CITY OF CERRITOS
GENERAL MUNICIPAL ELECTION
INFORMATION PACKET
TUESDAY, MARCH 2, 2027

PREPARE TO RUN FOR OFFICE!

Thank you for your interest in running for office in the City of Cerritos!
There are two (2) separate processes related to running for local office:
Candidacy and Campaigning
Each has separate rules and regulations.
This information packet will assist you to prepare for both processes.

What you can do now to prepare:

- Read the City Charter, Municipal Code, General Plan, and other policies: https://www.cerritos.gov/city-government/city-laws-codes-and-regulations/
- Visit cerritos.gov and review the City budget, Department pages, City regulations and more
- Visit www.fppc.ca.gov and review campaigning laws and regulations for California candidates
- Review the California Codes, including the Elections Code free of charge: https://leginfo.legislature.ca.gov/faces/codes.xhtml

Office of the City Clerk/Elections Official
18125 Bloomfield Avenue, Cerritos, CA 90703
(562) 916-1248
Election2027@cerritos.gov

PART 1.

BECOMING AN OFFICIAL CITY COUNCILMEMBER CANDIDATE

Your name can only appear on the Tuesday, March 2, 2027 ballot as a qualified City of Cerritos City Council candidate through the official candidate nomination process.

Nomination paperwork can only be issued by the Cerritos City Clerk/Elections Official during the official Candidate Nomination Period

Positions Open for Election: Member of the City Council, 4 year term (2027 - 2031)
2 seats open

Candidate Qualifications: A candidate must be:

- A Cerritos registered voter for at least 30 days at the time nomination papers are issued (CA Government Code and City Charter)

Candidate Filing Period: **Monday, November 9, 2026, 8 a.m. through Friday, December 4, 2026, 5 p.m. SHARP**

Appointments are REQUIRED on Fridays

Please note: If an eligible incumbent fails to file official nomination paperwork by Friday, December 4, 2026, 5 p.m. SHARP, the nomination period will be extended through Wednesday, December 9, 2026, 5 p.m. SHARP for individuals **other than the eligible incumbents.**

Elections Official: Cynthia Nava
Office of the City Clerk/Elections Official
18125 Bloomfield Avenue, Cerritos, CA 90703
(562) 916-1248
Election2027@cerritos.gov

All official paperwork must be issued from and filed with the Office of the City Clerk/Elections Official or authorized deputies during regular office hours.

Regular Office Hours: Monday through Friday, 8 a.m. – 5 p.m.
CLOSED Weekends and the following observed holidays through March 2, 2027:

Wednesday, November 11, 2026
Thursday, November 26, 2026
Friday, November 27, 2026
Thursday, December 24, 2026
Friday, December 25, 2026
Friday, January 1, 2027
Monday, January 18, 2027
Monday, February 15, 2027

PART 2.

Starting a campaign which raises or expends funds toward a particular election

You do not have to be an official qualified candidate to start a campaign or raise or expend funds towards a particular election. You can form an election committee any time prior to a particular election as long as you follow the rules and regulations set by the State of California pursuant to election campaigns.

There is certain paperwork you must file at the local and state level prior to expending or receiving funds toward a particular election campaign, depending on the source and amount of the funds.

This paperwork is available free of charge through the California Fair Political Practices Commission (FPPC) and in the Office of the City Clerk/Elections Official.

Please be advised: The Office of the City Clerk/Elections is prohibited from providing third-party advice related to specific campaign activities. We encourage you to research and familiarize yourself with the information provided in this packet, the materials, rules, and regulations provided by the State of California (listed further in this packet), and enlist the support of the appropriate legal and financial counsel prior to starting your campaign or filing your official nomination paperwork.

CAMPAIGN RESOURCES:

Fair Political Practices Commission (FPPC)
428 J Street, Suite 620
Sacramento, CA 95814
(866) 275-3772
www.fppc.ca.gov

Campaign Rules
https://www.fppc.ca.gov/learn/campaign-rules.html

Information/Forms included in this packet (not exhaustive, check with FPPC for requirements specific to your campaign

1. Campaign Activity Frequently Asked Questions
2. Contribution Limits: City and County Candidates (AB 571) Fact Sheet
3. Contribution Limits Chart
4. Committee Naming Requirements
5. FPPC Form 410 – Statement of Organization
6. FPPC Filing Schedule Deadlines (PENDING)
7. Campaign Filing Timeline
8. FPPC Campaign Disclosure Manual 2

California Secretary of State, Political Reform Division
1500 11th Street, 4th Floor, Room 495
Sacramento, CA 95814
(916) 653-6224
https://www.sos.ca.gov/campaign-lobbying/

Fair Political Practices Commission

Frequently Asked Questions: Campaign Activity

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Introduction

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.

A. Getting Started

1. **When must a committee file a Statement of Organization (Form 410) with the Secretary of State's office?**

   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. **Is it possible for a committee to receive a committee ID number prior to meeting the $2,000 threshold?**

   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. **Is there a fee to register as a committee?**

   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. **Who must be identified on the Form 410?**

   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, their contact information must be also included.

5. **Are there any specific accounting qualifications for someone to serve as a committee's treasurer?**

   No. An individual must be at a minimum 18 years of age to serve as a committee's treasurer. 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. **May a candidate serve as their own committee's treasurer?**

   Yes.

7. **Who is considered the principal officer for a non-candidate controlled committee?**

   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 be 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. **After filing a Form 410, what is the next form required to be filed?**

   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 $1,000 or more in the aggregate from a single source.

9. **What are the requirements for naming a candidate's committee or a committee primarily formed to support or oppose a ballot measure?**

   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 2022" or "Re-Elect Rosa in 2022 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").

   For a comprehensive list of all committee naming requirements, see the Form 410 instructions.

10. **May a committee use an electronic recordkeeping system or are records required to be kept on paper?**

    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. **Is a committee required to have a tax ID number?**

    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.

B. Ballot Measure Committees

12. **A group has raised $2,000 to circulate petitions for a ballot measure. When does the group trigger reporting obligations?**

    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. **May a candidate control a ballot measure committee? If so, is the candidate required to file a Form 501 (Candidate Intention Statement)?**

    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. **Are there any special reporting requirements for ballot measure committees controlled by a candidate?**

    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. **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)?**

    Yes, both committees are required to file a Form 497, even if they are both formed to support the same ballot measure.

16. **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?**

    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. **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?**

    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.

C. Fundraising

18. **If a committee receives two monetary contributions of $99 from one contributor, must the contributor be itemized?**

    Yes. When a person's contributions, including monetary, nonmonetary, and loans, aggregate to $100 or more in a calendar year, the contributor must be itemized on all applicable schedules of the Form 460.

19. 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?

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. A committee is going to charge $50 per person at their next fundraiser. May an attendee pay with a $100 bill?

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. 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.

22. An individual is hosting a fundraising event in their home for a friend who is running for city council. They will spend $425 to provide tea, coffee, wine, cheese, and fruit. Is the amount they pay for the event considered a nonmonetary contribution to the candidate?

No. So long as the individual hosting 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. 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.

24. May a committee accept a contribution in the form of bitcoin, a type of digital currency?

Yes. Effective September 21, 2022, committees may solicit and accept contributions of cryptocurrency, or virtual currency, in any amount not exceeding any applicable contribution limit. Please note that committees cannot receive cryptocurrency contributions directly. Committees may receive these types of contributions through a payment processor selected to act as a vendor on behalf of the committee. Please see our Cryptocurrency Contributions Fact Sheet for more information on accepting these types of contributions.

25. 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?

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. 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 their compensated time working on one measure and seven percent of their compensated time on the other measure. Since more than 10 percent of the employee's compensated time was not

spent on a single campaign, is their compensated time required to be reported as a nonmonetary contribution to the ballot measure committees from their employer?

Yes. If an employee spends more than 10 percent of their 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 the employee's gross salary; standard benefits (i.e., retirement and health care) do not need to be counted.

27. If a committee receives a large contribution from an individual or entity, are there any special noticing requirements?

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 they 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.

D. Expenditures

28. How does a committee report printing expenses of $100 or more paid for with the committee's credit card?

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 be listed. The campaign disclosure manuals contain examples of how to report subvendors on the Form 460.

29. 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?

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. Is it permissible to purchase gifts using campaign funds?

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.)

E. Communications

31. What are the disclosure requirements for a mass mailing sent by a candidate?

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. If a committee has more than one address, may 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's office may be used.

33. Are emails sent by a candidate's committee required to include an advertisement disclaimer statement?

Yes. Mass mailings, including emails, must include a "paid for by" disclaimer (e.g., "Paid for by Jones for Supervisor 2022").

34. 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?

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. Does a candidate or committee incur reporting obligations if an unpaid blogger or other individual endorses their candidacy in their Internet communications?

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. Does the FPPC have a summary of the requirements for disclaimers on advertisements?

Yes, a summary of the requirements, as well as charts for each type of committee are available on the FPPC's Campaign Advertising Requirements and Restrictions page.

F. 24-Hour Contribution (Form 497) Reports

37. If a contribution of $1,000 or more is made to one of a candidate's campaign committees (e.g., 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?

Yes. When a candidate is in a 90-day reporting period, each contribution of $1,000 or more to any of their committees requires the Form 497 to be filed by both the candidate and the donor.

38. 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 (e.g., 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?

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. 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?

No. Because $1,000 or more was not received in connection with one election, the Form 497 is not required to be filed.

40. Must a candidate file a Form 497 if, during the 90 days before the election or on the date of the election, they make a contribution of $1,000 or more from personal funds to their campaign?

Yes. The candidate's personal funds are contributions and subject to reporting in the same manner as other contributions received.

41. What are the 24-Hour Contribution Report (Form 497) requirements for contributions received by a political party committee?

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.

G. Enforcement

42. If a campaign statement is filed late, what are the potential consequences?

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 2017, 149 committees were fined by the FPPC for failing to timely file campaign statements.

H. Candidates

43. When may a candidate begin to solicit and raise funds for an election?

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. Is a candidate required to file a Form 501 when running for reelection to the same office?

Yes. A separate Form 501 is required for each election, including reelection to the same office. However, a new Form 501 is not required for the general election or special general election if the candidate filed a Form 501 for the connected primary or special primary election for the same office sought.

45. 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?

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. If a candidate does not intend to raise funds from others, but will be spending $2,000 or more of their personal funds on their campaign (in addition to the filing fees and ballot statement fees), is the candidate required to open a bank account?

Yes. Even if a candidate does not raise funds from others, if they spend $2,000 or more on the campaign (not counting personal funds spent on filing fees and ballot statement fees), they qualify as a committee and must open a campaign bank account. Campaign funds may not be commingled with personal funds.

47. What are the rules related to a candidate spending personal funds on their own campaign?

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 the candidate 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. Prior to learning that it was not permitted, a candidate starting up their campaign used personal funds to pay for some campaign expenses. How is this reported on the Form 460?

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. May a campaign worker use personal funds to make campaign expenditures and be reimbursed by the committee?

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. What are the contribution limits for local elections?

Pursuant to Assembly Bill 571 (Stats. 2019, Ch. 556, AB 571 Mullin), effective January 1, 2021 a state campaign contribution limit will by default apply to city and county candidates when the city or county has not already enacted a contribution limit on such candidates. The FPPC's website posts contribution limit charts. 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. If a candidate occasionally uses their own 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?

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. If a candidate makes long-distance calls using their home phone to request support from organizations statewide, may committee funds be used to pay the phone bill?

Committee funds may be used for the campaign portion of the bill; however, the noncampaign portion must be paid with personal funds.

53. If a candidate is defeated in a local election, may the leftover funds be used to run again in the next local election?

Yes, if specified requirements are met. An unsuccessful candidate for a city or county office in a jurisdiction that has enacted a local contribution limit 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 for a city or county office in a jurisdiction that has

enacted a local contribution limit 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.) A city or county candidate in a jurisdiction that **has not** enacted a local contribution limit who plans to run for the same office must file a new Form 501 and a new Form 410 as well as open a new bank account and transfer the funds to a new committee **before** the funds become surplus.

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. If a candidate receives a refund for a filing fee after their committee has already been terminated, must the committee and bank account be reopened in order to accept the refund?

No. Candidates are allowed to accept refunds from a governmental entity without reopening the committee and campaign bank account.

55. 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?

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 their election to office. (See Regulation 18405.)

56. May a law enforcement officer, who is running for city council, wear their uniform at campaign events or when appearing in political advertisements for their campaign?

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. What are the special reporting requirements for expenditures made by a candidate controlled committee when purchasing gifts, travel, and meals?

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 their 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 their 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 Practices Commission

AB 571: Local Contribution Limits Fact Sheet

For City and County Candidates

Introduction[1]

Pursuant to Assembly Bill 571 (Stats. 2019, Ch. 556, AB 571 Mullin), beginning January 1, 2021 a state campaign contribution limit will by default apply to city and county candidates when the city or county has not already enacted a contribution limit on such candidates. Along with the new campaign contribution limit, there are also other related provisions that formerly applied only to state level candidates that will now apply to city and county candidates. Please note that none of the provisions of AB 571 discussed in this fact sheet apply to candidates in cities or counties for which the city or county has enacted campaign contribution limits.

A. Current State Contribution Limit

The contribution limit that will now apply to city and county candidates pursuant to AB 571 is updated biennially for inflation. Contribution limits can be found in Regulation 18545(a)[2] and on the FPPC's Regulations Index page. The default limit for contributions to city and county candidates subject to AB 571 for 2025-2026 is set at $5,900 per election.

B. Other Provisions Affecting City and County Candidates

Several other provisions will now apply to city and county candidates in jurisdictions that have not enacted campaign contribution limits, including the following:

- A candidate may not make a contribution over the AB 571 limit to another candidate in jurisdictions subject to the AB 571 limit with limited exceptions related to recall elections, legal defense funds and candidate controlled ballot measure committees. (See Regulation 18535 for more information.)
- A candidate that has qualified as a committee must establish a separate controlled committee and campaign bank account for each specific office. Candidates may not redesignate a committee for one election for another election.
- Candidates may transfer non-surplus campaign funds from one candidate controlled committee to another committee controlled by the same candidate for a ***different*** office if the committee receiving the transfer is for an elective state, county or city office. However, contributions transferred must be attributed and transferred using the "last in, first out" or "first in, first out" accounting method and shall not exceed the applicable contribution limit per contributor. If a candidate is seeking to transfer campaign funds from one controlled committee to another for the ***same*** office a candidate may carry over non-surplus campaign funds raised in connection with one election to pay for campaign expenditures incurred in connection with a subsequent election for the ***same*** office without attributing or using the "last in, first out" or "first in, first out" accounting method. (See Regulation 18536 for more information on the transfer and attribution of contributions and See Regulation 18537.1 for more information on carryover of contributions.)[1]

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[1] This fact sheet is informational only and contains only highlights of selected provisions of the law. It does not carry the weight of the law. For further information, consult the Political Reform Act and its corresponding regulations, advice letters, and opinions.

[2] 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.[1]

- Candidates may not personally loan to a candidate's campaign an amount for which the outstanding balance exceeds $100,000. "Campaign" includes both the primary and general, or special and special runoff, elections. However, a candidate may loan each committee for a different office or term of office up to $100,000. A candidate may not charge interest on any such loan the candidate made to the candidate's campaign. (See Regulation 18530.8 for more information.)
- Candidates may establish a committee to oppose the qualification of a recall measure and the recall election when the candidate receives a notice of intent to recall. Campaign funds raised to oppose the qualification of a recall measure and/or the recall election would not be subject to any campaign contribution limit under the Act. (See Regulation 18531.5 for more information.)
- A candidate for local office may open a candidate-controlled general purpose ballot measure committee to oppose or support a measure being voted on. The committee must identify on its campaign statements and reports each measure for which an expenditure of $100 or more is made. (See Regulations 18421.8 and 18521.5 for more information.)
- Contributions after the date of the election may be accepted to the extent contributions do not exceed net debts outstanding from the election, and contributions do not otherwise exceed applicable contribution limits for that election. (See Regulation 18531.64 for more information.)
- Candidates are permitted to raise contributions for a general election before the primary election and may establish separate campaign contribution accounts for the primary and general so long as candidates set aside contributions and use them for the general or special general election as raised. If the candidate is defeated in the primary election or otherwise withdraws from the general election, the general election funds must be refunded to contributors on a pro rata basis less any expenses associated with the raising and administration of the general election contributions. (See Regulation 18531.2 for more information.)
- Candidates that are currently in office that are running for reelection to the same seat in an election after January 1, 2021 may carry over campaign funds without attribution as mentioned above. Candidates running for a different office also do not need to do LIFO FIFO or attribution for the election immediately subsequent to the election prior to 2021 for which the money was raised.
- Candidates must disclose cumulative totals of contributions received or made for each election on campaign statements. (See Regulation 18421.4 for more information.)

C. Frequently Asked Questions

1. If a city or county does not currently have contribution limits set within their ordinance would the state contribution limit be the default?

Yes. The state contribution limit stated above would be the default contribution limit if the city or county ordinance is silent on whether there are contribution limits within that jurisdiction or if there is no city or county ordinance in place.

2. Is there a way for a city or county to adopt "no" contribution limits for city or county elective city and county offices?

Yes. A city or county may elect to have "no" contribution limits. To do so, it must explicitly state in the city or county ordinance that there are no limits on contributions. If it is explicit that the city or county has implemented "no" contribution limits, the state contribution limit will not apply as a default for that jurisdiction.

3. Can a city or county ordinance be less restrictive than the AB 571 limit (e.g., the city or county limit is set higher than the state limit)?

Yes. A city or county can set contribution limits higher than the default state limit.

4. **If a city or county imposes contribution limits, is the Commission responsible for enforcing those limits?**
   No. The Commission will not regulate the administration or enforcement of the penalties. Cities or counties with existing limits or that adopt their own limits are not subject to the state limit and may impose their own penalties for violations.
5. **If a city or county has voluntary contribution limits, but no mandatory contribution limits will the state limit be applicable?**
   Yes. A city or county must enact *mandatory* contribution limits to avoid the state limit applying to elective city and county offices.
6. **Does the default contribution limit also include judicial candidates?**
   No. Elective city and county offices do not include judicial offices.
7. **If a city or county has imposed contribution limits for particular city or county offices (e.g., Board of Supervisors), do those limits also apply to other positions such as the District Attorney or would the default state limit apply if a particular position is not specifically addressed by the city or county?**
   The default state limit would apply to other positions for which the city or county has not set contribution limits. A city or county ordinance must explicitly state the city or county contribution limits and for which elective offices those limits will apply. A city or county may adopt a general provision implementing a contribution limit for all elective city and county offices in that jurisdiction. As noted above, a city or county may also adopt an ordinance that states the city or county is adopting no contribution limits for any offices to avoid the default state limit applying.
8. **Does AB 571 apply to special district or school district elections?**
   No. AB 571 applies only to city and county elections for offices that a city or county has not implemented its own contribution limit.
9. **Does AB 571 apply to the office of County Superintendent of Schools or the office of County Board of Education?**
   AB 571 does apply to the office of County Superintendent of Schools because it is considered a "county" office. However, the office of County Board of Education is not subject to AB 571 because it's not considered a "county" position.
10. **Can candidates that are subject to the AB 571 contribution limit open an officeholder committee?**
    No. Officeholder committees are not permitted for candidates subject to the AB 571 contribution limit. However, a candidate may use a committee for the officeholder's future election for officeholder expenses. A candidate may also use existing funds in the election committee for current office for officeholder expenses.
11. **Does the AB 571 contribution limit apply to debt retirement for the 2020 election?**
    No. For purposes of retiring debt, the contribution limit is the one that was applicable to that election. The Act did not impose a contribution limit on city and county candidates in 2020.
12. **If a contribution was received for an election occurring after January 1, 2021, PRIOR to January 1, 2021, does this contribution count towards the new AB 571 contribution limit after January 1, 2021?**
    No. The Commission adopted a formal opinion on April 15, 2021 that states contributions made prior to the effective date of AB 571 are not aggregated with contributions made on or after the effective date of AB 571 for purposes of the new contribution limit. Therefore, if someone contributed up to or above the

current limit to an AB 571 committee prior to January 1, 2021 the same person can give additional contributions to the same committee up to the AB 571 contribution limit on or after January 1, 2021.

13. If a contributor gave $10,000 in 2020 (prior to the AB 571 limit going into effect) to a committee for a 2022 primary election, what happens?

The AB 571 contribution limit does not apply to contributions made prior to January 1, 2021 so a contribution of this amount is permissible.

14. Does the AB 571 contribution limit apply to political party committees and small contributor committees making contributions to candidates subject to the AB 571 limit?

Yes. Political parties and small contributor committees are only permitted to give contributions to candidates subject to the AB 571 in amounts up to the applicable AB 571 contribution limit for that candidate.

15. Does the AB 571 limit apply to county central committee candidates?

No. AB 571 imposes a contribution limit on city and county elective offices when a local jurisdiction has not already done so. Local jurisdictions are prohibited from placing contribution limits on county central committee candidates; therefore, AB 571 is not applicable to those offices.

16. If an election was held in November 2024, but resulted in the need for a run-off election to be held in February 2025, how would the contributions be treated under AB 571?

The run-off election is considered a new election. If a contributor gave up to $5,500 (the 2023-2024 AB 571 limit) to an AB 571 candidate for the November 2024 election, the same contributor would be permitted to contribute up to $5,900 (the 2025-2026 AB 571 limit) to the same candidate for the February 2025 run-off election.

17. An AB 571 candidate for city council would like to send out a request for contributions to their constituents. Do they need to include anything specific in the request?

Yes. A candidate that is subject to AB 571 must have the following information in the solicitation: the name of the controlled committee soliciting contributions, and the specific office for which those contributions will be used.

18. If an AB 571 candidate is the subject of a recall, is their committee to oppose the recall subject to contribution limits?

No. There are no contribution limits for a committee controlled by a candidate that is the subject of a recall that is formed to oppose the recall.

19. An AB 571 candidate has debts for an election held after January 1, 2021, may the candidate terminate their committee?

No. If a candidate-controlled committee has outstanding debts for an election held after January 1, 2021, they may not terminate without resolving or paying off the debt. When the committee has no net debts outstanding, the committee must be terminated within 24 months after the earliest of the date the candidate is defeated, leaves office, or the term of office for which the committee was formed ends, or, for withdrawn candidates no later than 24 months after the election from which the candidate withdrew. Please see Regulation 18404.1 for more on termination requirements for committees subject to AB 571.

20. If a local jurisdiction, which is subject to AB 571, passes a local campaign contribution ordinance, are the candidates still subject to AB 571?

No. They would no longer be subject to AB 571.

Index of Regulations and Government Codes

For more information on the Government Code Sections, please view The Political Reform Act.

- *85301, 85303, 85304.5, 85305, 85306, 85307, 85315, 85316, 85317, 85318, and 85702.5.*

For more information on the regulations, please view the Regulations Index.

- *18404.1, 18421.4, 18421.8, 18521, 18521.5, 18523.1, 18530.2, 18530.8, 18531.2, 18531.5, 18531.61, 18531.63, 18531.64, 18535, 18536, 18537.1, 18545, and 18951.*

California Fair Political Practices Commission
California State Contribution Limits

(Effective January 1, 2025 - December 31, 2026)

Candidates seeking a state office and committees that make contributions to state candidates are subject to contribution limits from a single source. As of January 1, 2021, a state campaign contribution limit applies by default to city and county candidates when the city or county has not already enacted a law addressing a local contribution limit on such candidates. (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 and city and county candidates when the city or county does not have laws addressing a local contribution limit on such candidates. 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 and Local* Candidates Per Election

	Contributor Sources		
Candidate or Officeholder	**Person (individual, business entity, committee/PAC)**	**Small Contributor Committee (see definition on page 2)**	**Political Party**
City and County Candidates subject to Section 85301 (d)	$5,900	$5,900	$5,900
Senate and Assembly	$5,900	$11,800	No Limit
CalPERS/CalSTRS	$5,900	$11,800	No Limit
Lt. Governor, Secretary of State, Attorney General, Treasurer, Controller, Supt. of Public Instruction, Insurance Commissioner, and Board of Equalization	$9,800	$19,600	No Limit
Governor	$39,200	$39,200	No Limit

*State campaign contribution limit will by default apply to city and county candidates when the city or county does not have laws addressing a contribution limit on such candidates.

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)	$9,800
Political Party Account for State Candidates	$49,000
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	$4,900	$81,400
CalPERS/CalSTRS	$4,900	$81,400
Lt. Governor, Secretary of State, Attorney General, Treasurer, Controller, Supt. of Public Instruction, Insurance Commissioner, and Board of Equalization	$8,100	$162,900
Governor	$32,600	$325,700

California Fair Political Practices Commission
California State Contribution Limits

(Effective January 1, 2025 - December 31, 2026)

The contribution limits are effective for elections held between January 1, 2025 and December 31, 2026. (Regulation 18545.) 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 and city or county officeholder subject to Section 85301 (d) 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 or a candidate for elective city or county office subject to Section 85301 (d) are not limited.

Contributions from State Candidates and Candidates subject to Section 85301 (d)

A state candidate or candidate for elective city or county office subject to Section 85301 (d) may not contribute more than $5,900 to a committee controlled by another state candidate or candidate for elective city or county office subject to Section 85301 (d) This limit applies on a per election basis and includes, in the aggregate, contributions made from the candidate's personal funds and from campaign funds. (Section 85305; Regulation18535.) This limit does not apply to a committee controlled by a state candidate or a committee controlled by a candidate for elective city or county office subject to Section 85301 (d) to oppose their recall or their contributions made to a legal defense fund established by a candidate for elective state office or candidate for elective city or county office subject to Section 85301(d). It also does not apply to contributions made by a candidate for elective state office or a candidate for elective city or county office subject to Section 85301 (d) to a ballot measure committee controlled by another state candidate or candidate for elective city or county office subject to Section 85301 (d). Please note there are certain rules applicable to use of funds held by state officeholder committees (See Regulation 18531.62.)

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 $49,000 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 or elective city or county office subject to Section 85301 (d) 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. (Section 82015(f).)

Local Elections

Many cities and counties have local contribution limits and other election rules. The FPPC posts local campaign ordinances that are provided to the FPPC on its website. Always check with your city or county about contribution limits for local elections and for the most up-to-date information. A state campaign contribution limit applies by default to city and county candidates when the city or county has not already enacted a law addressing a local contribution limit on such candidates.

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. (Section85205.)

California Fair Political Practices Commission
Committee Naming Requirements

Introduction

The Political Reform Act (the "Act") has various naming requirements for committees based upon a variety of factors, including whether there is a controlling candidate/officeholder, whether the committee is general purpose or primarily formed, and whether the committee is sponsored. **A committee type can change over time depending upon the activity of the committee, which may require a committee to update its name accordingly.** This fact sheet provides a brief description of relevant committee types and a broad overview of the rules applicable to committee names, as well as examples of each.

Committee Types

Controlled. A "controlled committee" is one controlled directly or indirectly by a candidate or officeholder.[1] Controlled committees must include the candidate's last name and other information depending upon the type of committee as addressed in the examples below.

General Purpose and Primarily Formed. A general purpose committee[2] raises funds and makes expenditures to support a variety of candidates or measures; while a primarily formed committee[3] exists to primarily support or oppose one candidate, measure, or groups of candidates or measures being voted on at the same election. Committees must periodically review their activity in order to determine whether they qualify as general purpose or primarily formed.[4]

***Sponsored*.** A committee that is operated by, or that receives all or most of its funding from, a single source may qualify as a sponsored committee.[5] Names of sponsored committees must include a reference to the sponsor, or sponsors, in the name of the committee.[6]

Major Donor. A person or entity that does not receive contributions, but makes contributions totaling $10,000 or more in a calendar year qualifies as a major donor committee.[7]

Independent Expenditure. A person or entity that does not receive contributions, but makes independent expenditures totaling $1,000 or more in a calendar year qualifies as an independent expenditure committee.[8]

Note: Most political advertisements require disclosure of the name of the committee paying for the communication. In addition to the name of the committee, some committees must also identify major funders on an advertisement. Please reference the Political Advertisement Disclosures Fact Sheet for and Advertisement Disclosure Charts for further guidance.

Naming Requirements

Controlled Committees

Candidate Campaign Committee – Include the candidate's last name, office sought, and year of election.[9]

Example: Greer for Senate 2022[10]

State Candidate Controlled Ballot Measure Committee – A candidate controlled general purpose ballot measure committee must include last name of candidate and expressly indicate it is a ballot measure committee. A primarily formed committee must include the last name of the candidate and reference to the measure or proposition supported or opposed.[11]

Examples:

- *General Purpose*: Education Performance, a ballot measure committee controlled by Senator White

- *Primarily Formed*: Assembly Member Chiu's Ballot Measure Committee to Support Proposition 115[12]

Local Candidate Controlled Ballot Measure Committee – Include the last name of the candidate. Check local code for any additional local requirements.

Legal Defense Funds[13] – A committee controlled by a candidate that raises funds to help defray costs from specified legal proceedings must include the candidate's last name and the words "Legal Defense Fund"[14]

Example:[15] Jones Legal Defense Fund

Officeholder Committee – A controlled committee established to pay for expenses associated with holding the office to which the officeholder was elected.

- State Officeholder[16] – Include the state officeholder's last name, the office held, the year the officeholder was elected to the current term of office, and the words "Officeholder Account."[17]

  Example: Anderson Assembly 2020 Officeholder Account

- Local Officeholder – Include the last name of the officeholder. Check local code for any additional local requirements.

Recall Committee – Include the name of the officeholder subject to the recall and the word "recall."[18]

Example: Brown Recall Committee

Ballot Measure Committees

Primarily Formed Committee – Include the numerical or letter designation and whether the committee is in support or opposition.[19]

Examples: [20]

- No on Proposition 8
- Committee in Support of Measures A and B

Sponsored Committees – Include the full name of the 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.[21]

Examples:[22]

- A Committee in Support of Measure A, Sponsored by the Pasadena Firefighters, Local 1210
- Citizens against Proposition 10, Sponsored by California Health Insurers

Recall Committees[23] – Recall committees are considered ballot measure committees and must include the name of the elected officer who is the target of the recall and whether the committee is in support or opposition.[24]

Example: Citizens Opposed to the Brown Recall

Primarily Formed Committees

Primarily Formed Committee Supporting or Opposing a Candidate or Candidates – A committee whose primary purpose is to support or oppose a candidate or group of candidates must include the last name or names of the candidates, the office sought, year of election, and whether in support or opposition.

Examples:

- Committee to Support Doe for Senate 2022
- Friends of Abe, Bee and Castro for Rancho School Board 2024

Sponsored Committees - Include the full name of the 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.

Examples:

- Committee to Support Doe for Senate 2022, sponsored by Almond Growers and Processors
- Friends of Abe, Bee and Castro for Rancho School Board 2024, Sponsored by ABC, Corp.

Primarily Formed Committee Supporting or Opposing a Ballot Measure – See naming requirements for *Ballot Measure Committees* above.

Major Donor and Independent Expenditure Committees

Include the legal name of the individual or entity qualifying as a major donor or independent expenditure committee. If the person is commonly known to the public by another name, that name may be used. When a person directs and controls the making of contributions and/or independent expenditures by a related entity (e.g., a subsidiary or a majority shareholder of a corporation) that must be aggregated and reported, include the name of the individual or entity that directs and controls the making of the contributions, and indicate the contributions or independent expenditures of other entities. If the name of the committee listed on a previous report filed for the current calendar year changes during the year, list both names. [25]

Examples:[26]

- New Ventures, Inc.
- Feather River Tribal Council/Bear Mountain Casino
- ABC Corporation, including aggregated contributions/independent expenditures
- Tim Lewis, formerly identified as Lewis Construction

*A summary of committee naming requirements can also be found on page 3 of the Instructions for Statement of Organization, Form 410; and page 4 of the Instructions for Major Donor and Independent Expenditure Committee Campaign Statement, Form 461.

[1] Section 82016.
[2] Section 82027.5.
[3] Section. 82047.5.
[4] Regulations 18227.5; 18247.5.
[5] See Section 82048.7 for the complete definition of "sponsored committee."
[6] Section 82048.7; Regulation 18419.
[7] Section 82013(c).
[8] Section 82013(b).
[9] Regulation 18402(c).
[10] See Manual 1 – State Candidates (pg. 2.8); and Manual 2 – Local Candidates (pg. 1.25).
[11] Regulation 18521.5.
[12] See Manual 3 – Ballot Measures (pgs. 1.11 – 1.14).
[13] Sections 85304; 85304.5.
[14] Regulations 18530.4(b); 18530.45(c).
[15] See Manual 4 – General Purpose Committees (pg. 5.11).
[16] Section 85316.
[17] Regulation 18531.62(c)(2).
[18] Regulation 18531.5(c)(1); see also Manual 1 – State Candidates (pgs. 1.16, 1.17); and Manual 2 – Local Candidates (pgs. 1.25, 1.29).
[19] Section 84107.
[20] See Manual 3 – Ballot Measure Committees (pgs. 1.11 – 1.14).
[21] Section 84102(a); Regulation 18419.

[22] See Manual 3 – Ballot Measure Committees (Pgs. 1.11 – 1.14).
[23] Non-candidate controlled recall committees are considered primarily formed ballot measure committees. (Manual 3, pgs. 1.2, 1.11, 1.12, 1.19).
[24] Regulation 18531.5(c)(3).
[25] See Manual 5 – Major Donor Committees (pgs. 1.3, 1.4, 2.4, 4.13, 4.16); and Manual 6 – Independent Expenditure Committees (pg. 3.11).
[26] See Manual 5 – Major Donor Committees (pgs. Intro – 3, 4.13); and Manual 6 – Independent Expenditure Committees (pg. 3.11).

Candidate Intention Statement

CALIFORNIA FORM 501

Who Files:

A candidate for state or local office must file this form for each election for a specific office. Exception: A new Form 501 is not required for the general election or special general election if the candidate filed a Form 501 for the connected primary or special primary election for the same office sought. Candidates for county central committee that do not raise or spend $2,000 or more in a calendar year are not required to file a Form 501.

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

For filing with a verified digital signature, please access the Secretary of State's website for more information: 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 for each election. A bank account is not required if a candidate will not receive any contributions and will make personal expenditures of less than $2,000 in a calendar year. A candidate who receives any contributions, regardless of personal expenditure level, must open a bank account. 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 California Public Employees' Retirement Board, the State Teachers' Retirement Board, judges, and judicial candidates 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).
- Enter your political party preference if seeking a partisan office. For a list of qualified political parties, go to: www.sos.ca.gov/elections/political-parties/qualified-political-parties/.
- Check the appropriate box regarding the office's jurisdiction.
- Enter the year of election.

Part 2. Voluntary Expenditure Ceiling

This section applies to certain candidates for elective state office, 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 voter information guide (statewide candidates) or the county voter information guide (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, see the FPPC Campaign Disclosure Manual for your type of committee.

FPPC Form 501 (August/2023)
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) ( ) | EMAIL (optional)

STREET ADDRESS | CITY | STATE | ZIP CODE

OFFICE SOUGHT (POSITION TITLE) | AGENCY NAME | DISTRICT NUMBER, if applicable. | ☐ NON-PARTISAN OFFICE | PARTY PREFERENCE:

OFFICE JURISDICTION

☐ State (Complete Part 2.)

☐ City ☐ County ☐ Multi-County: _____ (Name of Multi-County Jurisdiction) _____ (Year of Election)

(Check one box, if applicable.)

☐ PRIMARY / GENERAL

☐ SPECIAL / RUNOFF

2. State Candidate Expenditure Limit Statement:

(CalPERS and CalSTRS candidates, judges, judicial candidates, and candidates for local offices do not complete Part 2.)

(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*)

Statement of Organization
Recipient Committee

CALIFORNIA FORM 410

Who Files

Recipient Committees: 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. 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.

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.

Multipurpose Organizations: 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 the Fact Sheet on Multipurpose Organizations Reporting Political Spending and the Supplemental Form 410 Instructions.

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.

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

Form 410 with digital signature(s)
Secretary of State
Via email at: digitalfiling@sos.ca.gov
As a PDF attachment
Must contain a verified digital signature on the Signature Line.

Please access the Secretary of State's website for detailed instructions on how to submit the Form 410 with a digital signature.

County & City Committees: Also file a copy with the local filing officer who will receive the original campaign statements.

Read instructions carefully as a Form 410 will be rejected if all applicable sections are not completed.

Committee ID Number

The committee's ID number will be posted at cal-access.sos.ca.gov. To receive an official, stamped copy of your approved Form 410, send a request, the original form, two copies of the form, and a self-addressed, stamped envelope, to the Secretary of State.

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, email with a verified digital signature, guaranteed overnight delivery, personal delivery or online (if online filing is available).

This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements, see the FPPC Campaign Disclosure Manual for your type of committee.

FPPC Form 410 (October/2023)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Statement of Organization
Recipient Committee

Statement Type

☐ Initial	☐ Amendment	☐ Termination – See Part 5
○ Not yet qualified or ○ Date qualification threshold met _____/_____/_____	Date qualification threshold met _____/_____/_____	Date of termination _____/_____/_____

Date Stamp

CALIFORNIA FORM 410

For Official Use Only

1. Committee Information

I.D. Number *(if applicable)*

NAME OF COMMITTEE

STREET ADDRESS (NO P.O. BOX)

CITY | STATE | ZIP CODE | AREA CODE/PHONE

FULL MAILING ADDRESS (IF DIFFERENT)

E-MAIL ADDRESS OF COMMITTEE (REQUIRED) / FAX (OPTIONAL)

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

EMAIL ADDRESS OF TREASURER (REQUIRED) | AREA CODE/PHONE

NAME OF ASSISTANT TREASURER, IF ANY

STREET ADDRESS (NO P.O. BOX) | CITY | STATE | ZIP CODE

EMAIL ADDRESS OF ASSISTANT TREASURER (REQUIRED) | AREA CODE/PHONE

NAME OF PRINCIPAL OFFICER(S)

STREET ADDRESS (NO P.O. BOX) | CITY | STATE | ZIP CODE

EMAIL ADDRESS OF PRINCIPAL OFFICER(S) (REQUIRED) | 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
Mark the "Initial" box and enter the date the committee qualification threshold was met.

If the committee has not met the qualification threshold, mark the "Initial" and "Not Yet Qualified" boxes.

Qualification Threshold
The "date qualification threshold met" is the date 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 the candidate is seeking re-election to the same office. 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 name, identification number and indicate the date of termination, including completing the verification.

1. Committee Information:
Provide the full name of the committee. A committee may use only one name.

The committee's street address, email 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 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: 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) prior to the designation of the ballot measure number. 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 __).

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 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 Doe for Senate 20XX).

FPPC Form 410 (October/2023)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

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 and the person(s) authorized to obtain bank records.**

NAME OF FINANCIAL INSTITUTION AND PERSON(S) AUTHORIZED TO OBTAIN BANK RECORDS	AREA CODE/PHONE	BANK ACCOUNT NUMBER

ADDRESS OF FINANCIAL INSTITUTION	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." Stating "No party preference" is acceptable.
- 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 CHECK ONE		
			Nonpartisan	Partisan	(list political party below)
			Nonpartisan	Partisan	(list political party below)

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) IF A RECALL, STATE "RECALL" IN FRONT OF THE OFFICEHOLDER'S NAME.	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 their 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 communications, authorizing contributions and other expenditures, and determining 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.

Provide the email address of the committee treasurer, assistant treasurer, and any other principal officer(s). A committee with three or fewer principal officers must identify all principal officers. If the committee has more than three principal officers, it must identify at least three principal officers.

3. Verification/Original Signature(s):
The Form 410 filed with the Secretary of State by paper must contain an original ink signature(s). The Form 410 filed with the Secretary of State by email must contain a verified digital 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 their own treasurer, they must sign as the candidate and again as the treasurer.

Bank Account Information

- Qualified committees must list the name and address of the financial institution where the campaign bank account is located and the bank account number.
- Qualified committees must also list the names of persons, other than the treasurer, who are authorized to obtain the bank records of the committee from the financial institution where the committee bank account is maintained. If there are more than two persons other than the treasurer authorized to obtain the bank records, the committee need only list two persons. Disclose the names in the "Name of Financial Institution and Person(s) Authorized to Obtain Bank Records" field. If additional space is needed, an attachment must be used.
- Non-qualified committees are not required to list a bank account or the names of those person(s) authorized to obtain the committee bank records.

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 last 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 their 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.

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 | AREA CODE/PHONE

Small Contributor Committee ☐ _____/_____/_____

Date qualified

5. Termination Requirements

By signing the verification, the treasurer, assistant treasurer and/or candidate, officeholder, or ponent 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

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.

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 that meet the requirements as a political party pursuant to Elections Code Section 5100 (Government Code Section 85205) (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.

Brief Description of Organization's Political Activities:
A multipurpose organization, other than a federal or out-of-state PAC, must describe its mission or most significant activities and describe its political activities. This description shall include all activities undertaken for the purpose of directly or indirectly supporting or opposing state or local candidates; or qualifying, supporting, or opposing, a state or local ballot measure.

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
After the termination requirements above are met:

For 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.

For 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.

FPPC Form 410 (October/2023)
FPPC Advice: advice@fppc.ca.gov **(866/275-3772)**
www.fppc.ca.gov

Prospective Treasurer Guidebook

Welcome, prospective treasurers.

We are thankful for your interest in becoming a committee treasurer. This is an integral role in the political process that is at the forefront of transparency and ethical campaigning. The Fair Political Practices Commission ("FPPC") is committed to helping public officials comply with their obligations under the Political Reform Act (the "Act") while also improving the public's access to fundamental information about how the political process works. We have developed comprehensive educational materials and interactive tools to achieve these important goals.

The Act requires that every California recipient committee appoint a treasurer before it raises or spends any money for an election, with a recommended, but not required, assistant treasurer to aid with the process. Campaign treasurers sign campaign disclosure reports under penalty of perjury and are liable in enforcement actions for violations of the Act. It is important to understand the basic rules and requirements associated with transparent campaign disclosure. No individual should accept the position of a committee treasurer as a mere figurehead.

The FPPC

The Act and the FPPC were created in 1974 when California voters approved Proposition 9. In the wake of the Watergate scandal, Californians wanted to reign in the potential corruptive influence of special interests by creating an agency to advise upon and enforce the most rigorous restrictions on fundraising and lobbying in the country. And since the adoption of the Act, the Commission has been responsible for shining light on some of the most egregious violations of campaign and governmental ethics.

Helpful Links

Candidate and Treasurer Video

Campaign Forms Page

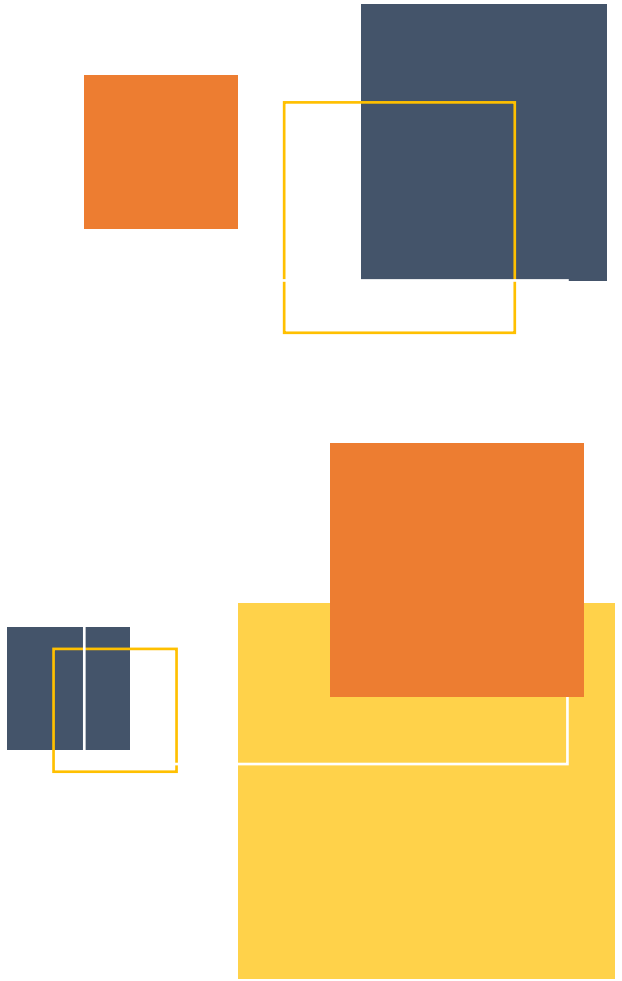
Campaign Reporting Deadlines

Reporting deadlines depend on the date of the election and the type of committee.

Campaign forms must be filed by certain deadlines with the appropriate filing officer to provide the public with an overview of the committee's activity, including all contributions received and all expenditures made. The FPPC provides filing schedules available online for elections. These filing schedules are organized by type of committee and provide the deadlines for each type of statement or report that needs to be filed for a given year or election. Treasurers and candidates sign campaign forms under penalty of perjury. An additional acknowledgment of duties and liabilities is required by a treasurer and the assistant treasurer (if there is one) on the Form 410 (Statement of Organization).

The most common filing schedule for campaign treasurers will be the schedule for candidate controlled committees for local office.

Please visit our website to view state and local filing schedules. If you do not see a filing schedule for your election, check with your filing officer.



CALIFORNIA
Fair Political Practices Commission

Training and Outreach

The FPPC conducts training throughout the year for candidates and treasurers. The Training and Outreach page linked below lists upcoming webinars and workshops as well as videos that can help educate potential candidates and treasurers.

Candidates and Treasurers

In-Person or Webinar Request Form

To request a seminar or webinar complete the seminar or webinar request form and send it to the e-mail address on the form. FPPC will do what is in our power to accommodate as many trainings as possible.

Seminar Request Form

Webinar Request Form

Basic Rules for Treasurers

The FPPC Basic Rules for Treasurers page is intended to provide campaign treasurers with a basic overview of the rules and guidelines that must be followed to comply with the Act's recordkeeping requirements.

Basic Rules for Treasurers

Campaign Links

Manual 1

Manual 2

Candidate Toolkit

Local Candidate/Committee Checklist

Committee Naming Requirements

Termination Fast Facts

AB 571 Fact Sheet

Campaign FAQS

The mission of the Fair Political Practices Commission is to promote the integrity of state and local government in California

Questions or Concerns?

Contact us by:

Email: advice@fppc.ca.gov or

Phone: 866-ASK-FPPC (1-866-275-3772)

Telephone advice is available: Monday through Thursday:

9:00 a.m. - 11:30 a.m.*

*Adjusted Telephone Advice Hours on Commission Meeting Days (Other than Fridays):

9:00 a.m. - 10:00 a.m. and 1:30 p.m. - 3:00 p.m.

City of Cerritos, General Municipal Election: March 2, 2027

CAMPAIGN FILING TIMELINE

Step 1
Candidate Intention
FORM 501
(Before Receiving Contributions)

Step 2A
Statement of Organization
FORM 410
(Within 10 days of receiving $2,000 in contributions in a calendar year)

-OR-

Step 2B
Candidate & Committee Info
FORM 470
(No intention of spending or raising over $2,000 in calendar year)
Filing obligation done for year.

Step 3
Semi-Annual
FORM 460
Due:
July 31, 2026 (E-216)
Period Covered:
01/01/26 – 06/30/26

Step 4
1st Pre-Election
FORM 460
Due:
DATE PENDING
Period Covered:
01/01/27 - 01/16/27

Step 5
Semi-Annual
FORM 460
Due:
February 1, 2027 (E-32)*
Period Covered:
07/01/26** – 12/31/26

**or January 1 if no previous report filed

Step 6
2nd Pre-Election
FORM 460
Due:
DATE PENDING
Period Covered:
01/17/27 – 02/13/27

Step 7
Semi-Annual
FORM 460
Due:
August 2, 2027*
Period Covered:
02/14/27 – 06/30/27

-OR-

Termination
FORM 460 & 410
(Both forms are required to terminate a committee*)

Period Covered:
02/16/27 – Close Date

Additional Guidelines for Candidate Controlled Committees

Form 497
24-hour report period for contributions that total in the aggregate $1,000 or more. File by fax, personal delivery, guaranteed overnight mail, NetFile, or email election2027@cerritos.gov

Due:
Within 24 hours of occurrence

*Deadlines are extended when they fall on a weekend or holiday (not applicable to Form 497 filings)



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
August 2023

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INTRODUCTION

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:

- Local candidates
- Superior and Appellate Court judges and candidates for Superior and Appellate Court
- Local candidate controlled committees
- Committees primarily formed to support or oppose a local candidate(s)

Since the 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. Effective January 1, 2021 a default state campaign contribution limit applies to city and

county candidates when the city or county has not already enacted a contribution limit on such candidates per AB 571 (2019). Special rules apply to AB 571 candidate committees. Please see the FPPC's AB 571 fact sheet available on the FPPC website for additional rules applicable only to AB 571 candidates.

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)

CHAPTER 1

Local City and County Contribution Rules (AB 571)

This chapter contains information on contribution rules for candidates and officeholders seeking a city or county elective office in a city or county that has not already enacted a contribution limit pursuant to AB 571. (Please see Stats. 2019, Ch. 556 AB 571 Mullin). Along with the new campaign contribution limit, there are also other related provisions that formerly applied only to state level candidates that now apply to city and county candidates. Please note that none of the provisions of AB 571 discussed in this chapter apply to candidates in cities or counties for which the city or county has enacted contribution limits. You can search the FPPC's website to see if the city or county has enacted a contribution limit.

This chapter reviews:

- Contribution Limits
- Transfers
- Post-Election Fundraising
- Officeholder Committees
- Legal Defense Committees
- Recall Committees

For information about ballot measure committees controlled by a local candidate or officeholder, see FPPC Campaign Disclosure Manual 3.

A City and County Candidate Contribution Limits (AB 571)

A candidate seeking election to a city or county office in a city or county that has not already enacted a contribution limit is subject to contribution limits from a single source per election. For purposes of contribution limits, the primary, general, special, and special runoff elections are separate elections. The chart below shows the limits per contributor for the type of office sought. Contribution limits may increase or decrease every two years based on changes in the Consumer Price Index. Regulations that set forth the amounts are adopted by the Commission.

Per Election Limits on Contributions to City and County Candidates

(For Elections Occurring from January 1, 2023 – December 31, 2024)

The chart below shows the campaign contribution limits per contributor, per election, for city and county candidates in cities and counites that have not enacted campaign contribution limits.

2023-2024 Contribution Limits for City and County Candidates in Cities and Counties That Have Not Enacted Limits		
Person (individual, business entity, committee/PAC)	Small Contributor Committee	Political Party
$5,500	$5,500	$5,500

Timing

There are no restrictions on when a candidate may begin to fundraise for a city or county office, and contributions for a general or special election may be raised during or prior to a primary or special primary election for the same office. However, a candidate must file a Form 501 (Candidate Intention Statement) prior to soliciting or receiving contributions or making expenditures from personal funds. (Please see Chapter 2 for more information).

A city or county candidate in a city or county that has not enacted a campaign contribution limit who is defeated in the primary or special primary election, or who withdraws from the general or special general election, must return contributions received for the general or special general election to the contributors. The contributions are returned on a pro rata basis, less the cost of raising or administering the funds and expenses attributable to the general election paid prior to the primary election (e.g., media purchases).

Loans

For city and county candidates in a city or county that has not enacted a campaign contribution limit, loans from third parties are contributions subject to limits. However, if a loan has been repaid, the lender, guarantor, endorser, or cosigner may make additional contributions to the same committee up to the limit. Please see Candidate Personal Funds below for more information on candidate loans to their own committee.

Candidate's Personal Funds

Contribution limits do not apply to a candidate's personal funds contributed to their own campaign. However, a city or county candidate in a city or county that has not already enacted a contribution limit, may not have loans to their campaign with an outstanding balance of more than $100,000 at any time. A candidate may not charge interest on a loan they make to the campaign. The $100,000 limit on personal loans applies to loans from the candidate's personal funds as well as loans from a commercial lending institution which the candidate lends to their campaign. "Campaign" includes both the primary and general, or special and special runoff, elections. However, a candidate may loan each committee for a different office or term of office up to $100,000.

Extensions of Credit

When there is an agreement with the provider of goods or services that a city or county candidate in a city or county that has not already enacted contribution limits or committee will pay for the goods or services at a later date, the value of the goods or services may become a contribution to the candidate and be subject to contribution limits if the payment is not made within 45 days. (See Regulation 18530.7.)

Contributions to Other City or County Candidate Committees

A candidate may not make a contribution over the default state contribution limit to another candidate in jurisdictions subject to the default state contribution limit with limited exceptions related to recall elections, legal defense funds, and candidate-controlled ballot measure committees. The limit is the same contribution limit imposed on legislative candidates. This contribution limit applies to the aggregate total of contributions made from the personal funds or assets of the candidate and contributions made by all committees controlled by that candidate.

Contributions Over the Limit

Committees are not in violation of the Act's contribution limit if an “over the limit” contribution is returned to the contributor or the contribution is attributed to another election either: (1) within 14 days of receipt before deposit so long as the committee did not make use of the contribution prior to returning it, or (2) within 14 days of receipt even after deposit, so long as there was **no actual knowledge** the contribution was over the limit when deposited and the committee did not make use of the contribution prior to returning it. If a contribution is returned after it has been deposited it must be reported. A contribution must be reported even if not deposited if it is not returned to the contributor by the close of the reporting period. An over the limit nonmonetary contribution must be returned to the contributor within 14 days of receiving the contribution either in its original form, or in a monetary equivalent greater than or equal to the amount by which its value exceeds an applicable contribution limit.

A committee that receives a monetary contribution with **actual knowledge** that the contribution is over the applicable contribution limit in the Act may accept the contribution and return or attribute the portion in excess within 72 hours of receipt or before the date of the election, whichever is sooner without being in violation of the contribution limit. However, a committee is prohibited from making use of the excessive contribution prior to returning or attributing it and the amount of a contribution that may be accepted is capped at twice the applicable contribution limit.

A committee may request that the contributor attribute in writing a contribution to a different election. A committee may automatically attribute a portion of a contribution that is in excess of the applicable limit between the primary and general elections. A committee attributes a contribution when the committee designates the portion of the contribution in excess of the applicable limit to another election.

A committee that receives an excessive contribution **with or without actual knowledge** that the contribution was over the limit must inform the contributor:

- that their contribution was in excess of the applicable limit, and
- if the contribution was automatically attributed to the connected primary or general election, that the contribution was attributed and the contributor may request a refund.

Recurring Contributions

A “recurring contribution” is a contribution from a person to a candidate or committee that is automatically charged to the person’s bank account, credit card, or other payment account on a repeated basis, such as weekly or monthly, without approval or any other affirmative consent by the person after their initial contribution to the candidate or committee.

A committee must obtain affirmative consent from a person making a recurring contribution at the time of the initial contribution. Any solicitation for a recurring contribution must be in a form that requires affirmative consent from the person making the contribution. Passive action by the contributor, such as failing to uncheck a pre-checked box authorizing a recurring contribution, does not meet the requirement of affirmative consent. A committee that accepts a recurring contribution is required to provide a receipt for each contribution, provide information necessary to cancel the recurring contribution, and immediately cancel a recurring contribution upon request.

A recurring contribution accepted in response to a solicitation that did not require affirmative consent must be returned to the contributor within 14 days of the earlier of the following:

- receipt of a request from the contributor to return the contribution, or

- the date on which the candidate or committee becomes aware that the solicitation of the recurring contribution was in violation of the Act.

A contribution accepted after a contributor requested to cancel a recurring contribution must be returned to the contributor within 14 days of the request to cancel the recurring contribution.

B Transfers Between a Candidate's Controlled Committees (AB 571)

A city or county candidate in a jurisdiction that has not already enacted contribution limits that has a qualified committee must establish a separate controlled committee and campaign bank account for each specific office. Candidates may not redesignate a committee for one election for another election.

A city or county candidate in a city or county that has not already enacted a contribution limit may transfer funds from their controlled elections committee to another committee. Except as discussed below, funds transferred from one of a city or county candidate's controlled election committees to another are subject to contribution limits. The transferred funds must be attributed to specific contributors of the committee making the transfer and count toward the amount those contributors may give to the committee receiving the transfer.

The committee making the transfer must choose between two attribution methods. The first is "LIFO" (last in, first out). This means that the amount to be transferred will be attributed to the most recent contributors to the transferring committee. The other method is "FIFO" (first in, first out), which means transferred funds will be attributed to the earliest contributors. Once the transferring committee has chosen LIFO or FIFO, it may not change the method of attribution.

Example:

A city council member is running for county supervisor in 2024. The candidate uses the LIFO accounting method to transfer funds from the city council committee to their county supervisor committee as outlined in the table below. Because the 2022 contribution limit is $4,900, only $4,900 of Z Corporations original $5,000 contribution to the city council committee may be transferred to the county supervisor committee. Riley Thomas has already contributed has already contributed $4,000 to the county supervisor committee, so only $900 of their original $1,000 contribution to the city council committee may be transferred to the county supervisor committee.

Donor	Date of Original Contribution	Amount of Original Contribution	Funds Attributed to Contributor
Taylor Smith	09/25/2020	$1,000	$1,000
Z Corp.	11/02/2020	$5,000	$4,900
Riley Thomas	12/10/2020	$1,000	$900

The committee making the transfer must report the transfer as an expenditure on Schedule E of the Recipient Committee Campaign Statement (Form 460). The committee receiving the transfer must report the transfer on Schedule A as follows:

- The date of the transfer and the name, address, and identification number of the committee making the transfer;
- The name, address and, if applicable, the occupation and employer or committee identification number of the contributor to whom the transferred funds are being attributed (as disclosed on the campaign statement filed when the contributions were originally received or as contained in the committee's records at the time of the transfer);
- The original date of the transferred contribution; and
- The amount of the transferred contribution, including the cumulative amount received from the contributor in the calendar year and the amount attributed to the contributor per election.

Some electronic filing formats may be different.

Schedule A
Monetary Contributions Received

Amounts may be rounded to whole dollars.

SCHEDULE A

Statement covers period
from x/x/20xx
through x/x/20xx

CALIFORNIA FORM **460**

Page x of xx

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Committee to Elect Gerard for County Supervisor 2024

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)
10/xx/20xx	Gerard for City Council 20xx (Transfer, see below) 49 J Street, Sacramento, CA 95814 (ID 1914287)	☐ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC				
09/25/20xx	Taylor Smith 7239 Hemingway Blvd. Rancho Palos Verdes CA 90274	☑ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC	Orthodontist, Smith Smiles	$1,000	$1,000	P20xx: $1,000
11/03/20xx	Z Corporation 2500 7th Avenue Los Angeles, CA 90013	☐ IND ☐ COM ☑ OTH ☐ PTY ☐ SCC		$4,900	$4,900	P20xx: $4,900
12/10/20xx	Riley Thomas 1095 Euclid Street La Habra Heights, CA 90631	☑ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC	Dispatcher, La Habra Heights Police Department	$900	$4,900	P20xx: $4,900

The committee making the transfer must maintain records that identify the specific contributors to whom any transferred contributions have been attributed. If the transferring committee is no longer required to maintain detailed records, the receiving committee shall maintain either:

- The full name of the contributor;
- The date and amount being transferred for each contributor, and if the contribution is a loan, the interest rate for the loan; and
- The cumulative amount of contributions transferred attributed to that contributor.

OR

- Copies of the transferring committee's original verified and filed campaign reports that show the original contribution received from each contributor to whom a transferred contribution is attributed.

Exceptions:

- **Surplus Funds:** Campaign funds that are "surplus funds" may not be transferred to a future election committee. A defeated candidate's campaign committee funds become surplus 90 days after the post-election reporting period (either June 30 or December 31) following the election. An officeholder's campaign committee funds become surplus 90 days after leaving office for which the funds were raised. For specific guidance, refer to Regulation 18951.

- **Carryover:** A city or county candidate in a city or county that has not already enacted a contribution limit may carry over campaign funds from the primary election to the subsequent general election for the same elective office without attribution. Non-surplus campaign funds may be carried over from one city or county election to the next election for the same office without attribution.

To carry over funds from one city or county election to the next election for the same office (e.g., from a 2020 city council election to the 2024 city council election), the funds must be transferred to a new campaign bank account and committee established for the next election, and the transfer must occur after the date of the election for which the funds were raised.

The transferring committee reports the transfer as an expenditure on Schedule E and the committee receiving the funds reports the transfer as an increase to cash on Schedule I.

A candidate that formed a campaign committee for a specific election and chooses not to seek the office and is not listed on the ballot may not "carryover" the funds, but may transfer the funds with attribution to another future election committee.

QUICK TIP: City and county candidates in a city or county that has not already enacted a contribution limit may raise funds after an election only to pay net debts outstanding. Campaign funds may not be carried over to a future election committee if the existing committee has net debt from the prior election.

- **Transferring Assets:** It is not necessary to value and attribute a committee's usual assets (such as supplies, furnishings, and office equipment) that are being transferred from one controlled committee to another of the candidate's controlled committees. A committee must report the purchase or sale of these assets, but need not report the transfer.

Detailed reports must be maintained on transfers.

C Post-Election Fundraising: Net Debts Outstanding (AB 571)

City and county candidates in cities and counties that have not already enacted a contribution limit may receive contributions after an election only to pay net debts outstanding from the election. The primary and general elections are separate elections for the purposes of calculating net debt. In addition, the contribution limits applicable to the election apply to any new contributions received to pay net debt.

To calculate net debts outstanding, the following are added together:

- The total amount of unpaid debts, loans, and accrued expenditures incurred with respect to the election;

- An amount necessary to cover the cost of raising funds to pay outstanding debts;

- Costs related to complying with post-election requirements, such as filing campaign statements, and other necessary administrative costs associated with winding down the campaign, including office space rental, staff salaries, and office supplies; and

- Legal fees and expenses incurred in connection with monitoring a ballot recount or the counting of absentee or provisional ballots.

That amount is reduced by:

- The total cash on hand available to pay those debts and obligations, including: currency; balances on deposit in banks, savings and loan institutions, and other depository institutions; traveler's checks; certificates of deposit; treasurer bills; and any other committee investments valued at fair market value; and

- The total amounts owed to the candidate controlled committee in the form of credits, refunds of deposits, returns, or receivables, or a commercially reasonable amount based on the collectability of those credits, refunds, returns, or receivables.

As new funds are received, the amount of the net debts outstanding is reduced. The amount of new contributions may not exceed the amount of net debts outstanding on the date the contribution is received. Any contribution that exceeds the amount of net debts outstanding must be returned to the contributor within 14 days.

Ex 1 1 - Tom ran for district attorney in 2022. After the general election, Tom had $45,000 in cash left and owed only $20,000 in accrued expenses from the primary election and none from the general election. Tom may not raise additional funds into the 2022 committee.

Ex 1 2 - Jane ran for county supervisor in 2022. After the primary election, Jane had $30,000 in cash left and owed $50,000 in unpaid loans and accrued expenses. Jane may raise $20,000 to pay this debt, plus an amount needed to cover the fundraising expenses and other administrative costs. All contributions received are subject to the contribution limits that were in effect for the 2020 election.

D Officeholder Committees (AB 571)

Officeholder committees are not permitted for city and county candidates subject to the default state contribution limit. However, a candidate may use a committee for the officeholder's future election for officeholder expenses. A candidate may also use existing funds in the election committee for current office for officeholder expenses.

E Other Committees (AB 571)

Legal Defense Committees

City and county candidates and officeholders may establish a legal defense fund to defray attorney's fees and other related legal costs incurred for the candidate's or officeholder's legal defense if the candidate or officeholder is subject to a civil or criminal proceeding, or an administrative proceeding arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officeholder's governmental activities and duties.

A separate bank account and committee must be established. The legal defense committee will file campaign statements at the same times and in the same place as the candidate's election committee.

Contributions raised for a legal defense fund are not subject to contribution limits.

> **QUICK TIP:** The Form 410 must specify the legal dispute or disputes for which the legal defense fund was established.

Legal defense funds may only be raised in an amount reasonably calculated to pay attorney's fees and other legal costs related to the defense of the candidate or officeholder, as well as administrative costs directly related to compliance with recordkeeping and reporting requirements. Legal defense funds may not be used for fundraising, media or political consulting fees, mass mailings or other advertising, or for paying fines, penalties, judgements or settlements, or to return contributions. (Please refer to Regulation 18530.45.)

Recall Election Committees

All candidates and committees that raise and spend funds in connection with a recall election have full reporting and disclosure obligations. The FPPC publishes filing schedules for these elections.

Target Officeholder: A city or county officeholder who is the target of a recall may form a separate committee to oppose the qualification of the recall measure and, if the recall petition qualifies, the recall election. The officeholder has the option of using their existing committee or committee formed for a future election instead.

If a separate committee is formed, the following rules apply:

- The committee may be established only after the officeholder receives a notice of intent to recall under Elections Code Section 11021.
- A Statement of Organization (Form 410) must be filed and a separate bank account must be established.
- The committee name must include the word “recall” and the target officer’s name.
- Contributions to the committee are not subject to limits.
- After the recall election, or if the recall petition fails, funds left over become restricted “surplus funds” and must be spent within 30 days (See Chapter 6.)

Replacement Candidate: A candidate running to replace an officeholder who is the target of a recall is subject to the contribution limits. A replacement candidate must file campaign forms (e.g., Form 501, Form 410, Form 497, Form 460) in the same manner as a candidate seeking a regular election.

Committee Primarily Formed to Support or Oppose a Recall: A committee formed to support or oppose a recall is considered to be a ballot measure committee. Refer to FPPC Campaign Disclosure Manual 3 for guidance.

Answering Your Questions

A If a city or county does not currently have contribution limits set within their ordinance would the state contribution limit be the default?

Yes. The state contribution limit would be the default contribution limit if the city or county ordinance is silent on whether there are contribution limits within that jurisdiction or if there is no city or county ordinance in place.

B If a city or county has voluntary contribution limits, but no mandatory contribution limits will the state limit be applicable?

Yes. A city or county must enact mandatory contribution limits to avoid the state limit applying to elective city and county offices.

C Does the default contribution limit also include judicial candidates?

No. Elective city and county offices do not include judicial offices.

D Can a city or county ordinance be less restrictive than the AB 571 limit (e g , the city or county limit is set higher than the state limit)?

Yes. A city or county can set contribution limits higher than the default state limit.

E If a city or county imposes contribution limits, is the Commission responsible for enforcing those limits?

No. The Commission will not regulate the administration or enforcement of the penalties. Cities or counties with existing limits or that adopt their own limits are not subject to the state limit and may impose their own penalties for violations.

F If a city or county has imposed contribution limits for particular city or county offices (e g , Board of Supervisors), do those limits also apply to other positions such as the District Attorney or would the default state limit apply if a particular position is not specifically addressed by the city or county?

The default state contribution limit would apply to other positions which the city or county has not set contribution limits. A city or county ordinance must explicitly state the city or county contribution limits and for which elective offices those limits will apply. A city or county may adopt a general provision implementing a contribution limit for all elective city and county offices in that jurisdiction.

G Does AB 571 apply to special district or school district elections?

No. AB 571 applies only to city and county elections for offices that a city or county has not implemented its own contribution limit.

H Does AB 571 apply to County Superintendent of Schools or the office of County Board of Education?

AB 571 does apply to the office of County Superintendent of Schools because it is considered a “county” office. However, the office of County Board of Education is not subject to AB 571 because it is not considered a “county” position.

I Can candidates that are subject to the AB 571 contribution limit open an officeholder committee?

No. Officeholder committees are not permitted for candidates subject to the AB 571 contribution limit. However, a candidate may use a committee for the officeholder's future election for officeholder expenses. A candidate may also use existing funds in the election committee for current office for officeholder expenses.

J If a contribution was received for an election occurring after January 1, 2021, prior to the January 1, 2021, does this contribution count towards the AB 571 contribution limit after January 1, 2021?

No. The Commission adopted a formal opinion on April 15, 2021 that states contributions made prior to the effective date of AB 571 are not aggregated with contributions made on or after the effective date of AB 571 for purposes of the new contribution limit. Therefore, if someone contributed up to or above the current limit to an AB 571 committee prior to January 1, 2021 the same person can give additional contributions to the same committee up to the AB 571 contribution limit on or after January 1, 2021.

K If a contributor gave $10,000 in 2020 (prior to the AB 571 limit going into effect) to a committee for a 2022 primary election, what happens?

The AB 571 contribution limit does not apply to contributions made prior to January 1, 2021 so a contribution of this amount is permissible.

L Does the AB 571 contribution limit apply to county central committee candidates?

No. AB 571 imposes a contribution limit on city and county elective offices when a local jurisdiction has not already done so. Local jurisdictions are prohibited from placing contribution limits on county central committee candidates; therefore AB 571 is not applicable to these offices.

M An AB 571 candidate for city council would like to send out a request for contributions to their constituents Do they need to include anything specific in the request?

Yes. A candidate that is subject to AB 571 must have the following information in the solicitation: the name of the controlled committee soliciting contributions, and the specific office for which those contributions will be used.

N If an AB 571 candidate is the subject of a recall, is their committee to oppose the recall subject to contribution limits?

No. There are no contribution limits for a committee controlled by a candidate that is the subject of a recall that is formed to oppose the recall.

O An AB 571 candidate has debts for an election held after January 1, 2021, may the candidate terminate their committee?

No. If a candidate-controlled committee has outstanding debts for an election held after January 1, 2021, they may not terminate without resolving or paying off the debt. When the committee has no net debts outstanding, the committee must be terminated within 24 months after the earliest of the date the candidate is defeated, leaves office, or the term of office for which the committee was formed ends, or, for withdrawn candidates no later than 24 months after the election from which the candidate withdrew. Please see Regulation 18404.1 for more on termination requirements.

P If a local jurisdiction, which is subject to AB 571 passes a local campaign contribution ordinance, are the candidates still subject to AB 571?

No. They would no longer be subject to AB 571.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82015	Contribution.
82015.5	Contribution; Aggregation.
82022.5	Election-Related Activities.
82025	Expenditure.
82047	Person.
85204.5	Special Election Cycle and Special Runoff Election Cycle.
85301	Limits on Contributions from Persons.
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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 decision making. 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.

QUICK TIP: Campaign reports and statements filed in paper format with a local government agency will have a redacted copy available online on the agency's website within 72 hours after the filing deadline of the report or statement.

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: County Central Committee Candidates

- A candidate for a county central committee of a qualified political party is a local candidate. If a candidate for county central committee receives contributions of less than $2,000 and makes expenditures of less than $2,000, the candidate is not required to file any campaign reports or statements, including the Form 410, 501, 460, and/or Form 470 unless the candidate has one or more open committees for other races. A county central committee candidate who has not raised or spent $2,000 or more for the county central committee race, but who has an open committee for another seat or past election, may have cross-filing obligations. For example, if a county central committee candidate has not raised or spent $2,000 or more in connection with the county central committee race, but has an open committee for a different office in another jurisdiction the central committee candidate will need to cross-file in both jurisdictions for the open committee on dates that semi-annual or preelection reports are triggered by the open committee. (For more information on cross-filing please see Regulation 18405 and Chapter 9 of this manual.)

  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, and must file campaign reports and statements including a Form 501, 410, and 460.

  County central committee candidates never file a Form 700, no matter how much they raise or spend.

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)**.
- Establish a campaign **bank account**
- File the **Form 410 (Statement of Organization)**.

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/10-Day 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)**.
- Establish **one bank account** for the committee (each candidate must deposit all contributions and make all expenditures from this bank account).
- File one **Form 410 (Statement of Organization)**.

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 and state contribution limits. A committee set up by the candidate or officeholder for their election is the candidate's controlled committee.

> **QUICK TIP:** A candidate or officeholder may only have one bank account per committee.

A candidate controls a committee if they have 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 their 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 controlled by a candidate and whose main activity is making independent expenditures for the candidate or against their opponent.

> **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.

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/10-Day 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/10-Day 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.)

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.

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.

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: Campaign funds must be kept separate from personal funds.

Exceptions:

- Candidates may use their personal funds to pay a filing fee, a ballot statement fee, or the $50 Secretary of State 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 for a specific office. Please note that a new Form 501 is required when seeking reelection to the same office. However, a new Form 501 is not required for the general election or special general election if the candidate filed a Form 501 for the connected primary or

special primary election for the same office sought. The Form 501 is considered filed on the date it is postmarked or hand-delivered.

Example: Todd Smith filed a Form 501 for the June 2022 primary election as a candidate for county supervisor. Todd Smith was a successful candidate in the June 2022 primary election and advanced to the November 2022 general election ballot. Todd Smith is not required to file a new Form 501 for the connected November 2022 general election since Todd filed a Form 501 prior to the June 2022 primary election for the same office sought.

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)	EMAIL (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 OFFICE
City Council	City of Oakmont	1	PARTY PREFERENCE:

OFFICE JURISDICTION

☐ State (Complete Part 2.)

☒ City ☐ County ☐ Multi-County: _____ (Name of Multi-County Jurisdiction)

20XX (Year of Election)

(Check one box, if applicable.)

☐ PRIMARY / GENERAL

☐ SPECIAL / RUNOFF

2. State Candidate Expenditure Limit Statement:

(CalPERS and CalSTRS candidates, judges, judicial candidates, and candidates for local offices do not complete Part 2.)

(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.

State candidates only

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 (August/2018)

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 email 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.

I I am a candidate for a county central committee and would like to create a mailer for myself and a few other central committee candidates May we create a mailing together and are there any reporting requirements?

Yes, you may. If each candidate's total spending on all of their campaign activity (including the mailer) remains below $2,000 in a calendar year, there are no reporting requirements. If a candidate spends $2,000 or more for their share of the mailer, or $2,000 or more on total campaign activity, there are reporting requirements.

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.

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.

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).

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.

> **Ex 2 1 -** Non-incumbent judicial candidate Janice Chambers is listed on the November ballot. Janice does not intend to raise or spend $2,000 in connection with the election. By June 30, Janice had received no contributions and Janice's only expenditures were for the filing and ballot statement fees paid for with personal funds. Janice is required to file Form 470 by the first preelection filing deadline.

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.

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 2 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.

Officeholders and Judges Not on a Ballot

See Chapter 9 for the reporting obligations of officeholders and judges who are not listed on the ballot.

> **Ex 2 3 -** 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.

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

*Effective, January 1, 2023, filers required to file a report or statement by paper **with the Secretary of State** may instead file the paper report or statement by email. All statements must be signed using a verified digital signature. Please access the Secretary of State's website for more information on how to file with a digital signature.

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 **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 | EMAIL ADDRESS: rcole@gmail.com

OPTIONAL: FAX: 707-555-1235

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 anticipate that I will receive less than $2,000 and that I will spend less than $2,000 during the calendar year. 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 in it 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 OFFICEHOLDER OR CANDIDATE)

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 email 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 their candidacy must disclose the primarily formed committee's name, identification number, address, and the name of the treasurer.

> **Ex 2 4 -** Rayna Cole's neighbors formed the Friends Supporting Rayna Cole for City Council 20XX committee. Rayna is aware of the committee but has no involvement with its day-to-day activities. Rayna Cole must disclose the committee's information on Rayna's 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/10-Day Contribution Report (Form 497) may also be required.

Campaign Statement
Form 470 Supplement

SEE INSTRUCTIONS ON REVERSE

☐ **Amendment** (Explain Below)

Date Stamp

CALIFORNIA FORM 470 SUPPLEMENT

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	EMAIL ADDRESS
Oakmont	CA	95443	rcole@gmail.com

AREA CODE/DAYTIME PHONE NUMBER	OPTIONAL: FAX
707-555-1234	707-555-1235

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)

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 email 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 October, November, or December 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 Form 410 with the Secretary of State within 10 days of raising or spending $2,000 or more.

> **Ex 2 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.

Send the paper Form 410 to:

Secretary of State
Political Reform Division
1500 11th Street, Suite 495
Sacramento, CA 95814

Effective, January 1, 2023, filers required to file a report or statement by paper **with the Secretary of State** may instead file the paper report or statement by email. All statements must be signed using a verified digital signature. Please access the Secretary of State's website for more information on how to file with a digital signature.

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.

> **Ex 2 6 -** Joe is seeking reelection to the city council. Joe 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.

24-Hour/10-Day 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. Outside of the 16 days prior to an election, 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). Effective, January 1, 2023, filers required to file a report or statement by paper **with the Secretary of State** may instead file the paper report or statement by email. All statements must be signed using a verified digital signature. Please access the Secretary of State's website for more information on how to file with a digital signature.

Ex 2 7 - A group of neighbors joined forces to help elect a candidate for mayor. On March 1, fourteen days before the election, 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 2 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 in this chapter.

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.

24-Hour/10-Day 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). Effective, January 1, 2023, filers required to file a report or statement by paper **with the Secretary of State** may instead file the paper report or statement by email. All statements must be signed using a verified digital signature. Please access the Secretary of State's website for more information on how to file with a digital signature.

Statement of Organization
Recipient Committee

Date Stamp

CALIFORNIA FORM 410

For Official Use Only

Statement Type

A

- ☑ **Initial**
  - ○ Not yet qualified
  - or
  - ● Date qualification threshold met
  - 09 / 04 / 20XX
- ☐ **Amendment**
  - Date qualification threshold met
  - ____/____/____
- ☐ **Termination – See Part 5**
  - Date of termination
  - ____/____/____

1 Committee Information

I.D. Number *(if applicable)*

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

FULL MAILING ADDRESS (IF DIFFERENT)
P.O. Box 1744, Oakmont, CA 95434

E-MAIL ADDRESS (REQUIRED) / FAX (OPTIONAL)
707-555-6869 / mrichards@oakmontmail.com

COUNTY OF DOMICILE	JURISDICTION WHERE COMMITTEE IS ACTIVE
San Marino	Oakmont

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 OF TREASURER OR ASSISTANT TREASURER)

Executed on [Date Required] (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)

FPPC Form 410 (August/2018

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.

Committee Fax/Email Address

Provide the committee's fax number and email address. The email address is required.

> **QUICK TIP:** The Secretary of State's office must reject the filing of a Form 410 if the committee's email address is not included.

County of Domicile and Jurisdiction Where Committee is Active

Indicate the county in which the committee is located and the jurisdiction in which the committee is active. These may be different.

Treasurer and Other Principal Officers

The committee must have a treasurer and may have an assistant treasurer. Provide the name, street address, and telephone number of the treasurer and assistant treasurer. If a candidate chooses to be their 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 (if there is one) 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 (if there is one), and the candidate. If a candidate is their 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

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." Stating "No party preference" is acceptable.
- 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 CHECK ONE		
			Nonpartisan	Partisan	(list political party below)
Manuel Alvarez	Oakmont City Council, District 1	20XX	☑	☐	
			Nonpartisan	Partisan	(list political party below)
			☐	☐	

Type of Committee

Controlled Committee

Candidate controlled committees must complete this section. A candidate or officeholder's own committee for election to office is their "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 in the preceding 24 months. A committee must make this determination at the time of filing each campaign statement based on activity occurring through the end of the statement period, and, if the committee is required to file a pre-election statement, upon receiving a contribution during the period between the second pre-election campaign statement period and the election.

- 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 should be reported on Schedule A as monetary contributions and on Schedule E (itemize purchases of $100 or more). This provides clear disclosure to the public about where the funds were spent. If you wish to be reimbursed by the committee, you should 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.
84616	Electronic Retention for Local Government Agency Filings.
85200	Statement of Intention to be a Candidate.
85201	Campaign Bank Account.
87201	Candidates (Statement of Economic Interests).

Title 2 Regulations

18247.5	Primarily Formed Committees.
18250	Street Address.
18402	Committee Names.
18406	Short Form for Candidates or Officeholders Who Receive and Spend Less than $2,000 in a Calendar Year.
18419	Sponsored Committees.
18430	Committees 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 3

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. An individual must be at a minimum 18 years of age to serve as a treasurer, assistant treasurer, responsible officer, or principal officer. In order to adequately perform the duties, the treasurer must understand the campaign finance laws and their responsibilities under the Act. The candidate controlling the committee may be the treasurer or assistant treasurer for their 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 their 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 their 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.

Assistant Treasurer Responsibilities

An assistant treasurer may be designated on the Statement of Organization (Form 410). In the event that the treasurer is unavailable, the assistant treasurer is required, like the treasurer, to use reasonable diligence in preparing and reviewing any campaign statements that they sign, and must certify to that effect under penalty of perjury. For statements signed by the assistant treasurer, both the treasurer and the assistant treasurer are liable for any violations pertaining to that report.

An individual must be at a minimum 18 years of age to serve as an assistant treasurer, although they should know the reporting obligations, restrictions, and prohibitions provided under the law. For a controlled committee, the candidate may be designated as the assistant treasurer.

Principal Officer(s) Responsibilities

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 this manual, 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 their 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 their 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 workshops 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 emailing 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 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.

Establishing the Account

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.

Exceptions:

- Candidates may use their personal funds to pay a filing fee, a ballot statement fee, or the $50 Secretary of State 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: 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 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:

1. For a communication that makes reference to the candidate's future election or status as a candidate; or

2. 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 3 1 - Thien Vu is a city council member and still has an open committee from the city council election. Thien is running for county supervisor in the next election and has opened another bank account and committee for that race. Thien must use the campaign bank account for the county supervisor campaign to pay for the yard signs and all other expenses related to the upcoming county supervisor election.

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.

Redesignating the Bank Account

Officeholders: An officeholder seeking reelection to the **same office** in a city or county that has enacted its own contribution limits may use the bank account that was established for the prior election. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit 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.) 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).

If the officeholder/candidate is running for the same office in a city or county that has not enacted its own contribution limits, they must establish a separate controlled committee and campaign bank account when running for reelection.

Defeated Candidates: A candidate in a city or county that has enacted its own contribution limits 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). If the candidate is running for the same office in a city or county that has not enacted its own contribution limits, they must establish a separate controlled committee and campaign bank account for their future election to seek that office. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit

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.)

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** or if the officeholder/candidate is running in a city or county that has not enacted its own contribution limits and is therefore subject to a contribution limit under the Act per AB 571 (2019). 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 3 2 -** John Davis lost the city council election in June. The City has enacted its own contribution limit. John has $3,500 remaining in the 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 the 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.

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 Cards

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 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.)

A candidate or officeholder may not use any funds to pay or be reimbursed for a penalty, judgement or settlement related to a claim of sexual assault, sexual abuse or sexual harassment filed against the candidate or officeholder in any civil, criminal or administrative proceeding.

A candidate or officeholder may use legal defense committee funds for *other* legal costs and expenses related to claims of sexual assault, sexual abuse or sexual harassment, but if the candidate or officeholder is held liable, the candidate or elected officer must reimburse the legal defense fund for all funds used in connection with those other legal costs and expenses.

"Sexual assault" and "sexual abuse" have the same meaning as provided in Penal Code Section 11165.1. "Sexual harassment" has the same meaning as found in Government Code Section 12940(j).

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 they currently hold) 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 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, and copies of completed campaign statements, for a period of four years from the date the campaign statement relating to the records was filed.

> **Ex 3 3 -** Sharon Goldstein, a city council member, filed the first campaign statement on January 31, 2019. The records associated with completing that statement, such as receipts and information about contributors, must be retained until January 31, 2023.

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 candidate or committee, or an agent of the candidate or 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 candidate or 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 their 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 their credit card or withdraw funds from their 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

Additional name information must be recorded for contributions from limited liability companies (LLCs). For contributions of $100 or more received from an LLC that has qualified as an independent expenditure committee or major donor, record the name of the LLC and the full legal name of the LLC’s responsible officer as defined in Regulation 18402.2. For contributions of $100 or more received from an LLC that has qualified as a recipient committee, record the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, record the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified and recorded.

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 their 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, their occupation and employer are not in the committee's records within 60 days from receipt of the contribution Additionally, a contribution of $100 or more from an LLC must be returned if, within 60 days, the committee's records do not contain both the name of the LLC and the full legal name of the LLC's responsible officer (for an LLC that has qualified as an independent expenditure committee or major donor); the name of the LLC's principal officer (for an LLC that has qualified as a recipient committee); or, for an LLC that has not qualified as a committee, the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified and recorded.

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/10-Day 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 contributor. 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.

Ex 3 4 - Stanley Hughes, a city clerk candidate, received a contribution of $100 from Martha Andersen on June 1. The only information Stanley received was Martha's name and address as listed on Martha's check. On Stanley's semi-annual statement covering the reporting period through June 30, Stanley reported receiving $100 from Martha, listed Martha's name and address, and indicated that Stanley would amend the statement when Stanley received Martha's 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.

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.

Intermediaries and Earmarked Funds

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.

Records must also include the amount of earmarked funds, a notation that the funds have been earmarked, and the specific ballot measure, candidate or committee for which the funds have been earmarked.

A committee making contributions with earmarked funds must maintain documentation showing which earmarked funds were contributed.

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 their campaign, the institution is reported as the source of the loan. The candidate does not have to be reported as the guarantor, even if they are 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, street address and the last four digits of the 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 or independent expenditures, 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 they hold or for which they seek 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 they are 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 they are 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.

> **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. It is important to note that electronic payment services such as PayPal or Venmo do not meet the one bank account criteria as outlined by the Act. Campaign bank accounts must be established through a bank with a physical location in California. A committee may use electronic payment services (e.g., PayPal) for expenditures, but the electronic payment service cannot serve as the campaign bank account.

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.

G Mass Mailings, Mass Emails, 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 Chapters 6 and 7).
- **Mass Emails** An original sample of each mass email, the date sent and the number of individual emails sent (see Chapter 7).
- **Political Calls** A script of the call or a copy of the recorded phone message when the committee coordinates on and pays for 500 or more telephone calls to expressly advocate support for 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 Attorneys Association and the California Political Treasurers Association.

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 their 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.
84305	Requirements for Mass Mailing.
84306	Contributions Received by Agents of Candidates or Committees.
84307	Commingling with Personal Funds.
84310	Identification Requirements for Telephone Calls.
84501	Advertisement.
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

18250	Street Address.
18400	Treasurer, Assistant Treasurer, Responsible Officer, and Principal Officer Capacity.
18401	Required Recordkeeping for Chapters 4 & 5.
18402.1	Principal Officers.
18402.2	Limited Liability Companies, Responsible Officer.
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.
18421.7	Reporting an Expenditure for a Gift, a Meal, or Travel.
18421.10	Reporting Contributions from Limited Liability Companies.
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 and Earmarked Funds Disclosure.
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 4

CONTRIBUTIONS

This chapter begins with the definition of "contribution" and provides guidelines necessary for proper reporting, including a discussion on valuing nonmonetary contributions.

Many cities and counties have adopted campaign ordinances that include contribution limits and other restrictions. Check with your local elections or ethics agency. Effective January 1, 2021 a default state campaign contribution limit applies to city and county candidates when the city or county has not already enacted a contribution limit on such candidates per AB 571 (2019). Special rules apply to AB 571 candidate committees. Please see the FPPC's AB 571 fact sheet available on the FPPC website for additional rules applicable only to AB 571 candidates.

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, discounts, cryptocurrency).
- 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 their 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.

Ex 4 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 4 2 - The committee also contracts with a website service to receive contributions over the Internet. The website service sends the committee's treasurer an email each time a contributor logs on to the website service and enters their donor information and credit card number. By 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 email because it controls the contribution on that date.

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.

A committee may solicit a contribution of **cryptocurrency** as a nonmonetary contribution, subject to specific requirements. Contributions received in cryptocurrency are subject to any applicable limits and may not be accepted from foreign principals, lobbyists, or anonymous sources. Committees cannot receive cryptocurrency contributions directly. However, a committee may receive cryptocurrency contributions through a payment processor selected to act as a vendor on behalf of the committee.

Any cryptocurrency contribution must be made and received through a U.S. based cryptocurrency payment processor registered with the U.S. Department of Treasury, Financial Crimes Enforcement Network, which utilizes know your customer (KYC) protocols to verify the identity of the contributor for all contributions. A committee that chooses to solicit contributions in cryptocurrency must ensure that the payment processor it selects to process these contributions does all of the following:

- Utilizes KYC procedures that enable it to know the identity of each contributor,

- Collects the name, address, occupation, and employer of each contributor at the time the contribution is made and transmits this to the committee within 24 hours of the time the contribution is made, and

- Immediately converts the cryptocurrency to U.S. dollars upon receipt at the prevailing rate of exchange at the time of receipt, and deposits the funds into the committee's campaign bank account within two business days of receipt.

The amount of a cryptocurrency contribution is the fair market value of the cryptocurrency at the time the payment processor obtains possession of the contribution. A cryptocurrency contribution is received on the date the payment processor, an agent of the committee, obtains possession of the cryptocurrency that constitutes the contribution.

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 they:

- Guarantee, furnish security for, endorse or cosign a loan.

- Make and deliver a post-dated check.

- Establish 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 their 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 their 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 their 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 their 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.

Ex 4 3 - Your neighbor holds a fundraiser in their 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 4 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.

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 disclosures as outlined in Chapter 7.

Ex 4 5 - Your friends send emails 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.

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 purposes; therefore, they are not considered contributions. 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 certain combinations of 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 4 6 - Sally Perez contributed $98 from Sally's personal funds and another $98 from the funds of Sally's wholly-owned business, Flowers by Sally Perez, to the Anderson Committee. Because contributions from an individual and their business, or from any other account they direct and control, are considered to be from a single contributor, the Anderson Committee must itemize both contributions and report a cumulative amount received from Sally and Sally's business of $196 on its committee campaign statement.

Ex 4 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 4 8 - William Smith is a developer with four separate corporations. William makes political contributions from personal funds and directs and controls the contributions of each of William's corporations. William made a contribution of $1,000 from personal funds and contributions of $2,000 from the funds of each of William's corporations to the committee. Because William 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 4 9 - Southwest TeleCom has a greater than 50 percent ownership interest in American TeleCom. Each entity, entirely on its own and with separate decision making 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 their 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.

Additionally, for contributions of $100 or more from an intermediary that is a limited liability company (LLC) that has qualified as an independent expenditure committee or major donor, include the name of the LLC and the full legal name of the LLC's responsible officer as defined in Regulation 18402.2. If the contributor is an LLC that has qualified as a recipient committee, include the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, include the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified.

Failure to disclose the true source of a contribution is considered one of the most serious violations of the Political Reform Act

> **Ex 4 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 4 11 - A business collects ten contributions of $200 each earmarked for a candidate's campaign. The business deposits the contributions and provides the campaign committee one check from the business rather than providing ten individual checks. The committee reports the business as an intermediary and the individuals as the contributors.

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 they are 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 their 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.

Ex 4 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.

Cryptocurrency

The amount of a cryptocurrency contribution is the fair market value of the cryptocurrency at the time the payment processor obtains possession of the contribution. A cryptocurrency contribution is received on the date the payment processor, an agent of the committee, obtains possession of the cryptocurrency that constitutes the contribution. Some tips on reporting cryptocurrency contributions include:

- The entire amount of the cryptocurrency contribution is reported as a nonmonetary contribution. The processing fee charged by the payment processor is not deducted from the amount reported.

- The processing fee is reportable as an expenditure of the committee at the time the fee is deducted or charged.

- The entire amount of the cryptocurrency contribution is reportable as a "Miscellaneous Increase to Cash."

Ex 4 13 - Your candidate-controlled committee contracts with a payment processor, which charges a 2% processing fee, to accept cryptocurrency on its behalf for the upcoming election. The payment processor accepts a contribution in bitcoin valued at $1,000 on October 15. The committee would report the receipt of the $1,000 cryptocurrency in the following ways on the Form 460:

- Schedule C: The committee would report the receipt of the $1,000 as a non-monetary contribution. The committee would disclose the date received as October 15 and report all the required contributor information. For the description of goods or services, include “cryptocurrency contribution”.
- Schedule E: The committee would report the processing fee of $20 as an expenditure.
- Schedule I: The committee would report the $1,000 contribution as a miscellaneous increase to cash, along with the name and address of the contributor. For description of receipt, include “cryptocurrency contribution”.

Please note that if a cryptocurrency contribution is received and valued at $1,000 or more from a single source in the 90 days prior to or on the date of an election, the committee may incur additional filing obligations such as the Form 497.

Earmarked Contributions

A contribution to a committee that is earmarked for a contribution to any other particular committee, ballot measure, or candidate is required to be disclosed as outlined below.

A contribution is earmarked if it is made under any of the following circumstances:

- The committee or candidate receiving the contribution solicited the contribution for the purpose of making a contribution to another specifically identified committee, ballot measure, or candidate, requested the contributor to expressly consent to such use, and the contributor consents to such use.

- The contribution was made subject to a condition or agreement with the contributor that all or a portion of the contribution would be used to make a contribution to another specifically identified committee, ballot measure, or candidate.

- After the contribution was made, the contributor and the committee or candidate receiving the contribution reached a subsequent agreement that all or a portion of the contribution would be used to make a contribution to another specifically identified committee, ballot measure, or candidate.

However, there is an exception for dues, assessments, fees, and similar payments made to a membership organization or its sponsored committee in an amount less than five hundred dollars ($500) per calendar year from a single source for the purpose of making contributions or expenditures. Such funds are not considered to be earmarked by each individual contributor, instead the membership organization is to be reported as the source for these funds.

The committee making an earmarked contribution shall provide the committee receiving the earmarked contribution with the name and address and, if applicable, the occupation and employer of the contributor who earmarked their funds and the amount of the earmarked contribution at the time it makes the contribution. If the committee making the contribution received earmarked contributions that exceed the amount contributed, or received contributions that were not earmarked, the committee making the contribution shall use a reasonable accounting method to determine which contributors to identify, but in no case shall the same contribution be disclosed more than one time to avoid disclosure of additional contributors who earmarked their funds.

Ex 4 14 - 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 Gloria 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).

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.

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.

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 4 15 -** 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.

> **Ex 4 16 -** Barbara Taylor was defeated in a June election. In order to use the leftover funds for a future election, Barbara 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.

Minor Children: A contribution made by a child under the age of 18 is presumed to be a contribution from their parent or guardian.

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."

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.

> **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.

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 their 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.

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.

> **Ex 4 17 -** 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).

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 email 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.

> **Ex 4 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.

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 their 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, 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.

> **Ex 4 19 -** An accounting firm provides your committee with the services of an accountant. The accountant spends 25 percent of their time working for the campaign. This percentage of their gross compensation is $2,000. The amount of the nonmonetary contribution reported from the accounting firm is $2,000.

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 who 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.

Email Lists: If a list of email 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.

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.

> **Ex 4 20 -** 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.

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.

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.

> **Ex 4 21 -** 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.

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.

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: Disclosures are required on certain paid telephone calls. (See Chapter 7.)

Polls and 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.

> **Ex 4 22 -** A local business association commissioned a public opinion poll to determine voters' attitudes about candidates running for Supervisor and candidates running for City Council. The association provided the poll results to a candidate for Supervisor and certain City Council candidates. Since only a limited number of questions pertained to City Council issues, the candidates for Supervisor who received the poll results may prorate the poll costs to determine the nonmonetary contribution amount they must report.

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.

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 emailed 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 emailed 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/10-Day Reports

Major donors, nonprofits, and other multipurpose organizations that trigger reporting obligations must also file a 24-Hour/10-Day Contribution Report (Form 497) if they:

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/10-Day 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/10-Day 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 email 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, their 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 nextdoor neighbor spends $1,000 on an event to help raise funds for two different candidates and the event is held in their home, have they 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 their 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 their 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

82004.5	Behested Payment.
82015	Contribution.
82015.5	Contribution; Aggregation.
82018	Cumulative Amount.
82025	Expenditure.
82025.5	Fair Market Value.
82036	Late Contribution.
82041.3	Made at the Behest of.
82047	Person.
82047.6	Principal Officer.
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.
85312	Communications to Members of an Organization.
85700	Donor Information Requirements; Return of Contributions.
85704	Prohibition on Earmarking.

Title 2 Regulations

18215	Contribution.
18215.2	Uncompensated Internet Activity by Individuals that is not a Contribution or Expenditure.
18216	Enforceable Promise to Make a Payment.
18402.2	Limited Liability Companies, Responsible Officer.
18421.1	Disclosure of the Making and Receipt of Contributions.
18421.2	Cryptocurrency Contributions.
18421.3	Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
18421.10	Reporting Contributions from Limited Liability Companies.
18421.31	Text Message Contributions.
18423	Payments for Personal Services as Contributions and Expenditures.
18427.1	Notification to Contributors of Filing Obligations.
18428	Reporting of Contributions and Independent Expenditures Required to be Aggregated.
18430	Committee Controlled by More Than One Candidate.
18432.5	Intermediary and Earmarked Funds Disclosure.
18523	Nondesignated Contributions or Loans.
18531.7	Payments for Communications – Section 85312.
18533	Contributions from Joint Checking Accounts.

CHAPTER 5

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 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 their 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 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.

Effective January 1, 2021, a default contribution limit applies to city and county candidates when the city or county has not already enacted a contribution limit. Please see AB 571 (2019).

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.

> **Ex 5 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.

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.

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 a 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 their 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.

Federal Law Prohibitions: Contributions from Foreign Nationals (including Foreign Principals and Foreign Governments)

Committees may not solicit or accept contributions from foreign nationals. Federal law prohibits contributions and expenditures solicited, directed, received or made directly or indirectly by or from foreign nationals in connection with any election — federal, state or local. This prohibition includes contributions made to political committees. Furthermore, it is a violation of federal law to knowingly provide substantial assistance in the making, acceptance or receipt of contributions or in connection with federal and nonfederal elections to a political committee. This prohibition includes, but is not limited to, acting as an intermediary for foreign national contributions. (52 USCS Section 30121).) Contact the Federal Election Commission for information at (800) 424-9530 or info@fec.gov.

Federal Law Prohibitions: Contributions from National Banks or Federally-Chartered Corporations

National banks and federally-chartered corporations are subject to federal law prohibiting particular contributions and expenditures in connection with local, state, or federal elections. (The Federal Election Campaign Act, 52 USCS Section 30101, et seq. and specifically Section 30118; and see 11 C.F. R. Section 114.2.) Contact the Federal Election Commission for information at (800) 424-9530 or info@fec.gov.

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 their 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

Under Government Code Section 85300, the use of public moneys for the purpose of seeking elective office is prohibited unless:

- The governmental entity establishes a dedicated fund for this purpose by statute, ordinance, resolution, or charter; and
- Public moneys held in the fund are available to all qualified, voluntarily participating candidates for the same office without regard to incumbency or political party preference; and
- The state or local governmental entity has established criteria for determining a candidate's qualification by statute, ordinance, resolution, or charter.

QUICK TIP: Using public resources for campaign purposes is prohibited.

Please note that at the time of this publication, recently enacted provisions of Section 85300 are currently the subject of a court challenge. (See *Howard Jarvis Taxpayers Assn. v. Brown,* Super. Ct. Sacramento County, 2016, No. 34-2016-80002512.)

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.)

Ex 5 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.

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

Campaign contributions received in connection with an elective office may serve as the basis for disqualifying an officer from voting on a matter affecting the contributor, and may limit the amount of a contribution an officer can receive from a contributor with certain matters pending before the officer's agency. These rules apply to decisions before both elected officers as well as appointed officers where the appointed officer is also a candidate for an elected office. Specifically, Government Code Section 84308:

- **Prohibits Contributions Over $250:** 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 12 months following the date of that decision. This prohibition applies even when the contribution is for another candidate.

- **Requires Disclosure:** Requires disclosure of all such campaign contributions and also requires an officer's disqualification from making decisions in certain proceedings if the officer has received more than $250 in campaign contributions from a party or participant within 12 months preceding the decision.

- **Permits Return of Contributions After Proceeding:** Permits an officer who does not willfully or knowingly accept, solicit, or direct a contribution of more than $250 during the 12 months after the date a final decision is rendered in the proceeding to cure the violation by returning the contribution, or the portion of the contribution in excess of the $250, within 14 days of accepting, soliciting, or directing the contribution, whichever comes last. An officer's controlled committee, or the officer themselves if no controlled committee exists, must maintain records of curing any violation.

- **Permits Return of Contribution While Proceeding is Pending:** Allows an officer who receives a contribution that would otherwise require disqualification, who returns the contribution within 30 days from the time the officer knows, or should have known, about the contribution and the proceeding involves a license, permit, or other entitlement for use, to participate in the proceeding.

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:

- Local agencies whose members are elected by the voters (e.g., board of supervisors, city council, school board)
- Planning Commissioners
- Local Agency Formation Commission (LAFCO) members
- Members of redevelopment agencies that 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 5 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.

Ex 5 4 - Sarah is a city council candidate. Sarah is also an appointed member of the city's planning commission. Christopher has a permit request pending before the planning commission. Sarah is prohibited from soliciting or receiving any contribution of more than $250 from Christopher or Christopher's agent.

Ex 5 5 - Sarah wins the election and resigns from the position on the planning commission. Sarah is now serving solely in an elected position. Sarah is still required to disqualifiy themself from making decisions in proceedings involving a license, permit, or entitlement for use on the city council if Sarah has received contributions of more than $250 from a party or participant in the proceeding within the preceding 12 months.

Exempted Agencies

Section 84308 does not apply to the following agencies:

- Judicial branch
- Legislature
- Board of Equalization (Gov. Code Section 15626 applies)
- Constitutional officers

QUICK TIP: Section 84308 applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.

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

18215	Contribution.
18432.5	Intermediary and Earmarked Funds Disclosure.
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

CHAPTER 6

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 email with specific facts to advice@fppc.ca.gov.

QUICK TIP: Campaign funds must be used for political, legislative, or governmental purposes. 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 6 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 their 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).

Childcare Expenses

Campaign funds may be used to pay or reimburse a candidate for a dependent child's reasonable and necessary childcare expenses resulting *directly* from engaging in campaign activities. An officeholder may use campaign funds for childcare expenses resulting from directly engaging in campaign activity including that which is both political and legislative or governmental. Under the Act, "directly" means that the candidate would not have otherwise incurred the childcare expenses if not for the candidate engaging in campaign activities.

Under the Act, “childcare expenses” include the reasonable costs of:

- Professional daycare services
- Babysitting
- Nannying services
- Food and beverages
- Transportation to and from the location of a childcare services provider
- Before and after school programs
- Summer day camps
- Preschool
- Costs related to a nurse, home care provider, or other care provider for a disabled dependent child

Prohibited uses of campaign funds for childcare expenses include:

- Private school tuition
- Medical expenses
- Tutoring services
- Payments to a relative within the third degree of consanguinity, unless the relative owns or operates a professional daycare or babysitting service for which the cost is no greater than the relative would otherwise charge.

Clothing

The purchase of 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 6 2 - A candidate has been asked to attend a formal event honoring the mayor. Since they do not own a tuxedo, they 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.

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 6 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.

Ex 6 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 6 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)

> **Ex 6 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.

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.

A candidate or officeholder may not use any funds to pay or be reimbursed for a penalty, judgement or settlement related to a claim of sexual assault, sexual abuse or sexual harassment filed against the candidate or officeholder in any civil, criminal or administrative proceeding.

A candidate or officeholder may use legal defense committee funds for *other* legal costs and expenses related to claims of sexual assault, sexual abuse or sexual harassment, but if the candidate or officeholder is held liable, the candidate or elected officer must reimburse the legal defense fund for all funds used in connection with those other legal costs and expenses.

"Sexual assault" and "sexual abuse" have the same meaning as provided in Penal Code Section 11165.1. "Sexual Harassment" has the same meaning as found in Government Code Section 12940(j).

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 6 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 their 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** in a city or county that has enacted its own contribution limit so long as the funds are not "surplus funds." If the city or county has not enacted its own contribution limit, campaign funds leftover must be deposited in a new bank account for reelection to the same office. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit 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.) 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 long 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

Government Code Section 85501 states that a candidate controlled committee 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.

However, a recent Sacramento County Superior Court decision in *Charles R. "Chuck" Reed v. Fair Political Practices Commission* found Section 85501 unconstitutional and enjoined the Commission from enforcing that provision.

Before making an independent expenditure to support or oppose another candidate, committees should seek advice from the FPPC. An advice letter (Downing, No. A-14-148) has been issued on the matter.

A candidate controlled committee for elective office may make independent expenditures to support or oppose a ballot measure.

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 their 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.

Recurring Contributions

A "recurring contribution" is a contribution from a person to a candidate or committee that is automatically charged to the person's bank account, credit card, or other payment account on a repeated basis, such as weekly or monthly, without approval or any other affirmative consent by the person after their initial contribution to the candidate or committee.

A committee must obtain affirmative consent from a person making a recurring contribution at the time of the initial contribution. Any solicitation for a recurring contribution must be in a form that requires affirmative consent from the person making the contribution. Passive action by the contributor, such as failing to uncheck a pre-checked box authorizing a recurring contribution, does not meet the requirement of affirmative consent. A committee that accepts a recurring contribution is required to provide a receipt for each contribution, provide information necessary to cancel the recurring contribution, and immediately cancel a recurring contribution upon request.

A recurring contribution accepted in response to a solicitation that did not require affirmative consent must be returned to the contributor within 14 days of the earlier of the following:

- receipt of a request from the contributor to return the contribution, or
- the date on which the candidate or committee becomes aware that the solicitation of the recurring contribution was in violation of the Act.

A contribution accepted after a contributor requested to cancel a recurring contribution must be returned to the contributor within 14 days of the request to cancel the recurring contribution.

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, their 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.)

> **Ex 6 8 -** Paula Greene, a member of Supervisor Howard's staff, is also the treasurer of the Supervisor's campaign committee. Paula does all recordkeeping for the committee and completes the committee's campaign reports. Paula also has authority to approve committee expenditures. Campaign funds may be used to pay Paula Greene for services Paula provides as committee treasurer. Funds may not be used to supplement or pay her government salary.

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. However, the committee may pay for professional services such as an accountant or treasurer, even if the accountant or treasurer 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.

Security Systems

A candidate may use campaign funds to purchase an electronic security system. To do so, the candidate must have received threats to their physical safety because of their 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.

Effective January 1, 2020, campaign funds may be used to pay for, or reimburse the state for, the installation and monitoring of hardware, software, and services related to the cybersecurity of the electronic devices of a candidate, elected officer, or campaign worker. Any expenditure of campaign funds for these purposes must be reported on the candidate or elected officer's campaign statements.

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 6 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 their 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 their defeat, whichever occurs last. Campaign funds held by a non-incumbent defeated candidate or a candidate that withdrew 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. (For example, funds earmarked for 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 Attorneys 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?

Yes. Candidates may use campaign funds to pay for babysitting services for events that are directly related to campaign activity because the candidate would not have otherwise incurred childcare expenses if the candidate did not engage in the campaign activity.

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

82022.5	Election-Related Activities.
82025	Expenditure.
82044	Payment.
84307.5	Fundraising Payments Made to a Spouse or Domestic Partner.
85201	Campaign Bank Account.
85304.5	Legal Defense Fund; Local Candidates and Elected Officeholders.
85501	Prohibition on Independent Expenditures by Candidate Controlled Committees.
85700	Donor Information Requirements; Return of Contributions.
85710.5	Recurring 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.
89517.6	Use of Campaign Funds for Cybersecurity System.
89518	Use of Campaign Funds for Compensation.
89519	Use of Surplus Campaign Funds.

Title 2 Regulations

18526	Reimbursement of Expenditures.
18530.45	Legal Defense Funds – Local Candidates and Officers.
18570	Return of Contributions with Insufficient Donor Information.
18951	Surplus Funds.
18960	Direct Personal Benefit Defined.
18961	Incidental Use.

CHAPTER 7

COMMUNICATIONS

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" disclosures on campaign ads to inform voters who is paying for the communication. Chapter 7 discusses the disclosure 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.

B Payments for Communications Made by Others

Generally, when someone other than the candidate or their 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 their own candidacy, or to oppose their 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.

Coordinated Communications - Nonmonetary Contributions

When someone other than the candidate or their committee pays for a communication that is coordinated with or "made at the behest" of the candidate or their 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 funding a communication is **coordinated** with **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.

QUICK TIP: When a communication that expressly advocates support of a candidate is paid for by someone other than the candidate or their committee, and the communication is "made at the behest" of the affected candidate, the candidate must report the payment as a nonmonetary contribution.

- **Common Consultants** The person making the expenditure retains the services of a person who provides either the candidate or the committee supporting or opposing the ballot measure 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.

- **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** with 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.

- **Candidate Material** 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.

- **Public Appearance** 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.

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.

> **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.

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."

Ex 7 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.

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 7 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 Autumn Gomez's campaign headquarters. Autumn 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 Autumn's Gomez's campaign.

On the other hand, if the committee contacted Autumn Gomez and arranged for a professional photographer to meet for the purpose of taking photographs for the mailer, the committee would be making a nonmonetary contribution to Autumn Gomez's campaign.

Ex 7 3 - During Curt Anthony's campaign, two newspaper advertisements supporting Curt Anthony were published without Curt Anthony's knowledge or consent. Because the payments for these communications were not coordinated with Curt Anthony or made at Curt Anthony's behest, they were independent expenditures by the person(s) funding the ads and were not reportable by Curt Anthony's campaign. The person(s) who paid for the ads may have a filing obligation.

- **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.

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 their 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 their 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.

Ex 7 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 John. Because the mailing was made at the behest of the candidate, the association has now made a nonmonetary contribution to John Law.

Ex 7 5 - A city council candidate paid for a mailing which quoted the mayor's verbal endorsement of their candidacy. Although the mayor was also on the ballot, the flyer was not a contribution to the mayor.

Ex 7 6 - Emmelyn Chin, a city council member running for reelection, sent out a flyer to registered voters in Emmelyn's district asking them to support Emmelyn's candidacy. The flyer also encouraged the voters to vote for Lorraine Sweet for Governor, although this endorsement was not made at Lorraine's behest. Because the gubernatorial election and city council election would appear on the same ballot for those living in Emmelyn Chin's district (and the flyer was sent only to voters in that district), the payment for the flyer is not an independent expenditure supporting Lorraine Sweet.

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.

QUICK TIP: See Chapter 7 for the disclosure and sender identification requirements for mass mailings sent by a candidate-controlled committee or a committee primarily formed to support or oppose a candidate.

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 email addresses or any payment for general or public advertisements on Internet sites.

Ex 7 7 - John is running for school board and John's neighbor George posts support for John's candidacy on Facebook. In George's Facebook post, George includes a picture of John that George got from John's website. The communication is not reportable because George was not paid for the Facebook post.

Uncompensated Individuals' Internet Activity When an individual who is not compensated by a candidate or committee sends communications over the Internet (e.g., emails, 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.

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 their advertisement revenue from a single candidate or committee because they are not considered to be providing uncompensated personal services.

Ex 7 8 - Camille is running for local office and 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.

Ex 7 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.

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 7 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.

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.

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 their 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.

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 7 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.

Ex 7 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/10 Day 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 7 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.
82041.3	Made at the Behest of.
82044	Payment.
82047	Person.
84211	Contents of Campaign Statement.
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.
18225.7	Made At the Behest; Independent versus Coordinated Expenditures.
18421.5	Reporting an Expenditure for Paid Online Communications.
18450.1	Definitions. Advertisement Disclosure.
18531.7	Payments for Communications – Section 85312.

Advertisement Disclosures

CHAPTER 8

This chapter describes the disclosures 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 disclosure is the portion of a political message that identifies the committee that paid for and authorized the communication. The basic disclosure for a communication made by a candidate's committee for their own election is "paid for by [committee name]." The disclosure 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.

Disclosure Example:



A Which Communications Require an Ad Disclosure?

Candidate Controlled Committees

Under the Act, a candidate controlled committee must include a disclosure on mass mailings and certain telephone calls advocating the candidate's own election. In addition, radio and television advertisements require a "paid for by" disclosure. The Act does not require a specific disclosure 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 disclosure on the following communications:

- Mailings, including emails
- Paid telephone calls
- Radio ads
- Television and video ads
- Electronic media ads, including audio only ads
- Newspaper and magazine 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 disclosure 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 Disclosure Exceptions

Generally, a disclosure 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 disclosure cannot be conveniently printed
- T-shirts, caps, hats, and other articles of clothing
- Skywriting and airplane banners
- Committee checks and receipts

Online Platform Disclosed Advertisement Requirements

Please note that advertisements that are "online platform disclosed advertisements" have different disclosure requirements than other types of online advertisements. "Online platform disclosed advertisements" are either (1) electronic media advertisements made via an online platform that allows users to engage in discourse and post content, or any other type of social media, for which the committee pays the online platform or (2) electronic media advertisements that are in the form of a graphic, image, animated graphic, or animated image that an online platform hosting the advertisement does not allow to hyperlink to an internet website containing required disclosures. For more information on "online platform disclosed advertisements" please refer to the "Online Platform Disclosed Advertisement Requirements" chart later in this chapter.

Electronic media advertisements that are not "online platform disclosed advertisements" shall follow disclosure requirements described in this chapter, other than those listed in the "Online Platform Disclosed Advertisement Requirements" chart.

B How Must the Disclosure Appear?

Disclosures on political ads vary by the type of advertisement. Please review the advertisement disclosure charts available on the FPPC's website for the specific requirements.

C Advertisement Disclosures for Communications by Candidate Committees for their own Election

The disclosure on a communication made by a candidate's committee for their own election must include "Paid for by [committee name]," unless otherwise noted in the Communications by Candidate Committees for their own Election chart #1 available on the FPPC's website.

QUICK TIP: A candidate's personal Facebook page needs the "Ad paid for by" disclosure on Header Photo if the candidate has a controlled committee and is using their personal Facebook page for campaigning and/or fundraising.

D Advertisement Disclosures for Independent Expenditure Ads Made by Committees Primarily Formed to Support or Oppose a Candidate

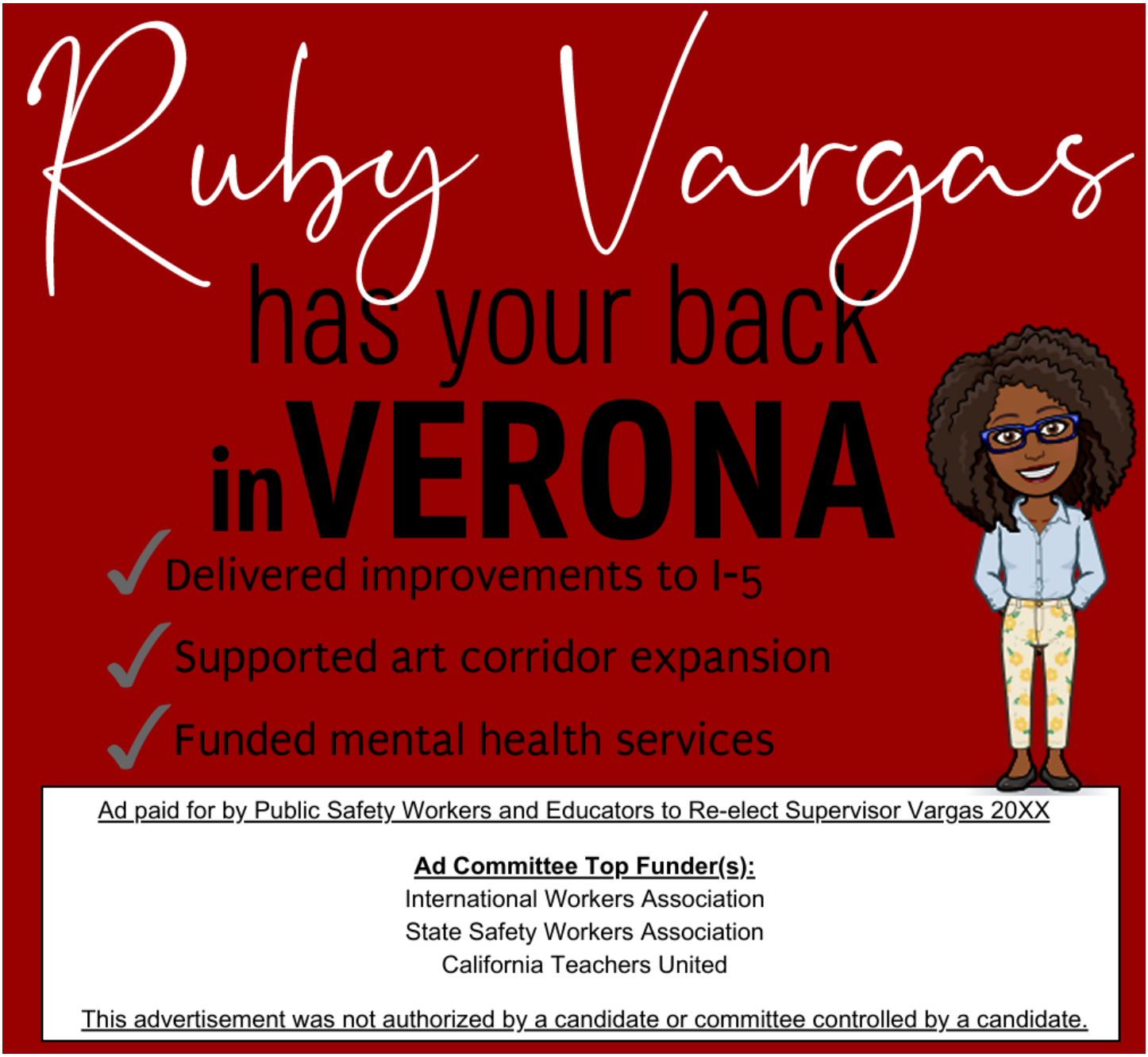
When a committee primarily formed to support or oppose a candidate pays for an advertisement that is an independent expenditure, the advertisement disclosure must include the information contained in the Independent Expenditure Ads on Candidates (except ads by candidates and political party committees) chart #2 available on the FPPC's website, including the names of the committee's top three contributors.

Top Contributors

"Top contributors" means the persons from whom the committee paying for an advertisement has received its three highest cumulative contributions of fifty thousand dollars ($50,000) or more. If two or more contributors of identical amounts qualify as top contributors, the most recent contributor of that amount must be listed as the top contributor.

If an advertisement paid for by a committee supports or opposes a candidate, the determination of top contributors may not include any nonprofit organization exempt from federal income taxation pursuant to Section 501(c)(3) of the United States Internal Revenue Code or any person who has prohibited in writing the use of their contributions to support or oppose candidates if the committee does not use such contributions to support or oppose candidates.

Print Advertisement Disclosure Example:



E Online Platform Disclosed Advertisements

"Online platform disclosed advertisements" are either (1) electronic media advertisements made via an online platform that allows users to engage in discourse and post content, or any other type of social media, for which the committee pays the online platform, or (2) electronic media advertisements that are in the form of a graphic, image, animated graphic, or animated image that an online platform hosting the advertisement does not allow to hyperlink to an internet website containing required disclosures.

Electronic media advertisements that are not "online platform disclosed advertisements" shall follow disclosure requirements described previously in this chapter.

Online Platform Disclosed Advertisement Requirements

Communication	Disclosure and Manner of Display
Type of Advertisement Law Applies To:	Either (1) electronic media advertisements made via an online platform that allows users to engage in discourse and post content, or any other type of social media, for which the committee pays the online platform or (2) electronic media advertisements that are in the form of a graphic, image, animated graphic, or animated image that an online platform hosting the advertisement does not allow to hyperlink to an internet website containing required disclosures.

Communication	Disclosure and Manner of Display
Ad Disclosure that Online Platform is Required to Place on Advertisement:	**An Online Platform Must Do One of the Following:** 1) Display "Paid for by" or "Ad Paid for by" followed by "Ad Committee's Top Funder(s)" followed by the committee's top three contributors of $50,000 or more, followed by a colon, followed by surrounded in quotation marks, the name of the committee easily readable to the average viewer located adjacent to any statement the communication is an advertisement (or is promoted or sponsored). The online platform may display only one hundred or more characters of the "committee major funding from" followed by the committee's top three contributors and name of the committee disclosures if followed by a "…" that is clearly clickable and that links to a page that provides the disclosures. The ad may instead link to a website that the committee has created pursuant to other provisions of the Act that contains the committee's name, top contributor information, and whether the ad was authorized by a candidate for independent expenditure ads on candidates. 2) Display a hyperlink, icon, button, or tab with the text "Who funded this ad?," "Paid for by," or "Ad Paid for by" that is clearly clickable and links to a page that provides the "Ad Committee's Top Funder(s)" followed by the committee's top three contributors of $50,000 or more, followed by a colon, followed by the committee's name disclosures. This text must be easily readable to the average viewer, in the same or similar font and in at least the same font size as the online platform's text stating that the communication is an advertisement (or is promoted or sponsored). The ad may instead link to a website that the committee has created pursuant to other provisions of the Act that contains the committee's name, top contributor information, and whether the ad was authorized by a candidate for independent expenditure ads on candidates. If fewer than three contributors qualify as top contributors, only those contributors that qualify shall be disclosed. If there are no contributors that qualify as top contributors, the top contributor disclosure is not required. Please note that advertisements for a candidate controlled committee established for an elective office of the controlling candidate are not required to display top contributor disclosures. **The Online Platform Must Also:** Display a prominent button, icon, tab, or hyperlink with the text "View Ads" or similar text. The button, icon, tab, or hyperlink shall link to a page containing the records required to be displayed in the publicly available online database in one of the following locations: 1) Near the top of a profile, landing page, or similar location of a committee that paid for an advertisement in a position that the average viewer will readily see it upon viewing that page. 2) On a page that displays the committee's profile information or biographical information. 3) On a page on which the average viewer would normally navigate to view additional information about a committee.

Communication	Disclosure and Manner of Display
Information Committee Paying for Advertisement is Required to Provide to Online Platform:	Upon requesting the dissemination of the advertisement, committee must do all of the following: 1) Expressly notify the online platform that the advertisement is one that falls under the Act. 2) Provide the online platform with committee's top contributors and the committee's name and identification number. 3) Provide the online platform with the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, or number or letter of the ballot measure and the jurisdiction to which the advertisement refers. 4) Update the online platform with any change in the name of the committee or its top three contributors within 5 business days.
Records Required to be Kept and Provided to the Public in Online Platform's Public Database:	For all committees that purchased online platform disclosed ads and paid for five hundred dollars ($500) or more in advertisements to the online platform during the preceding 12 months the database must contain: 1) A digital copy of the advertisement. 2) The approximate number of views generated from the advertisement and the date and time that the advertisement was first displayed and last displayed. 3) Information regarding the range charged or the total amount spent on the advertisement. 4) The name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, as applicable, or number or letter of the ballot measure and the jurisdiction to which the advertisement refers. 5) The name and identification number of the committee that paid for the advertisement, if the committee is assigned an identification number. These records are required to be made available by the online platform as soon as practicable and must be retained by the online platform for 4 years.

F Mass Mailings – Emails 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 (“email”). 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.

Disclosures for Emails Sent by a Candidate for their own Election

Emails must include the committee’s name preceded by the words “paid for by” in at least the same size font as a majority of the text in the email.

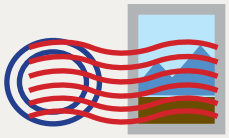
From: Rreynolds@yahoo.com
To: Voter1@gmail.com
Cc:
Subject: Reynolds for City Council 20XX

Don’t forget to vote for Reynolds on Tuesday! This message was paid for by Reynolds for City Council 20XX.

Disclosures for Postal Mailings Sent by a Candidate for their own Election

A mass mailing sent by a candidate controlled committee must include the words “paid for by” immediately in front of or above the name and address of the committee on the outside of each piece of postal mail. The disclosure must be in no less than 6-point type and in a color that contrasts with the background (Example: no light blue disclosures 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



Ahmed 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 in front of or above 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 disclosure 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 disclosure must be in no less than 6-point type and in a color that contrasts with the background (Example: no light blue disclosure 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.

Mailings (including Emails) Sent by Committees Primarily Formed to Support or Oppose a Candidate

Postal Mailings Any mailing (regardless of the number of pieces sent) paid for by a primarily formed committee as an independent expenditure supporting or opposing a candidate must include the disclosures below in Arial equivalent font, in at least 10-point size, in a contrasting color, centered horizontally and, except for the names of top contributors, underlined. The names of top contributors may not be underlined and the text may not be condensed. If there are no top contributors, the "Ad paid for by" need not be underlined. All text must appear in a printed or drawn box with a solid white background at the bottom of at least one page and set apart from other printed matter.

- "Ad paid for by [committee's name]"
- "Ad Committee Top Funder(s) [names of top three contributors of $50,000 or more]" each listed on a separate horizontal line, in descending order, beginning with the largest contributor. Mailings that are 20 square inches or less must only disclose the single top contributor of $50,000 or more. This text may not appear in all capital letters.
- Below the top contributor information (if any), a statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate. This text must not appear in all capital letters.

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.

Emails Emails sent by a primarily formed committee supporting or opposing a candidate must include the "Paid for by," "Committee major funding from," and "Not authorized by" disclosures printed clearly and legibly in a contrasting color and in no less than 8-point font at the top or bottom of the email. "Committee major funding from" and "Not authorized by" disclosures must not appear in all capital letters.

Recordkeeping for Mass Mailings (including Emails)

For each independent expenditure mailing and candidate-controlled mass mailing or email communication, 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 for postal mailings.

G 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 disclosure is not required for telephone calls personally dialed by the candidate, campaign manager, or volunteers. The disclosure can occur anytime during the call.

Calls Made by Committees Primarily Formed to Support or Oppose a Candidate

If a primarily formed committee pays for a telephone call that expressly advocates support for or opposition to a candidate, the name of the committee must be disclosed to recipients. The disclosure must include the words "Ad paid for by." If the call is an independent expenditure, the disclosure must also include a statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate. The disclosure must also include the committee's top three contributors of $50,000 or more during the 12-month period prior to the expenditure, if any. The disclosure must be spoken clearly for at least three seconds at the beginning or end of

the call, in a pitch and tone substantially similar to the rest of the call. Prerecorded telephone ads must disclose only the top two contributors of $50,000 or more unless the ad lasts 15 seconds or less or the disclosure statement would last more than eight seconds, in which case only the single top contributor must be disclosed.

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.

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.

Ex 8 1 - City Councilmember Reitz pays a vendor to make calls to 1,500 local voters to encourage them to reelect the Councilmember to the city council. The disclosure 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 8 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 disclosure 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."

H Electronic Media Ads

Please review the advertisement disclosure charts available on the FPPC's website for the specific disclosure requirements on electronic media ads.

I Newspaper, Radio and Television Ads

Radio and television ads paid for by a candidate's committee for their own election must include the following disclosures:

- **Radio:** "Ad paid for by" followed by name of committee as it appears on most recent Form 410 at the beginning or end of advertisement read in a clearly spoken manner with pitch and tone substantially similar to the rest of advertisement.

- **Television:** "Ad paid for by" followed by name of committee as it appears on most recent Form 410 shown for at least four seconds. Letters must be in a type size greater than or equal to four percent of the height of the screen.

The Act does not require a specific disclosure on newspaper ads paid for by a candidate's committee for their own election. For newspaper ad requirements, candidates and committees should check the Elections Code.

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 "Ad paid for by [committee name]" disclosure and other requirements as described in the advertisement disclosure chart available on the FPPC's website.

J 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 disclosure 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.

> **Disclosure on ad:** "(Spokesperson's name) is being paid by this campaign or its contributors."

Any payment to an individual in an ad portraying a professional (e g , nurse, doctor, firefighter, scientist, engineer, lawyer, etc): The committee makes expenditures of any amount to an individual for their 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.

> **Disclosure 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 disclosure, 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.

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.

The advertisements include print, television, video, and radio ads, as well as telephone messages. The disclosures on the ads must be shown in highly visible font for print, television or video ads, or spoken in a clearly audible manner for radio ads or telephone messages. The disclosure must be shown continuously except when other required disclosures are being shown.

K Updating a Disclosure

Advertisement disclosures must be revised if a committee's name changes, if the order of the top contributors changes, or if there is a new $50,000 contributor. Television, radio, electronic media, or "robo" calls must be amended within five business days. Print media, mass mailings, or other tangible items must be amended every time an order to reproduce is placed.

L Penalties

Failure to comply with the Act's disclosure requirements may result in fines of up to $5,000 per violation. In addition, any person who violates the disclosure 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 disclosure rules the same for candidate controlled committees and committees primarily formed for candidates that will be making independent expenditures?

No. Stricter disclosure rules apply to independent expenditure advertisements because it is less clear to the public who is responsible for these ads. The Act requires disclosures on a broader range of advertisements when they are paid for by a committee making independent expenditures. See the ad disclosure 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 disclosures are required, if any?

The same disclosures are required as those for a primarily formed committee making independent expenditures except for the "not authorized by" disclosure.

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 candidate's 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 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 in front of or above the committee name and address.

H What type of disclosure is required for a committee that sends independent expenditure ads on candidates through Twitter?

Committees making independent expenditures via electronic media ads on Twitter may satisfy the Act's disclosure requirements in one of two ways: (1) providing its full disclosure statement on its Twitter profile/landing page or (2) including the phrase "Who funded this ad?" on its Twitter profile/landing page immediately followed by a hyperlink to an Internet Web site containing the full disclosure statement.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82025	Expenditure.
82031	Independent Expenditure.
82041.5	Mass Mailing.
82044	Payment.
82047	Person.
84305	Requirements for Mass Mailing.
84310	Identification Requirements for Telephone Calls.
84501	Advertisement.
84502	Disclosure; Committee Name.
84503	Top Contributor Disclosure.
84504	Disclosure; Radio and Telephone Ads.
84504.1	Disclosure; Video and Television Ads.
84504.2	Disclosure; Print Ads.
84504.3	Disclosure; Electronic Media Ads.
84504.4	Disclosure; Radio and Television Ads; Political Parties and Candidates.
84504.5	Disclosure;Independent Expenditure Ads; Political Parties and Candidates.
84505	Avoidance of Disclosure.
84506.5	Disclosure; Independent Expenditure Ads; Not Authorized by Candidate.
84504.6	Disclosure; Online Platform.
84504.7	Disclosure; Text Messages.
84509	Amended Disclosure.
84511	Ballot Measure Ads; Paid Spokesperson Disclosure.

Title 2 Regulations

18215	Contribution.
18225.7	Made At the Behest of; Independent versus Coordinated Expenditures.
18247.5	Primarily Formed Committees.
18401	Required Recordkeeping for Chapters 4 & 5.
18435	Definition of Mass Mailing.
18440	Telephone Advocacy.
18450.1	Definitions. Advertisement Disclosure.
18450.2	Definitions. Authorized and Paid For.
18450.4	Video and Television Advertisement Disclosure.
18450.5	Amended Advertising Disclosure.
18450.11	Spokesperson Disclosure.
18523.1	Written Solicitation for Contributions.

Committee Report – 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/10-Day Contribution Report) must still be reported on the committee's next Form 460.

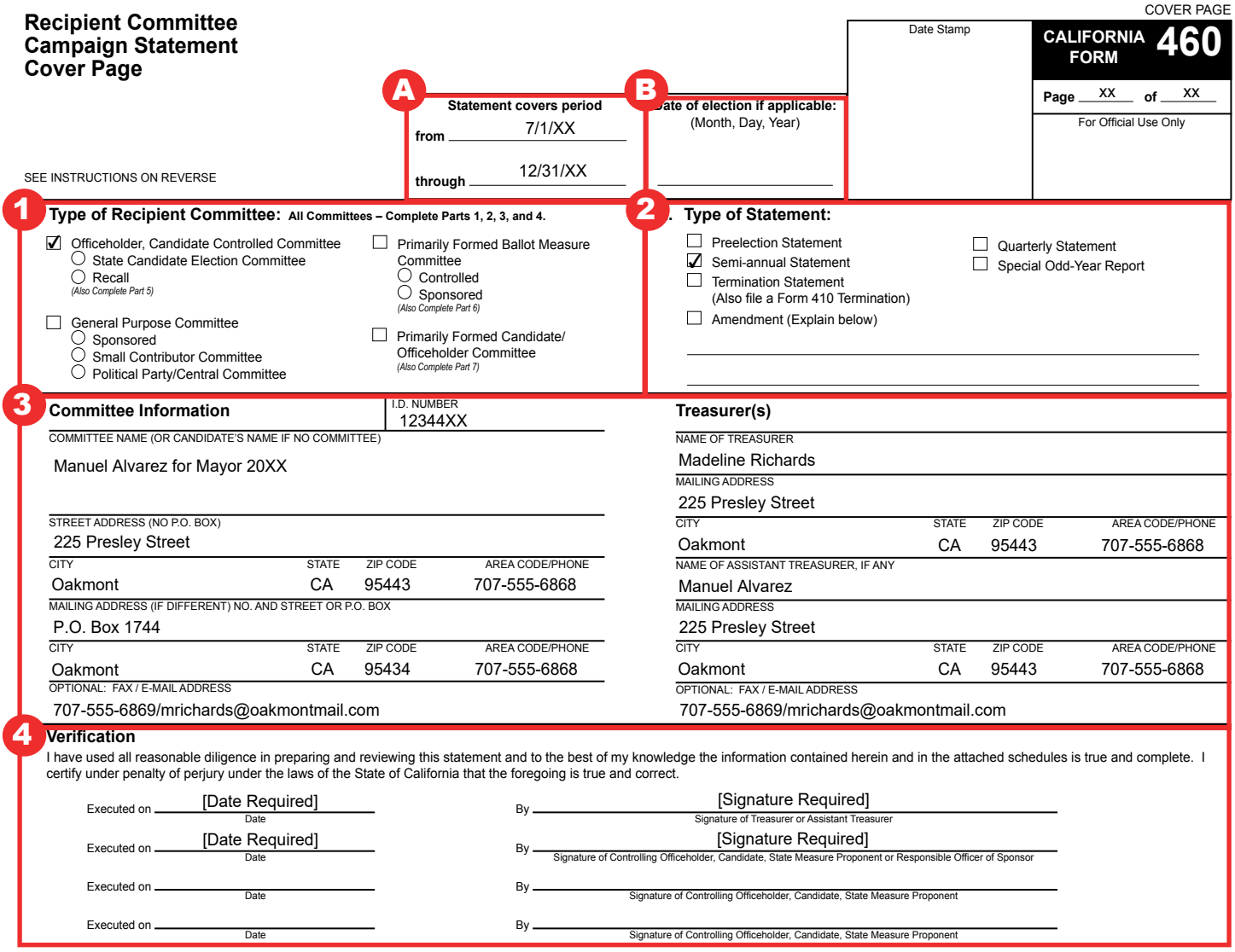
A primarily formed committee may file the Form 450 (Committee Campaign Statement – Short Form) instead of the Form 460 if, during the reporting period, the committee:

- 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).

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.

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.



COVER PAGE

Recipient Committee Campaign Statement Cover Page

Date Stamp

CALIFORNIA FORM 460

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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: Oakmont STATE: CA ZIP CODE: 95443 AREA CODE/PHONE: 707-555-6868

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX: P.O. Box 1744

CITY: Oakmont STATE: CA ZIP CODE: 95434 AREA CODE/PHONE: 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: Oakmont STATE: CA ZIP CODE: 95443 AREA CODE/PHONE: 707-555-6868

NAME OF ASSISTANT TREASURER, IF ANY: Manuel Alvarez

MAILING ADDRESS: 225 Presley Street

CITY: Oakmont STATE: CA ZIP CODE: 95443 AREA CODE/PHONE: 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)

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). An email address for the committee must be included. 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 their 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, they 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

COVER PAGE - PART 2

CALIFORNIA FORM 460

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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

B Completing the Form 460 Cover Page – Part 2

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 their 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

Amounts may be rounded to whole dollars.

SUMMARY PAGE

Statement covers period
from 7/1/XX
through 12/31/XX

CALIFORNIA FORM

Page XX of XX

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Manuel Alvarez for Mayor 20XX

I.D. NUMBER
12344XX

1 Contributions Received

		Column A (TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES))	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

5 Cash Equivalents and Outstanding Debts

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 (Jan/2016)

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 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.

Reporting Earmarked Contributions

A committee that makes a contribution to another committee earmarked for a third specifically identified committee must disclose the specifically identified committee as the recipient of the contribution and the other committee as an intermediary at the time the earmarked contribution is made. The specifically identified committee must disclose the contributor and intermediary at the time the funds are received from the intermediary. The intermediary must disclose receipt of the funds as a miscellaneous increase to cash on Schedule I of Form 460 at the time the funds are received and must disclose the expenditure as the transfer of an earmarked contribution from the contributor to the specifically identified committee at the time the funds are given to the specifically identified committee.

> **Ex 9 1 -** Sarah Gomez made a $500 contribution to your committee and notified you that they would later be reimbursed by their employer, Hilltop Dairy. Your committee will report Hilltop Dairy as the source of the contribution and must also disclose Sarah as the intermediary.

A committee that makes a contribution to another committee and subsequently reaches an agreement with that committee that all or a portion of the contribution would be used for another committee, ballot measure or candidate must include a notation on its next statement that the original contribution was subsequently earmarked, including the name of the specifically identified committee, ballot measure, or candidate. The committee that initially received the funds must also include a notation on its next statement that the original contribution was subsequently earmarked and must disclose the original contributor to any new committee to which it transfers the earmarked funds. The new committee shall disclose the true source of the contribution with a notation that the contribution was earmarked to the specific ballot measure or candidate.

Ex 9 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.

A committee that makes a contribution earmarked for a specifically identified ballot measure or candidate must disclose a contribution to the committee that received the contribution with a notation that the contribution was earmarked to the specific ballot measure or candidate. The committee receiving the earmarked contribution must disclose the contributor with a notation that the contribution was earmarked for the specific ballot measure or candidate when the contribution is received. This committee is solely responsible for disclosing the ultimate use of the earmarked contribution, whether by contribution or expenditure, at the time the funds are used. If the committee receiving the earmarked contribution contributes any portion of the contribution to another committee to support or oppose the specifically identified ballot measure or candidate, that committee shall disclose the true source of the contribution to the new committee receiving the earmarked funds for disclosure on the new committee's campaign report. The new committee shall disclose the true source of the contribution with a notation that the contribution was earmarked to the specific ballot measure or candidate.

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 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.

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, their 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 9 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

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, IF LLC, REFER TO INSTRUCTIONS FOR WHAT TO ENTER.)	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

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. Many local agencies require itemization at a lower threshold so check with your elections office.

> **Ex 9 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 Wade's cumulative contributions for the calendar year are now $100 or more, Wade must be itemized on the second campaign statement. The $99 contribution will be reported under "amount received this period" and $124 will be reported as the "cumulative to date" total. Wade's name, address, occupation, and employer must also be disclosed.

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 the contributor is a limited liability company (LLC) that has qualified as an independent expenditure committee or major donor, include the name of the LLC and the full legal name of the of the LLC's responsible officer as defined in Regulation 18402.2. For contributions of $100 or more received from an LLC that has qualified as a recipient committee, include the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, include the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified.

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.) Additionally, for contributions of $100 or more from an intermediary that is a limited liability company (LLC) that has qualified as an independent expenditure committee or major donor, include the name of the LLC and the full legal name of the LLC's responsible officer as defined in Regulation 18402.2. If the contributor is an LLC that has qualified as a recipient committee, include the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, include the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified.

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 their employer. If the individual is self-employed, provide the name of their 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.

> **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.

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, their 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.

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 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

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
123XX

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 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
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
   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

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.) For loans that are contributions of $100 or more from Limited Liability Companies (LLCs) please see instructions for Schedule A above for information required to be reported in connection with contributions received from LLCs. Loans received from commercial lending institutions in the normal course of business are not contributions.

> **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.

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.

2 Individual Lender

If the lender is an individual (including a candidate or officeholder using personal funds to make a loan to their committee), provide the individual’s occupation and the name of their employer. If the individual is self-employed, provide the name of their 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 their 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.

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).

> **QUICK TIP:** Do not report the repayment of a loan on Schedule E. Only the “Interest Paid This Period” should be reported on Schedule E.

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 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

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 CONTRIBUTOR (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. If the guarantor is a Limited Liability Company (LLC) please see instructions for Schedule A above for information required to be reported in connection with contributions received from LLCs.

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 their employer. If the individual is self-employed, provide the name of their 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 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 9 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

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.

- Compensation paid by an employer to an employee who spends more than 10 percent of their 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.

Schedule C
Nonmonetary Contributions Received

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		Food for Fundraiser	$1,500	$1,500	N/A
10/1/XX	Citizens for Improving Oakmont (ID 116787XX) 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)

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 9 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. For contributions received from Limited Liability Companies (LLCs) please see instructions for Schedule A above for information required to be reported in connection with contributions received from LLCs. 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 contributor, check the appropriate box to indicate whether the contributor 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 their employer. If the individual is self-employed, provide the name of their 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.

> **QUICK TIP:** If an individual donates their personal or professional services to a campaign (including their travel expenses), no contribution has been made or received as long as the individual is not paid or reimbursed.

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.

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 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 their 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.

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 their 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

Amounts may be rounded to whole dollars.

SCHEDULE D
CALIFORNIA FORM **460**

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

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

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.

> **Ex 9 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).

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.

> **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.

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.

> **Ex 9 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 they make personal contributions to their controlled election campaign committee of $10,000 or more?

No. A candidate's contributions to their 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 their own controlled committees.

B Must the spouse of a candidate file the Form 461 if they make personal contributions to their 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 they make personal contributions to their 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 They also contributed $3,000 to their 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 in the form of 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.

QUICK TIP: Expenditures of campaign funds must have a political, legislative, or governmental purpose. (See Chapter 5.)

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.

Ex 9 9 - During October and November, your committee:

(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 9 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/10-Day 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;
- Robocalls;
- Printing and literature; and
- Design or management of campaign literature or advertising.

  * If signature gathering, door-to-door solicitations, or canvassing is done by an individual, the agent or independent contractor does not need to supply the name of the individual to the committee, nor does the committee need to name the individual. For more information regarding this, please review Regulation 18431(e).

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.

Ex 9 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).

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.

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 9 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 and the $50 Secretary of State fee) 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.

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 their 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 9 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)."

Ex 9 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 their 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 9 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

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.
CNS campaign consultants
CTB contribution (explain nonmonetary)*
CVC civic donations
FIL candidate filing/ballot fees
FND fundraising events
IND independent expenditure supporting/opposing others (explain)*
LEG legal defense
LIT campaign literature and mailings
MBR member communications
MTG meetings and appearances
OFC office expenses
PET petition circulating
PHO phone banks
POL polling and survey research
POS postage, delivery and messenger services
PRO professional services (legal, accounting)
PRT print ads
RAD radio airtime and production costs
RFD returned contributions
SAL campaign workers' salaries
TEL t.v. or cable airtime and production costs
TRC candidate travel, lodging, and meals
TRS staff/spouse travel, lodging, and meals
TSF transfer between committees of the same candidate/sponsor
VOT voter registration
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

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.
CNS campaign consultants
CTB contribution (explain nonmonetary)*
CVC civic donations
FIL candidate filing/ballot fees
FND fundraising events
IND independent expenditure supporting/opposing others (explain)*
LEG legal defense
LIT campaign literature and mailings
MBR member communications
MTG meetings and appearances
OFC office expenses
PET petition circulating
PHO phone banks
POL polling and survey research
POS postage, delivery and messenger services
PRO professional services (legal, accounting)
PRT print ads
RAD radio airtime and production costs
RFD returned contributions
SAL campaign workers' salaries
TEL t.v. or cable airtime and production costs
TRC candidate travel, lodging, and meals
TRS staff/spouse travel, lodging, and meals
TSF transfer between committees of the same candidate/sponsor
VOT voter registration
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. 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.

> **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.

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.

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)

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 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

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 9 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

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 yet received an invoice from the vendor?

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 should report the amount of personal funds used on Schedule A as a contribution and Schedule E as an expenditure (itemizing subvendors 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 itemizing subvendors of $100 or more. 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.

> **QUICK TIP:** When reporting an agent or independent contractor's expenditure to an individual for conducting signature gathering, door-to-door solicitations, or canvassing, a committee is not required to name the individual, nor is the agent or contractor required to name the individual when providing information to the committee. For more information, please see Regulation 18431(e).

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)

Amounts may be rounded to whole dollars.

SCHEDULE G

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

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

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 for reporting loans **made** by the committee. Campaign funds may 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.

Because a loan is considered a contribution, loans to other candidates and committees are subject to applicable state or local contribution limits. Loans to other candidates and committees must also be reported on Schedule D.

Outstanding loans are reported on each campaign statement until they are paid.

> **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*

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 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	5 % RATE $ 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
   (Enter the net here and on the Summary Page, Column A, Line 7.)
   (May be a negative number)

**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 their employer. If the individual is self-employed, provide the name of their 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.)

- Receipt of earmarked funds when acting as an intermediary. (See Chapter 8.)

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 9 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

Amounts may be rounded to whole dollars.

SCHEDULE I

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 Alv[illegible] 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

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.
82015.5	Contribution; Aggregation.
82018	Cumulative Amount.
82025	Expenditure.
82025.5	Fair Market Value.
82044	Payment.
82047.6	Principal Officer.
84105	Notification of Contributors.
84203	Late Contribution; Reports.
84211	Contents of Campaign Statement.
84212	Forms; Loans.
84213	Verification.
84216	Loans.
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.
84615	Campaign Reports and Statements – Electronic Filing for Local Agencies.
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.
18216	Enforceable Promise to Make a Payment.
18250	Street Address.
18401	Required Recordkeeping for Chapters 4 & 5.
18402.2	Limited Liability Companies, Responsible Officer.
18421	Cash Equivalents.
18421.1	Disclosure of the Making and Receipt of Contributions.
18421.3	Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
18421.5	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.
18421.10	Reporting Contributions from Limited Liability Companies.
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 and Earmarked Funds Disclosure.
18526	Reimbursement of Expenditures.
18533	Contributions from Joint Checking Accounts.
18570	Return of Contributions with Insufficient Donor Information.

CHAPTER 10

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/10-Day Contribution Report (Form 497). All reports and statements filed under the Political Reform Act (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 (e.g., 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 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 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/10-Day Independent Expenditure Reports (Form 496) or to the 24-Hour/10-Day 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.

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.

Ex 10 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.

Ex 10 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.

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.

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:** Candidate controlled and primarily formed committees must file their second preelection statements by personal delivery or guaranteed overnight delivery (or online transmission, if available).

> **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 they are 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 10 3 -** The local district attorney is the subject of a recall election being held in September. In March, they 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 Emailing Statements

Campaign statements that contain 30 pages or less may be faxed or emailed (if the local filing officer will accept an emailed 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 paper original* Original and one copy* One copy

*Effective, January 1, 2023, filers required to file a report or statement by paper **with the Secretary of State** may instead file the paper report or statement by email. All statements must be signed using a verified digital signature. Please access the Secretary of State's website for more information on how to file with a digital signature.

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 with their local jurisdictions. 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 have 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 their 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 they are 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, they must file campaign statements for all committees they control 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 10 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 their city. As an incumbent school board member and a candidate for mayor, they 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

Ex 10 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 paper original
    - Non-Electronic Filers: Secretary of State – Original and one copy City Clerk – One copy
- City Council Committee
    - City Clerk – Original and one copy

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, they 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.
81005	Reports and Statements; Filing Deadline on Weekend or Holiday.
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.
84200.8	Time for Filing Preelection Statements for Elections Not Held in June or November of an Even-Numbered Year.
84206	Candidates Who Receive or Spend Less Than $2,000.
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.
18405	Candidates with Multiple Controlled 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.
18531.5	Recall Elections.

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/10-Day Contribution Report (Form 497).

Primarily formed committees making independent expenditures must file the independent expenditure reports discussed below. A candidate's controlled committee for their 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/10-Day Contribution Reports (Form 497)
- 24-Hour/10-Day 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 totaling $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 totaling $5,000 or more to support or oppose the **qualification** of a single local measure	Form 496
Makes independent expenditures totaling $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 contributions totaling $5,000 or more to support or oppose the **qualification** of a single local measure	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/10-Day Contribution Report (Form 497)

The 24-Hour/10-Day 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:

QUICK TIP: When aggregating contributions from a single source, monetary contributions, nonmonetary contributions, and loans are included.

- **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

- **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.

- **Makes** contributions that total in the aggregate $5,000 or more to support or oppose the **qualification** of a single local initiative or referendum ballot measure.

  This Form 497 is required to be filed within 10 business days in the place(s) where the committee would be required to file campaign statements as if it were formed or existing primarily to support or oppose the local initiative or referendum ballot measure.

Contributions reported on the Form 497 must also be reported on the committee's next Form 460.

Ex 11 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 11 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/10-Day 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.

QUICK TIP: A candidate who loans or makes contributions to their own campaign, in the aggregate of $1000 or more, within the 90 days before an election, plus the date of the election, must file a Form 497.

QUICK TIP: If a candidate receives a contribution of $1,000 or more, from a single source, in the 90 days before an election, plus the day of the election, they must file a Form 497, even if they have not been required to open a committee.

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).

Exceptions:

- The Form 497 must be filed **within 48 hours** of **receiving** a nonmonetary contribution.

- The Form 497 must be filed within 10 business days when contributions that total $5,000 are made to support or oppose the qualification of a single local measure.

Filing deadlines are extended to the next business day when they fall on a Saturday, Sunday, or official state holiday. 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.

Except for the Form 497 triggered at $5,000, 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 email.

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.

497 Contribution Report

Amounts may be rounded to whole dollars.

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: 11/01/20XX
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*	TYPE OF CONTRIBUTION	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED	TYPE OF ELECTION	CUMULATIVE AMOUNT
10/30/XX	Loretta Stone 28 Hemlock Street Oakmont, CA 95434	☑ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC	☑ MONETARY ☐ NON - MONETARY	Nurse - Oakmont Hospital	$2,000 ☐ Check if Loan _____% Provide interest rate	☑ GENERAL ☐ PRIMARY ☐ OTHER	$2,000
10/30/XX	ABC Company 220 R Street Oakmont, CA 95434	☐ IND ☐ COM ☑ OTH ☐ PTY ☐ SCC	☑ MONETARY ☐ NON - MONETARY		$3,000 ☐ Check if Loan _____% Provide interest rate	☑ GENERAL ☐ PRIMARY ☐ OTHER	$3,000

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.

Contributions Received

For contributions received, provide:

- The date received.
- The contributor's full name, street address, and zip code; for contributions of $100 or more from a limited liability company (LLC) that has qualified as an independent expenditure committee or major donor, include the name of the LLC and the full legal name of the LLC's responsible officer as defined in Regulation 18402.2. If the contributor is an LLC that has qualified as a recipient committee, include the name of the committee and its principal officer as defined in Section 82047.6, for contributions of $100 or more. For an LLC that has not qualified as a committee, include the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution.
- 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, their 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, they loan their 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), they transfer campaign funds totaling $1,000 or more from a campaign committee established for a prior office to the campaign committee established for the office they are 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/10-Day 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.

Ex 11 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.

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.

A committee that makes an independent expenditure of $1,000 or more must also file the forms 496 (24-Hour/10-Day Independent Expenditure Report)listed below.

- Form 496 (24-Hour/10-Day 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 their own election, or to oppose their opponent, are direct campaign expenditures, not contributions or independent expenditures.

If a candidate pays for a communication supporting their 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.

Ex 11 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.

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 11 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.

24-Hour/10-Day Independent Expenditure Report (Form 496)

The 24-Hour/10-Day 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 before the candidate's or measure's election, including the date of the 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.

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 email, 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 email is available.

Location of Filing Form 496

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.

> **Ex 11 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.

10-day Independent Expenditure Report (Form 496)

Additionally, a Form 496 is required to be filed within 10 business days when a committee makes independent expenditures that total in the aggregate $5,000 or more to support or oppose the **qualification** of a single local initiative or referendum ballot measure.

> **Ex 11 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

Amounts may be rounded to whole dollars.

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: 11/1/20XX

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
10/31/20XX	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
10/28/20XX	Joe Brown 1800 Second Street Oakmont, CA 95443	☒ IND ☐ COM ☐ OTH ☐ PTY ☐ SCC	Retired	$200	If loan, enter interest rate, if any _____%

Jurisdiction of Candidate or Measure Supported/Opposed	
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

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.

> **QUICK TIP:** Generally, the "cumulative amount" means the amount of independent expenditures made in the current calendar year.

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.

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, their occupation and the name of their 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).

For contributions of $100 or more received from a limited liability company (LLC) that has qualified as an independent expenditure committee or major donor, include the name of the LLC and the full legal name of the LLC's responsible officer as defined in Regulation 18402.2. For contributions of $100 or more received from an LLC that has qualified as a recipient committee, include the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, include the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified.

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.

Ex 11 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.

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 11 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.

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 email with the FPPC (form462@fppc.ca.gov). The originally signed form must be maintained with the committee's campaign records for four years.

Form 462
Verification of Independent Expenditures

CALIFORNIA FORM 462

This verification form identifies the individual responsible for ensuring that a campaign committee's independent expenditures were not coordinated with the listed candidate (or the opponent) or measure committee 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
STREET ADDRESS		CITY	
10 Main Street		Oakmont	
STATE	ZIP CODE	E-MAIL	TELEPHONE NUMBER
CA	95443	kluuci@hotmail.com	(707) 111-2222

2. Candidate or Measures:

This committee has reported an 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) OR BALLOT MEASURE	SUPPORT	OPPOSE	OFFICE SOUGHT OR HELD/ BALLOT NO./LETTER	JURISDICTION AND DISTRICT, IF ANY	ELECTION DATE
Manuel Alvarez	✓		Mayor	Oakmont	11/4/20XX

3. Verification:

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)*

(Check One): ☑ **Principal Officer** ☐ **Candidate/Officeholder** ☐ **State Ballot Measure Proponent** **FPPC Form 462 (Aug/2016)**

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 email 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 462s 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.

C 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 11 10** - 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

D 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 their appearance in a ballot measure advertisement in the following situations:

> **Ex 11 11** - 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 disclosure 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 their appearance in an advertisement to support or oppose the qualification, passage, or defeat of a state or local ballot measure.

> **Ex 11 12** - 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 disclosure, but it must file the Form 511.

Payments of Any Amount: The committee makes expenditures of any amount to an individual for their 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.).

QUICK TIP: Chapter 7 contains the requirements for advertisement disclosures, including the specific disclosures that may be required if a committee pays a spokesperson to appear in a ballot measure advertisement.

Committees that pay a spokesperson to appear in a ballot measure advertisement may be required to include specific disclosures on the advertisements. (See Chapter 7.)

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.
81005	Reports and Statements; Filing Deadline on Weekend or Holiday.
82025	Expenditure.
82031	Independent Expenditure.
82036	Late Contribution.
82036.5	Late Independent Expenditure.
82044	Payment.
82047.6	Principal Officer.
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.
84204.5	Ballot Measure Contributions and 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

18250	Street Address.
18402.2	Limited Liability Companies, Responsible Officer.
18421.1	Disclosure of the Making and Receipt of Contributions.
18421.10	Reporting Contributions from Limited Liability Companies.
18425	24-Hour Contribution Reports.
18428	Reporting of Contributions and Independent Expenditures Required to be Aggregated.
18450.11	Spokesperson Disclosure.
18531.10	Communications Identifying State Candidates.
18539.2	Reporting Payments Pursuant to Government Code Section 85310.
18550	24-Hour Independent Expenditure Reports.

CHAPTER 12

Filing Obligations After the Election and Terminating the Committee

After the election, a candidate's future filing obligations are determined by whether they were 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 their 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 their 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, they 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 (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 payments made to a "payee," such as a charity or a government agency, by a third party "payor" at the request or suggestion of an elected officer for a legislative, governmental or charitable purpose. These behested payments do not include payments made principally 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.

- An elected officer must disclose a relationship to a nonprofit organization recipient of a behested payment and any proceeding before their agency at the time of payment or within 12 months prior to the reported payment in which the payor is involved in the proceeding. See Regulation 18424 for additional information.

- 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 12 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 elected officer makes a request for a payment from a local, state, or federal government agency.

Form 803 Reporting: Charitable Fundraising Solicitations Involving an Elected Officer

A payment is subject to behested payment reporting if the payment is made in response to a fundraising solicitation from a charitable organization where the solicitation meets the following:

- It was sent with the cooperation, control, or consent or at the suggestion or direction of the elected officer; and
- It "features" the elected officer.

A solicitation “features” an elected officer when it includes the officer’s photograph or signature, or singles out the elected officer **in the manner of display**. 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 18424.2 for additional information.

Behested Payment Report
A Public Document

Type or Print in Ink.

Amendment of Filing	Date Stamp (Agency)	CALIFORNIA FORM 803
☐ Check box if an Amendment / / (Month, Day, Year) #_____ Confirmation Number		

1. Elected Officer or CPUC Member *(Last name, First name)*

ELECTED OFFICER OR CPUC MEMBER:	AGENCY NAME:	AGENCY STREET ADDRESS:
Alvarez, Manuel	City of Oakmont	225 Presley Street, Oakmont, CA 95443
DESIGNATED CONTACT PERSON (NAME AND TITLE):	**AREA CODE/PHONE NUMBER:**	**E-MAIL:**
Madeline Richards	707-555-6868	mrichards@oakmontmail.com

2. Payor Information *(For additional payors, include an attachment with the names, addresses, and proceeding information)*

NAME:	ADDRESS:	CITY:	STATE:	ZIP CODE:
Wildwood Insurance Company	1022 Main Street	Oakmont	CA	95443

☐ Donor Advised Fund (DAF) (see instructions) — DAF NAME: — DONOR(S) AND DONOR'S ADVISOR: (SEE INSTRUCTIONS.)

☐ Payor is a named party or the subject of a proceeding before my agency. — BRIEF DESCRIPTION OF PROCEEDINGS:

3. Payee Information *(For additional payees, include an attachment with the names, addresses and relationship information)*

NAME:	ADDRESS:	CITY:	STATE:	ZIP CODE:
Boys and Girls Club of America	555 10th Street	Sacramento	CA	95814

For a **nonprofit organization payee**, provide a brief description of any relationship to the official, official's immediate family member or staff member in the role of founder, salaried employee, decision-making capacity (board member or executive officer) or position on an honorary or advisory board.

NAME AND TITLE:	ROLE WITH THE NONPROFIT ORGANIZATION:	BRIEF DESCRIPTION:

4. Payment Information *(Complete all information. For estimated payment information check the box below.)*

DATE (MONTH/DAY/YEAR)	AMOUNT	PAYMENT TYPE	BRIEF DESCRIPTION OF IN-KIND PAYMENT	PURPOSE	DESCRIBE THE LEGISLATIVE, GOVERNMENTAL, CHARITABLE PURPOSE, OR EVENT:
6/24/xx	$5,000	☑ MONETARY DONATION ☐ IN-KIND GOODS OR SERVICES		☐ LEGISLATIVE ☐ GOVERNMENTAL ☑ CHARITABLE	Charitable fundraiser to support the Boys and Girls Club.
		☐ MONETARY DONATION ☐ IN-KIND GOODS OR SERVICES		☐ LEGISLATIVE ☐ GOVERNMENTAL ☐ CHARITABLE	

☐ The _____ (DATE/AMOUNT) is an estimate and reflects my best efforts at obtaining the accurate information. — REASON FOR ESTIMATE:

5. Amendment Description and/or Comments *(Provide date of original filing or confirmation number in Part 1.)*

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 6/30/20xx (DATE) By *Manuel Alvarez* (SIGNATURE)

FPPC Form 803 (February/2022)
advice@fppc.ca.gov

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.)

A candidate or officeholder may not use any funds to pay or be reimbursed for a penalty, judgement or settlement related to a claim of sexual assault, sexual abuse or sexual harassment filed against the candidate or officeholder in any civil, criminal or administrative proceeding.

A candidate or officeholder may use legal defense committee funds for *other* legal costs and expenses related to claims of sexual assault, sexual abuse or sexual harassment, but if the candidate or officeholder is held liable, the candidate or elected officer must reimburse the legal defense fund for all funds used in connection with those other legal costs and expenses.

"Sexual assault" and "sexual abuse" have the same meaning as provided in Penal Code Section 11165.1. "Sexual Harassment" has the same meaning as found in Government Code Section 12940(j).

Recall Elections

Under state law, an officeholder who is the subject of a recall may use an existing committee (set up for the office they currently hold) 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. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit should check with the local jurisdiction to determine if there is a local ordinance that imposes additional provisions regarding terminating the committee.)

A defeated candidate in a city or county that has not enacted contribution limits, with no net debts outstanding must terminate their candidate controlled committee no later than 24 months after the candidate is defeated.

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 12 2 -** John Davis lost the city council election in November. John has $3,500 remaining in the 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 the 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.

> **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 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 **not subject to AB 571** may redesignate their 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 check with the local jurisdiction to determine if there is a local ordinance with separate redesignation requirements.

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 12 3 - Jayna Chacon is a city council member who plans to run for county supervisor in the next election. Jayna would like to use the remaining funds in the city council committee bank account for the county election. Jayna must file a new Form 501 before soliciting or receiving contributions for the county supervisor election. Jayna 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.

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.

> **Ex 12 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.

E Terminating the Committee

There is no deadline for terminating a committee controlled by a local candidate or officeholder in a city or county that has enacted contribution limits 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. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit should check with the local jurisdiction to determine if there is a local ordinance that imposes additional provisions regarding terminating the committee.)

However, a candidate in a city or county that has not enacted contribution limits must terminate their candidate controlled committee no later than 24 months after the earliest:

- The date the candidate is defeated;
- Leaves office;
- The term of office for which the committee was formed ends; or
- For withdrawn candidates, no later than 24 months after the election from which the candidate withdrew.

> **Ex 12 5 -** Blake Thomas is currently a city councilmember (elected in 2019) in a jurisdiction subject to AB 571. Blake runs and is reelected to that seat on November 7, 2023. Blake must terminate the candidate controlled city council committee from 2019 by no later than the term of office for which the committee was formed ends in 2023.

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.

> **Ex 12 6 -** At the end of November, after winning the election, Arlene decides to terminate the committee. To do so, Arlene 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, Arlene 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.

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 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.

F Receiving a Refund After the Committee Has Terminated

Generally, once a committee has terminated, no transactions may be made by the committee. 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 12 7 - A candidate was defeated in a November election and closed their campaign committee in December. In February of the following year, they received a $1,500 refund from the county elections office for an overpayment of their 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, they 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 their 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 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.

D 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.

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.

E Assemblymember Higuera's photo, name and office appears in a Paws & Claws charitable fundraising event invitation, but neither the official not their staff consented to the use of their photo or otherwise cooperated in the event invitation Must Assemblymember Higuera file a Form 803 for resulting payments?

No. Where the solicitation is sent without the official or the official's agent cooperation or consent, or any other actions (coordination, direction, suggestion, etc.) that satisfy "making a behest," there is no duty for the official to report the payments on Form 803 related to their appearance in the event invitation.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82004.5	Behested Payment.
82041.3	Made at the Behest of.
82015	Contribution.
84103	Statement of Organization; Amendment.
84200	Semi-Annual Statements.
84206	Candidates Who Receive or Spend Less than $2,000.
84214	Termination.
84224	Behested Payment Disclosure.
85200	Statement of Intention to be a Candidate.
85201	Campaign Bank Account.
85304.5	Legal Defense Fund; Local Candidates and Elected Officeholders.
89519	Use of Surplus Campaign Funds.

Title 2 Regulations

18215	Contribution.
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.
18424	Behested Payment Reporting. Additional Information.
18424.1	Behested Payment Reporting. Good Faith Estimate.
18424.2	Behested Payment Reporting. Charitable Organization Fundraising Solicitations.
18424.3	Behested Payment Reporting. Payments from Donor Advised Funds.
18426	Semi-Annual Statement Early Filing.
18530.45	Legal Defense Funds – Local Candidates and Officers.
18531.5	Recall Elections.
18951	Surplus Funds.

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 four divisions: Executive, Administration and Technology, Enforcement, and Legal.

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 18110.

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
1102 Q Street, Suite 3050
Sacramento, CA 95811

(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 training opportunities.

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
1102 Q Street, Suite 3050
Sacramento, CA 95811
(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.