any action of the council entered in the minutes. Such dissent or protest to be entered in the minutes shall be made in the following manner: “I would like the minutes to show that I am opposed to this action for the following reasons. . .” (Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.150 Rules of order.

Except as provided in this code, the City Charter, other rules adopted by the city council, or applicable provisions of state law, the procedure of the council shall be governed by majority vote of the city council. Robert’s Rules of Order may be used as a guide but shall not be conclusive authority on any question of order or procedure. (Ord. 598 § 1, 1996; Ord. 293 § 2, 1974)

2.04.160 Failure to observe rules of order.

Rules adopted to expedite the transaction of the business of the council in an orderly fashion are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the council or invalidate any action taken at a meeting that is otherwise held in conformity with laws. (Ord. 598 § 1, 1996; Ord. 293 § 2, 1974)

2.04.170 Addressing the council.

A. Manner of Addressing Council. Each person desiring to address the council shall step up to the microphone in the front of the council chamber, is requested to state his or her name and address for the record, state the subject he or she wishes to discuss, state whom he or she is representing if he or she represents an organization or other persons, and, unless further time is granted by majority vote of the council, shall limit his or her remarks to three minutes at the time an agenda item is called and five minutes during oral communications. All remarks shall be addressed to the council as a whole and not to a member thereof. No question shall be asked of a councilmember or a member of the city staff without the permission of the presiding officer.

B. Spokesperson for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the council on the same subject matter, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the council and, in case additional matters are to be presented by any other member of the group, to limit the number of such persons addressing the council.

C. After Motion. After motion has been made or a public hearing has been closed, no member of the public shall address the council from the audience on the matter under consideration without first securing permission to do so by a majority vote of the council. (Ord. 11-05 § 1, 2011; Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.180 Rules of decorum.

A. Councilmembers. While the council is in session, the members must preserve order and decorum, and a member shall neither by conversation or otherwise delay or interrupt

the proceedings or the peace of the council or disturb any member while speaking or refuse to obey the orders of the presiding officer. Members of the council shall not leave their seats during a meeting without first obtaining the permission of the presiding officer.

B. Employees. Members of the city staff and employees shall observe the same rules of order and decorum as are applicable to the city council, with the exception that members of the city staff may leave their seats during a meeting without first obtaining the permission of the presiding officer.

C. Persons Addressing the Council. Any persons making impertinent, slanderous or profane remarks or who becomes boisterous while addressing the council shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer be ordered barred from further audience before the council during that meeting.

D. Members of the Audience. Any person in the audience who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling and similar demonstrations, which conduct disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the presiding officer shall be guilty of a misdemeanor, and upon instructions from the presiding officer, it shall be the duty of the sergeant at arms to remove any such person from the council chamber and to place him or her under arrest.

E. Persons Authorized at Council Dais. During a city council meeting no person, except members of the city council and the city staff, shall be permitted on, at or within five feet of the council dais without the prior consent of the presiding officer. (Ord. 598 § 1, 1996; Ord. 293 § 2, 1974)

2.04.190 Enforcement of decorum.

The chief of police, or such member or members of the police department as the chief may designate, shall be sergeant at arms of the city council and shall carry out all orders by the presiding officer for the purpose of maintaining order and decorum at the council meetings. Any councilmember may move to require the presiding officer to enforce the rules and the affirmative vote of a majority of the council shall require the sergeant at arms to do so. (Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.200 Motion—Second required.

A motion by any member of the council, including the presiding officer, may not be considered by the council without receiving a second. (Ord. 598 § 1, 1996; Ord. 293 § 2, 1974)

2.04.210 Voting procedure.

Any vote of the council including a roll call vote, may be registered by the members by answering “yes” or “aye” for an affirmative vote or “no” or “nay” for a negative vote upon his or her name being called by the city clerk, or by pressing a switch to cause a green light to show for an affirmative vote and a red light to show for a negative vote upon being called

by the presiding officer. The result of any vote registered by means of a lighting system shall be audibly announced by the city clerk and recorded and in the minutes as the vote. (Ord. 598 § 1, 1996; Ord. 293 § 2, 1974)

2.04.220 Disqualification for conflict of interest.

Any councilmember who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the presiding officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the councilmember affected, be decided by the other councilmembers. A councilmember who is disqualified by reason of a conflict of interest in any manner shall not remain seated during the debate and vote on such matter, but shall request and be given the permission of the presiding officer to step down from the council table and leave the council chamber. A councilmember stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter. (Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.230 Failure to vote.

Every councilmember should vote unless disqualified by reason of conflict of interest or bias/prejudice. A councilmember who abstains from voting without a disqualifying conflict of interest or bias/prejudice thereby consents that a majority of the quorum may decide the question voted upon. (Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.240 Tie vote.

Tie votes shall be lost motions and may be reconsidered. (Ord. 598 § 1, 1996: amended during 1994 codification; Ord. 293 § 2, 1974)

2.04.250 Changing vote.

A member may change his or her vote prior to adjournment of meeting but not thereafter. A councilmember who publicly announces that he or she

is abstaining from voting on a particular matter shall not subsequently be allowed to withdraw the abstention. (Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

2.04.260 Reconsideration.

A motion to reconsider any action taken by the council may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion may be made only by one of the councilmembers who voted with the prevailing side. Nothing herein shall be construed to prevent any councilmember from making or remaking the same or any other motion at a subsequent meeting of the council. (Ord. 598 § 1, 1996; Ord. 419 §1, 1981; Ord. 293 § 2, 1974)

2.04.270 Ordinances, resolutions and contracts.

A. All ordinances shall be approved by the city attorney, and no ordinances shall be prepared for presentation to the council unless ordered by a majority vote of the council, or requested by the mayor, or city manager, or prepared by the city attorney on his or her own initiative.

B. Prior to Approval by Administrative Staff. All ordinances, resolutions and contract documents shall, before presentation to the council, have been approved as to form and legality by the city attorney and shall have been examined and approved for administration by the city manager or authorized representative. (Ord. 598 § 1, 1996; Ord. 293 § 2, 1974)

2.04.280 Reading of ordinances and resolutions.

At the time of the adoption of an ordinance, it shall be read in full unless, after reading of the title thereof, the further reading thereof is waived by unanimous consent of the councilmembers present. Such consent may be expressed by a statement by the presiding officer that “if there is no objection, the further reading of the ordinance or resolution shall be waived. If any councilmember so requests an ordinance or resolution shall be read in full.” (Ord. 598 § 1, 1996; Ord. 419 § 1, 1981; Ord. 293 § 2, 1974)

CITY OF LOS ALAMITOS
2016 CITY COUNCIL MEETING SCHEDULE

MEETING DATE
Third Mondays (* due to Holiday)
6:00 p.m.

MONDAY	PLEDGE	INVOCATION	DEADLINE-5 pm
Tuesday, January 19*	Murphy	Hasselbrink	January 6
Tuesday, February 16*	Hasselbrink	Edgar	February 3
March 21	Edgar	Grose	March 9
April 28	Grose	Kusumoto	April 6
May 16	Kusumoto	Murphy	May 4
June 20	Murphy	Hasselbrink	June 8
July 18	Hasselbrink	Edgar	July 6
August 15	Edgar	Grose	August 3
September 19	Grose	Kusumoto	September 7
October 17	Kusumoto	Murphy	October 5
November 21	Murphy	Hasselbrink	November 9
December 19	Hasselbrink	Edgar	December 7

Consent Calendar - These items are considered to be routine in nature and may be enacted upon by one motion unless a Councilmember requests separate action on a specific item.

Public Hearings – An open discussion for which special notice has been given and may be required by State or local law. During a specified portion of the hearing, any resident or concerned individual is invited to present protests or offer support for the subject under consideration.

Ordinances – Consideration and/or action on City laws**.**

Discussion Items - Items which are not considered routine matters are heard on this portion of the agenda**.**

Mayor and Council Initiated Business - Under **Council Announcements,** Councilmembers may report on items not specifically described on the agenda which are of interest to the community provided no action or discussion may be taken except to provide staff direction to report back or to place the item on a future agenda.

Miscellaneous Information

Population as of 1/1/01	11,586
Square miles	4.3 square miles
Incorporation Date	March 1, 1960
City Tree	Cottonwood
City Flower	Daisy

WELCOME TO THE LOS ALAMITOS CITY COUNCIL MEETING

3191 Katella Avenue, Los Alamitos, CA 90720-5600
Phone: (562) 431-3538 Website Address:
Fax: (562) 493-1255 http://cityoflosalamitos.org

City Hall Hours

Monday – Thursday	7:30 a.m. – 5:30 p.m.
Friday	7:30 a.m. – 4:00 p.m.

Closed Alternate Fridays

City Council

The five members of the City Council are elected in November of even-numbered years for four-year terms. The terms are overlapping, with no more than three Council seats open at one time. Members are now limited to three consecutive terms. Each year in December the Council selects one of its members to serve as Mayor and one member to serve as Mayor Pro Tem**.**

Members of the City Council

Richard D. Murphy	Mayor
Shelley Hasselbrink	Mayor Pro Tem
Troy D. Edgar	Council Member
Dean Grose	Council Member
Warren Kusumoto	Council Member

Council Meeting Schedule

Regular City Council Meetings are held on the third Mondays of each month at 6:00 p.m. in the Council Chambers, Los Alamitos City Hall, 3191 Katella Avenue.

Types of Council Action

Motion - A motion is used with a vote to indicate approval or denial, adoption or direction**.**

Resolutions - A resolution is an official statement of City Council policy, directs certain administrative or legal action or embodies a public City Council statement. A Resolution may be introduced and adopted at the same meeting. Once adopted, it remains City Council policy until and unless changed by subsequent resolution.

Ordinances - An ordinance is a City law, which can only be amended or repealed by adoption of another Ordinance as prescribed by State law. A proposed Ordinance requires two readings (introduction and adoption) at separate Council meetings. Ordinances become effective 30 days after adoption. Ordinances are codified into the Los Alamitos Municipal Code.

City Council Agenda

The agenda for all meetings is prepared by the City Clerk's office, and posted (outside City Hall) pursuant to State law at least 72 hours before any meeting, unless a Special Meeting, which only requires 24 hours notice, is called. The purpose of the agenda is to inform the public in advance of the items under consideration**.**

The agenda package may be reviewed in the City Clerk's office beginning the Friday preceding the meeting.

Order of Business

The City Council follows a regular order of business as provided in the agenda for each meeting. The Order of Business is as follows:

Closed Session – The Brown Act provides certain exceptions to the requirement that meetings be open. When the need for a Closed Session occurs, the appropriate sections of the Brown Act are listed on the agenda. Conducted before the public portion of the agenda, a Closed Session may be completed at the conclusion of the agenda if necessary.

Oral Communications - To ensure that all residents have an opportunity to be heard before the City Council, an Oral Communications period is included on every agenda pursuant to State law. Comments on matters on the **Consent Calendar or not listed on the agenda** will be heard during this period. At this time any individual in the audience may come forward to speak on any item within the subject matter jurisdiction of the City Council.

Residents may be invited to speak on any item **listed on the agenda** following the staff report on the matter and prior to City Council vote.

Remarks are to be limited to a maximum of five minutes. Speakers need to identify themselves and print their name and address on the roster.

Pursuant to provisions of the Ralph M. Brown Act (the "Open Meeting" law), the City Council is prohibited from taking action on any issue not listed on the Agenda unless an emergency threatening the health, safety or welfare of the community arises. Matters presented under Oral Communications may be considered at a future meeting or referred to staff for review.

Special Presentations and Awards - At various times throughout the year, the City Council recognizes individual and groups for their achievements and contributions. Also, from time to time individuals or groups may wish to recognize and/or make presentations to the City Council.

Register of Major Expenditures - The City Council reviews expenditures and approves payment warrants.

City of Los Alamitos Organizational Chart

