

24-HOUR/10-DAY CONTRIBUTION REPORTS (FORM 497)

In order for voters to be more informed about the contributors to election campaigns, the Political Reform Act (“Act”) requires committees to file certain contribution reports within 24 hours. During the 90-day period before an election or on the date of the election, a general purpose committee that makes contributions of \$1,000 or more to support or oppose a candidate or ballot measure must file the Form 497 (24-Hour/10-Day Contribution Report) within 24 hours from the time the contribution is made. In addition, state and local committees outside of the 90-day, 24-hour reporting period may be required to file the Form 497 within 10 business days. This chapter discusses the Form 497 in detail. All contributions reported on the Form 497 must also be reported on the committee’s next regular campaign statement (e.g., Form 460).

A. State Committees

State committees must file the Form 497 **within 24 hours** of the following payments:

- Contributions that total in the aggregate \$1,000 or more made to a candidate, a primarily formed committee to support or oppose a candidate, an officeholder, or a ballot measure committee within 90 days before an election, or on the date of the election.
- Contributions that total in the aggregate \$1,000 or more made to a state or county political party committee within 90 days before **any** state election, or on the date of the election.
- Contributions that total in the aggregate \$1,000 or more made to a candidate or a committee primarily formed to support or oppose a candidate in a CalPERS or CalSTRS election within 90 days before an election, or on the date of the election.

State committees must file the Form 497 **within 10 business days** of the following payments:

Ex 10.1 – A committee made a contribution of \$2,500 to a state officeholder’s legal defense committee. The Form 497 must be filed if the contribution was made during the 90 days before the state officeholder’s election, or on the date of the election.

Ex 10.2 – In 2019, several state special elections were held. A general purpose committee that made a contribution of \$1,000 or more to a political party committee within 90 days before any special election, or on the date of the election, was required to file the Form 497.

Quick Tip

A loan of \$1,000 or more that is forgiven during the 90-day period before the election, including the date of the election, triggers a 24-Hour/10-Day Contribution Report (Form 497).

- Contributions that total \$5,000 or more made to support or oppose a single state ballot measure. This report must also disclose donors to the general purpose committee who have not been previously reported on a campaign statement. This report is required only for e-filers.
- Contributions that total \$5,000 or more are to support or oppose the qualification of a single local ballot measure. This report must also disclose donors to the general purpose committee who have not been previously reported on a campaign statement.

Filing deadlines are extended to the next business day when this deadline falls on a Saturday, Sunday, or an official state holiday. The extension does not apply on the Saturday, Sunday or an official state holiday immediately prior to an election. Committees should refer to the relevant FPPC filing schedule for specific deadlines.

Where To File: With the exception of the \$5,000/10-Day Form 497 in connection with the qualification of a local measure, all state committees file the Form 497 electronically with the Secretary of State. This includes committees that have not yet reached the \$25,000 electronic filing threshold. No paper copies of this report are required and no copies are required to be filed with other filing officers.

*For contributions related to the qualification of a local measure, the Form 497 must be filed in the place(s) a primarily formed committee for the local measure is required to file. This Form 497 must be filed by fax, guaranteed overnight delivery, personal delivery or email. Some jurisdictions require electronic submissions. Check with the local elections office.

Ex 10.3 –Forty-five days before the November election, a general purpose committee, made a \$500 contribution to a candidate for city council. Ten days before the election, the committee made a \$600 contribution to the same candidate. Because the committee has now made contributions to the candidate that total in the aggregate \$1,000 or more, the Form 497 must be filed within 24 hours of making the second contribution. The day before the election, the committee provided the same candidate with the committee’s third and final contribution of \$600. A second Form 497 is not required as the committee did not reach a subsequent \$1,000 since the last report filed.

B. Local Committees

Local committees must file the Form 497 **within 24 hours** of the following payments:

- Contributions that total in the aggregate \$1,000 or more made to a candidate, a committee primarily formed to support or oppose a candidate, or a ballot measure committee within the 90 days before an election, or on the date of the election.
- Contributions that total in the aggregate \$1,000 or more made to a state or county political party committee within 90 days before **any** state election, or on the date of the election.
- Contributions that total in the aggregate \$1,000 or more are made to a candidate or a committee primarily formed to support or oppose a candidate in a CalPERS or CalSTRS election within 90 days before the election, or on the date of the election.
- Contributions that total \$5,000 or more are to support or oppose the qualification of a single local ballot measure. This report must also disclose donors to the general purpose committee who have not been previously reported on a campaign statement.

Check with the city clerk or county elections office to determine if there are additional 24-hour report requirements in the jurisdiction.

Filing deadlines are extended to the next business day when a filing deadline falls on a Saturday, Sunday, or an official state holiday. The extension does not apply on the Saturday, Sunday or an official state holiday immediately prior to an election. Committees should refer to the relevant FPPC filing schedule for specific deadlines.

Where To File: With the exception of the \$5,000/10-Day Form 497 in connection with the qualification of a local measure, file the Form 497 at the same locations the committee files its Form 460 (Recipient Committee Campaign Statement); generally the city or county elections office. The Form 497 must be filed by fax, guaranteed

overnight delivery service, or personal delivery. Some jurisdictions require electronic submissions. Check with the local elections office.

For contributions related to the qualification of a local measure, the Form 497 must be filed in the place(s) a primarily formed committee for the local measure is required to file. This Form 497 must be filed by fax, guaranteed overnight delivery, personal delivery or email. Some jurisdictions require electronic submissions. Check with the local elections office.

C. Nonmonetary Contribution Reports

A committee that anticipates making more than one nonmonetary contribution to a single candidate, ballot measure committee, or political party committee during the 90 days before the election, or on the date of the election may, on or before the deadline, file a single Form 497 covering the period in which the nonmonetary contributions will be made.

The report should disclose the total value of the nonmonetary contributions that will be made during the period covered. If the actual value is not known at the time of filing, a good faith estimate of the value that will be contributed during the period may be disclosed. If the value of the nonmonetary contributions made differs from the estimated amount by 20 percent or more, the estimated report must be amended within 24 hours from the date the committee knows the estimated value is incorrect. The committee must notify the candidate or ballot measure committee of the contribution's value within 24 hours so that the receiving committee may fulfill its reporting requirement.

497 Contribution Report

Amounts may be rounded to whole dollars.

A NAME OF FILER CA Technology PAC, Sponsored by CA Technology Association AREA CODE/PHONE NUMBER (916) 555-1640 STREET ADDRESS 1810 21st Street CITY STATE ZIP CODE Sacramento CA 95814	B Date of This Filing <u>5/20/XX</u> Report No. <u>1</u> <input type="checkbox"/> Amendment to Report No. _____ (explain below) No. of Pages <u>1</u>	Date Stamp	CALIFORNIA FORM 497 For Official Use Only	
		I.D. NUMBER (if applicable) 13582XX		

1. Contribution(s) Received

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE*	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED
5/19/XX	Friends of Senator Smith, 2014 1010 Main Street Sacramento, CA 95814 #135234	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	N/A	\$3,000 <input type="checkbox"/> Check if Loan _____% Provide interest rate
5/19/XX	County Central Committee 22 First Street Fresno, CA 93611 #123456	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	N/A	\$4,000 <input type="checkbox"/> Check if Loan _____% Provide interest rate

D. Completing the Form 497

A Filer Information

Provide the committee's full name, telephone number, street address, city, state, zip code, and identification 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.

Contribution(s) Received

State and Local Committees: A committee is required to complete this part when contributions totaling \$5,000 or more made in connection with the **qualification** of a local ballot measure. List all new contributions of \$100 or more received by the committee that have not been previously reported up through the date of the \$5,000 or more payment.

State Electronic Filers: A committee is required to complete this part when contributions totalling \$5,000 or more are made in connection with a state ballot measure. List all new contributions of \$100 or more received by the committee that have not been previously reported up through the date of the \$5,000 or more payment. This section is not required for contributions made to local and state candidates, or political party committees. For specific guidance, see Regulation 18466.

1 For Contributions Made, provide:

- The date made.
- The recipient’s full name, street address and zip code. If the recipient is a committee, also enter the committee’s identification number. In the case of a nonmonetary contribution report the committee receiving the benefit of the contribution, not the vendor.
- The candidate’s name and office sought or the ballot measure number or letter and jurisdiction.
- The amount of the contribution.
- For a contribution made to a city or county committee, enter the date of the election.

Ex 10.4 – A state general purpose committee made a \$75,000 contribution to a state ballot measure committee in January. Within 10 business days, the state general purpose committee must file Form 497 and list all donors of \$100 or more since the last campaign report was filed (e.g., Form 460 or Form 497).

Amendments

To amend a previously filed Form 497, file a new Form 497 with the corrected information, the “Amendment” box checked, and indicate the reason for the amendment. The “Report Number” of the report being amended must be included. There is no deadline for filing amendments; however, they should be filed as soon as practicable. File the amendment in the same location(s) as the original.

Answering Your Questions

A. 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 his or her committees requires the Form 497 to be filed by both the candidate and the donor.

B. A committee made a \$500 contribution to a candidate in a special primary election a few days before the election, and made a second contribution of \$500 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.

C. Must a committee file a Form 497 if a contribution of \$1,000 or more is made to a state candidate committee for an election if the candidate has withdrawn from the election and does not appear on the certified list of candidates?

No. If a candidate is not on a certified list of candidates, thus not listed on a ballot, a Form 497 is not required to be filed within 90 days of the election.

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.
- 82015 Contribution.
- 82036 Late Contribution.
- 84200.6 Special Campaign Statements and Reports.
- 84203 Late Contribution; Reports.
- 84203.3 Late In-Kind Contributions.
- 84204.5. Ballot Measure Contributions and Expenditures; Reports.

Title 2 Regulations

- 18215 Contribution.
- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18425 24-Hour Contribution Reports.
- 18466 State Ballot Measure Contributions and Expenditures; Online Reports.