GENERAL PURPOSE COMMITTEES
CAMPAIGN DISCLOSURE MANUAL 4
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STATEMENT OF ORGANIZATION (FORM 410)

Before money is raised or spent in connection with an election, committee treasurers should become familiar with the various campaign disclosure forms applicable to the type of campaign or committee involved.

As explained in Chapter 1, a group or entity qualifies as a recipient committee when contributions of $1,000 or more are received. A recipient committee is required to file a Statement of Organization (Form 410), which provides the public with information about the purpose of the committee and identifies the committee’s treasurer and principal officer(s). The Form 410 is also required to be filed in order to terminate the committee. This chapter describes how to complete and file the Form 410.

A. 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. Committees that are created and pay the initial $50 fee in the last three months of a calendar year are not subject to the annual fee in the subsequent year. A committee that fails to timely pay the fee is subject to a penalty of $150.

B. 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 campaign forms. After filing the Form 410, the committee ID number may be obtained from the Secretary of State’s website. Go to www.sos.gov, click on the Campaign Finance link, then type the name of the committee in the Cal-Access Search space and click on “Go.” Contact the Secretary of State’s office at (916) 653-6224 with any other questions about committee identification numbers.

Quick Tip

The committee ID number is generally assigned within 7 – 10 days after the Secretary of State’s office receives the Form 410.

Quick Tip

If a person or group qualifies as a committee within the 90 days before an election, and the committee makes contributions of $1,000 or more to a candidate or ballot measure committee, the Form 497 (24-hour Contribution Report) must be filed. The Form 497 may be required before the committee ID number is assigned. See Chapter 10 for more information about the Form 497.
C. Completing the Statement of Organization (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 $1,000 committee qualification 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 the $1,000 threshold to provide the date the committee qualified.

1 Committee Name

Provide the full name of the committee. A committee may use only one name.

Sponsored Committees: If the committee is sponsored, the full name of its sponsor must be included in the name of the committee. (See Chapter 1 for the definition of a sponsored committee.)
If the committee has more than one sponsor and the sponsors are members of an industry or some other identifiable group, the committee’s name must include a term that identifies that industry or group (e.g., milk producers or police officers).

**Committee Address**

Provide the committee's street address. A post office box may be used as a mailing address. The committee may have more than one mailing address.

**County of Domicile and Jurisdiction Where Committee is Active**

Indicate the county in which the committee is located and the jurisdiction where the committee is active and must file its campaign statements (i.e., State, County of Sacramento, City of San Diego).

2 **Treasurer, Assistant Treasurer, and Other Principal Officers**

The committee must have a treasurer and may have an assistant treasurer. Report the names of the treasurer and assistant treasurer, along with their mailing addresses and phone numbers.

List the name of the principal officer(s) and his or her 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 type 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.
3 Verification

The treasurer or assistant treasurer must complete the verification. It is not considered filed if it is not signed. The principal officer is not required to sign the Form 410.

Bank Account

On page 2, enter the name and address of the financial institution where the committee’s campaign bank is located, as well as the bank account number. If a committee has more than one bank account, only one account must be listed. If a bank account has not yet been opened at the time of filing an “Initial” Form 410, an amended Form 410 must be filed within ten days of opening the bank account to provide this information.

4 Type of Committee/ Level of Activity

On page 3 of the Form 410, a general purpose committee must indicate the level of government at which the committee participates. A committee is classified as either a city, county, or state committee. If a committee does not qualify as a city or county committee, it is considered a state committee.

A city general purpose committee makes more than 70 percent of its contributions or expenditures to support or oppose candidates or measures voted on in only one city, or in one consolidated city and county, including contributions to city general purpose committees in the same city or the same consolidated city and county.

A county general purpose committee makes more than 70 percent of its contributions or expenditures to support or oppose candidates or measures voted on in only one county, or in more than one jurisdiction within one county, including contributions to county general purpose committees in the same county.
A **state general purpose committee** makes contributions or expenditures to support or oppose candidates or measures voted on in state elections, including making contributions to other state general purpose committees, or in more than one county, and does not meet the definition of city or county general purpose committee. A political party committee is also a state general purpose committee.

FPPC Regulation 18227.5 requires a general purpose committee to verify its filing jurisdiction at specified times. Chapter 1 includes a discussion on how to apply the regulation, as well as examples of when a committee would be required to change its filing jurisdiction status.

**Description of Activity**

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**

If the committee is sponsored, list the names and addresses of all sponsors and their industry group or affiliation. (See Chapter 1 for additional information about sponsored committees).

**Small Contributor Committee**

If the committee is a small contributor committee, check the box and enter the date the committee qualified as a small contributor committee. (See Chapter 1 for additional information about small contributor committees.)
### 4. Type of Committee (Continued)

<table>
<thead>
<tr>
<th>General Purpose Committee</th>
<th>Not formed to support or oppose specific candidates or measures in a single election. Check only one box:</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY Committee</td>
<td>COUNTY Committee</td>
</tr>
</tbody>
</table>

**Provide brief description of activity**

**Support candidates and ballot measures favorable to technological advances**

**Sponsored Committee** List additional sponsors on an attachment.

**NAME OF SPONSOR**

**CA Technology Association**

**INDUSTRY GROUP OR AFFILIATION OF SPONSOR**

**Technology businesses**

**STREET ADDRESS**

**CA Technology Association**

**NO. AND STREET**

**450 Mill Valley Way**

**CITY**

**Cupertino**

**STATE**

**CA**

**ZIP CODE**

**95015**

**Small Contributor Committee**

**☐**

**Date qualified**

**☐**

### 5. Termination Requirements

By signing the verification, the treasurer, assistant treasurer and/or candidate, officeholder, or proponent certify that all of the following conditions have been met:

- This committee has ceased to receive contributions and make expenditures;
- This committee does not anticipate receiving contributions or making expenditures in the future;
- This committee has eliminated or has no intention or ability to discharge all debts, loans received, and other obligations;
- This committee has no surplus funds; and
- This committee has filed all campaign statements required by the Political Reform Act disclosing all reportable transactions.

- There are restrictions on the disposition of surplus campaign funds held by elected officers who are leaving office and by defeated candidates. Refer to Government Code Section 89519.

- Leftover funds of ballot measure committees may be used for political, legislative or governmental purposes under Government Code Sections 89511 - 89518, and are subject to Elections Code Section 18680 and FPPC Regulation 18521.5.

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FPPC Form 410 (Dec/2012)

FPPC Advice: advice@fppc.ca.gov (866/275-3772)

www.fppc.ca.gov
D. When and Where to File the Form 410

File the original and one copy of the Form 410 with the Secretary of State within 10 days of receiving contributions of $1,000 or more.

Send the Form 410 to:

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

In addition, if the committee is a county or city committee, a copy of the Form 410 must be filed with the county elections office or city clerk, respectively, within the same time frame. The Form 410 may be filed prior to raising $1,000, but then must be amended within 10 days to disclose the date qualified as a committee.

24-Hour Deadline for the Form 410

In the following situations, the Form 410 must be filed within 24 hours:

- **90 days before an election.** If a committee qualifies in the 90 days prior to an election in which the committee makes independent expenditures of $1,000 or more to support or oppose a candidate in that election, the Form 410 must be filed within 24 hours of qualifying.

  - **Where to File:** With the filing officer who will receive the committee’s original campaign statements and with the filing officer(s) for the candidate(s) supported or opposed by the independent expenditure(s).

  - **Method of Delivery:** By fax, guaranteed overnight delivery, personal delivery, or online (if online filing is available).

- **16 days before an election.** If a committee qualifies in the 16 days prior to an election in which it must file preelection statements, the Form 410 must be filed within 24 hours of qualifying.

**Ex 2.1** — In January, a group of citizens filed a Form 410 prior to qualifying as a county general purpose committee. On February 10, they received a number of contributions totaling more than $1,000. By February 20, they must file an amended Form 410 with the Secretary of State (and a copy with the county elections office) showing the date the committee qualified.

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**A group that qualifies as a committee in these situations may be a primarily formed committee, not a general purpose committee. See Chapter 1 for a discussion on committee types.**
• **Where to File:** With the filing officer who will receive the committee's original campaign statements.

• **Method of Delivery:** By fax, guaranteed overnight delivery, personal delivery, or online (if online filing is available).

Note: If the 24-hour Form 410 is not required to be filed with the Secretary of State according to “where to file” in the two situations above, an original Form 410 must be filed with the Secretary of State within 10 days (regular mail be used).

### E. Amendments to Form 410

Generally, if any information on the Form 410 changes, the committee must file an amendment **within 10 days** of the change. The amendment must be filed with the Secretary of State and a copy with the local filing officer, if applicable.

**24-Hour Deadline for Amendments to the Form 410**

If, during the last 16 days before the election, any of the following changes occur, the committee must file the amended information **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 officer(s)
- Any candidate or state ballot measure proponent 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 amendment must also be filed with the Secretary of State within 10 days (regular mail may be used) if the Secretary of State is not the filing officer with whom the committee files its original campaign statements.

It is especially important to file an amendment as soon as possible 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.
F. Most Common Campaign Reports

The FPPC’s website contains filing schedules for state and local elections that outline all campaign reports that may be required by a general purpose committee, as well as the deadlines for filing the reports. The most common campaign reports include:

- **90-Day Election Reports.** During the 90 days prior to an election, a general purpose committee is required to report certain contributions and independent expenditures made within 24 hours.
  - **Form 496 (24-hour Independent Expenditure Report).** Filed if an independent expenditure of $1,000 or more is made to support or oppose a candidate or ballot measure. (See Chapter 11 for additional information.)
  - **Form 497 (24-hour Contribution Report).** Filed if a contribution of $1,000 or more is made to a candidate, officeholder, or ballot measure committee, or to a political party committee during the 90 days before any state election. (See Chapter 10 for additional information.)

- **Form 460 (Recipient Committee Campaign Statement).** The Form 460 is the campaign disclosure report that provides the public with an overview of the committee’s activity, including money coming in and money going out. The Form 460 is generally filed as a semi-annual statement and a pre-election statement. See Chapter 12 for additional information about when the Form 460 must be filed.
G. Termination

There is no deadline by which a general purpose committee must terminate; however, the committee must continue to file reports until it terminates. There are specific requirements that must be met in order for a committee to terminate.

A committee may close only if it:

- Has ceased receiving contributions or making expenditures;
- Has no remaining funds;
- Has filed all required campaign statements disclosing all reportable transactions, including the disposition of leftover funds; and
- Has eliminated all debts and loans, or has no intention or ability to discharge debts and loans.

A committee must file a Form 410 and a final Form 460 (Recipient Committee Campaign Statement) or Form 450 (Recipient Committee Campaign Statement - Short Form). 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 is generally the date all funds have been expended. Complete Section 1 and the treasurer or assistant treasurer must sign the verification.

Form 460 or Form 450 also must be filed showing that all funds have been expended and the committee has no cash on hand. Check the “Termination” box on the cover page.

File the original and a copy of the Form 410 with the Secretary of State. County and city committees must also file a copy with the local filing officer who receives the committee’s original campaign statements. File Form 450 or Form 460 in the committee’s regular filing locations.

Quick Tip

Some multipurpose organizations that qualify as recipient committees may automatically terminate at the end of the calendar year. See Chapter 15.
Answering Your Questions

A. Must we wait until $1,000 is received to file a Form 410?

No. You may file a Form 410 prior to committee qualification. Check the "Not Yet Qualified" box and file an amendment to report the date the committee qualifies.

B. May our committee use a mail receiving and forwarding service, such as Mail Boxes Etc., as the committee’s street address on the Form 410?

No. A post office box or lock box number is not acceptable as a street address. You may use a post office box address as your mailing address.

C. The Association of Heating and Air Conditioning Manufacturers pays the administrative expenses for our committee and we receive some of our contributions from payroll deductions from the Heating and Air Conditioning Engineers, Local #233. May two organizations sponsor a committee? If so, must the names of both sponsors be in the name of the committee?

Yes, more than one organization may sponsor a committee. Since the sponsors are members of one industry or other identifiable group, a term identifying that industry or group may be used. In this case, an appropriate name for the committee could be "Heating and Air Conditioning Industry Political Action Committee."

D. During the calendar year, the committee changed status from a state committee to a city committee. Which filing officers receive the Form 410 amendment?

File the original Form 410 and a copy with the Secretary of State. File a copy with the city clerk’s office.
E. During the calendar year, the committee changed status from a city committee to a state committee. Which filing officers receive the Form 410 amendment?

File the original Form 410 and a copy with the Secretary of State. Although not required, it is recommended that a copy is filed with the city’s clerk’s office so the city will not expect to receive future statements.

F. Our political action committee has been registered for several years as a general purpose committee and has supported and opposed candidates and ballot measures in various elections. This year, the committee plans to raise and spend the majority of its funds to support a county ballot measure. Must we amend our registration to become a primarily formed ballot measure committee?

Possibly. An existing committee that has reason to know it may qualify as a primarily formed committee must review its status on a quarterly basis to determine whether it is primarily formed. If, upon review, the committee has made more than 70 percent of its total contributions and expenditures to support the county ballot measure, it will be required to change its status from general purpose to primarily formed. (See Regulation 18247.5.)
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.
82013 Committee.
82015 Contribution.
82027.5 General Purpose Committee.
82047.6 Principal Officer.
82048.7 Sponsored Committee.
84100 Treasurer.
84101 Statement of Organization; Filing.
84101.5 Annual Fees.
84102 Statement of Organization; Contents.
84103 Statement of Organization; Amendment.
84106 Sponsored Committee; Identification.
84214 Termination.
84215 Campaign Reports and Statements; Where to File.
85203 Small Contributor Committee.

**Title 2 Regulations**

18215 Contribution.
18247.5 Primarily Formed and General Purpose Committees.
18402 Committee Name.
18402.1 Principal Officers.
18404 Termination of Candidate’s and Committees’ Filing Requirements.
18410 Statement of Organization.
18419 Sponsored Committees.
18421.2 Street Address.
18426.1 Assistant Treasurer.
18427 Duties of Treasurers and Candidates with Respect to Campaign Statements.
18503 Small Contributor Committees.
FINANCE RULES

The Political Reform Act, an initiative adopted by voters, states that one of the fundamental purposes of the Act 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 the finance and recordkeeping requirements.

A. Committee Treasurer

Every committee must have a treasurer before the committee may accept contributions or make expenditures. Although there are no restrictions on who may be a treasurer, in order to adequately perform the duties, the treasurer must understand the campaign finance laws and the responsibilities of a committee treasurer. 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 (see below). If the treasurer is unavailable to carry out his or her duties, a new treasurer should be designated and the committee’s Statement of Organization (Form 410) must be 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 must sign and verify all reports and statements filed. The verification is signed under penalty of perjury and indicates that:

- The treasurer has used all reasonable diligence in preparing the statement; and
- To the best of his or her knowledge, the statement is both true and complete.
The treasurer 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**

In addition, a committee treasurer is required to:

- Establish a system of recordkeeping sufficient to ensure that receipts 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.

**Assistant Treasurer**

An assistant treasurer may be designated on the Statement of Organization (Form 410). The assistant treasurer is required, like the treasurer, to use reasonable diligence in preparing and reviewing any campaign statements that he or she signs, 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.

There are no restrictions on who may be an assistant treasurer, although he or she should know the reporting obligations, restrictions, and prohibitions provided under the law.

**Principal Officer**

Government Code Section 84104 also lists principal officers as individuals who have the responsibility to maintain detailed accounts, records, bills and receipts necessary to prepare campaign statements.

### B. Education and Assistance

The FPPC provides educational seminars and webinars for campaign treasurers. In addition, there are other instructive materials on the website. Treasurers may also email questions to FPPC staff and seek telephone advice.

### C. Committee Audits

While not all committees are chosen for an audit, all are potentially subject to one as the FPPC and the Franchise Tax Board may perform discretionary audits. The FPPC may perform a limited audit of specific transactions during the course of an election. In addition, the Franchise Tax Board performs mandatory audits on general purpose committees that raise or spend more than $10,000 supporting or opposing state candidates or state measures during any calendar year. (An exception exists for committees that have been audited and found to be in substantial compliance with the Act. These committees will have a 25 percent chance of being audited in any given year.)
D. Bank Accounts

In most cases, an entity or organization that establishes a general purpose committee will set up a separate bank account to receive contributions and make expenditures. Contributions received by a committee may not be commingled with any individual’s personal funds.

A general purpose committee receiving contributions for the purpose of making contributions to state candidates must establish a separate bank account as the committee is subject to contribution limits. Chapter 5 sets forth the applicable contribution limits and includes a discussion about the required bank accounts (“all purpose” and “restricted use”) for a general purpose committee that makes contributions to state candidates and also receives contributions over the state contribution limits for other purposes (such as making independent expenditures, or making contributions to local candidates or to state or local ballot measure committees). An organization may instead choose to establish separate committees to receive contributions in excess of the limits, such as an “issues” PAC for ballot measures.

Although a separate bank account is not required under the Act for other general purpose committees, it is strongly recommended that a separate bank account is established. It is the best way to ensure that the Act’s recordkeeping requirements are met. Certain local jurisdictions may require a separate account, so local committees should check with the county or city. Committees are also encouraged to check with the Internal Revenue Service about federal laws that may require a separate bank account for certain campaign activity.

Employer Identification Number (EIN). Many financial institutions will require an employer identification number in order to open a bank account. The FPPC does not advise on or enforce tax issues. Filers should seek advice from a tax expert or contact the IRS (www.irs.gov).
E. Recordkeeping

An accurate and organized record must be kept of all campaign receipts and expenditures. All individuals who handle receipts 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 treasurer listed on the committee’s Statement of Organization (Form 410) remains legally responsible for the accuracy of the records.

Record Retention

Committees must keep all records, including original source documentation, such as bank statements and other records reflecting account activity, for a period of four years from the date the campaign statement relating to the records was filed.

*Exception:*
The electronic filing declaration required to be filed with Form E-530 (Communications Identifying State Candidates) must be kept for five years following the date the report is filed. (See Chapter 8.)

Records of Contributions Received

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 that the committee, or an agent of the committee, obtains possession or control of the cash, check, or other form of contribution, not the date it is deposited in the bank account. Contributions received by electronic methods such as wire transfer, credit card, or debit account transactions are also received on the date the committee obtains possession or control of the funds. The following list provides examples:

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Ex 3.1 – The California General Contractors’ PAC filed its first campaign statement on January 31, 2014. The records associated with completing that statement, such as receipts and information on contributors, must be retained until January 31, 2018.
• A contributor makes a contribution over the telephone. The contribution is “received” by the committee on the date the contributor gives his or her debit/credit account information to the committee.

• A contributor makes a contribution via the Internet and the committee reviews the online transaction before the contribution is processed. The contribution is “received” by the committee on the date the committee receives the payment information.

• A contributor makes a contribution via the Internet and the contribution is made by direct deposit without review and before transaction reports are produced. The contribution is “received” by the committee when the committee has possession of the funds.

• A contributor makes a contribution by text message. The contribution is “received” by the committee on the date that the mobile fundraising vendor, acting as agent of the committee, obtains possession or control of the contribution.

• A contributor agrees to make contributions via installment payments by authorizing the committee to periodically charge his or her credit card or withdraw funds from his or her account. The contribution is “received” when the committee, or an agent of the committee, obtains possession or control of the funds for each installment payment. The contribution reported is only the amount of each installment payment when received. Installment payments scheduled to take place in the future, but not yet received, are not reportable.

A monetary contribution **collected by means of payroll deductions or membership dues** by a membership organization for its sponsored committee is “received” by the committee on the **earlier** of the following:

• The date the committee obtains actual possession or control of the contribution;
Within 60 days after the receipt of the payment by the committee’s sponsor.

When contributions are collected by a sponsor through payroll deductions or membership dues, the sponsor is acting as an intermediary for the employees or members. The committee must itemize each individual employee or member whose money is transmitted to the committee if the individual’s or member’s contributions total $100 or more during a calendar year.

**Receipts Under $25**

A daily lump sum total must be kept for contributions received under $25 and miscellaneous receipts under $25.

**Contributor Records**

**Contributions: $25 to $99.99**

For each monetary or nonmonetary contribution or loan of $25 or more, the date received, amount of the contribution, and full name and street address, including zip code, of the contributor must be documented. In addition, the total amount received from the contributor over the course of the current calendar year (the “cumulative amount”) must be recorded.

**Contributions: $100 or More**

If contributions totaling $100 or more are received from an individual, in addition to the information required for contributions of $25 or more as described above, the contributor’s occupation and employer must be recorded. If the contributor is self-employed, that fact also must be noted along with the name of his or her business. If a check is received from a business entity, generally the contributor is the business entity, not the person who signs the check.

A contribution of $100 or more must be returned if the contributor’s name, street address, and, if the contributor is an individual, his or her occupation and employer are not in the committee’s records within 60 days from receipt of the contribution.

**Ex 3.2**—A trade association collects its membership dues in January of each year. Members can voluntarily contribute funds to the association’s sponsored PAC. Most members write one check for both the membership dues and the PAC contribution. On February 15, the trade association transfers all of the PAC contributions to the PAC bank account. Since the contributions are given to the sponsored PAC within 60 days of receipt, the PAC reports receipt of the contributions on February 15.
Such contributions may be deposited in the committee’s bank account pending receipt of the information, in which case they must be reported on the next campaign statement required to be filed (including the Form 497, 24-Hour Contribution Report).

The Form 460 must be amended within 70 days from its closing date to disclose the missing contributor information unless the contribution is returned to the donor. The Form 497 need not be amended. The committee also must note in its records the date the contributor information is received, if that date is different than the date the contribution is received.

When a contribution cannot be returned to the contributor within 60 days from the date the contribution was received, the contribution amount must be paid to the Secretary of State for deposit in the State General Fund. City and county committees must make the payments to the general fund of the local jurisdiction in which the committee is active (e.g., a city general purpose committee must make the payment to the city’s general fund).

If a contribution is returned to the contributor by check but the check is not cashed by the contributor within 90 calendar days, the contribution amount must be paid within 30 days to the Secretary of State for deposit in the State General Fund. City and county committees must make the payments to the general fund of the local jurisdiction in which the committee is active.

**Intermediaries**

For contributions of $25 or more made through an intermediary (see Chapter 4), records with the above information for both the intermediary and the contributor are required.

**Affiliated Entities**

Information from affiliated entities that describes the connection of affiliated contributors must be maintained in the records. See Chapter 4 for additional information about affiliated entities.
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 4.)

Loans

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.

Documentation

The committee must keep copies of all documents reflecting deposits made and all records reflecting campaign bank account balances, such as bank statements, check registers, and passbooks.

The following documents produced or received by the committee also must be kept for receipts of $25 or more: copies of contributor checks; contributor cards; letters of transmittal; notices received from contributors; memoranda or other records that describe the method used to determine the fair market value of donated goods or services (nonmonetary contributions); and loan agreements or other documents that reflect indebtedness.

Documentation for electronic transactions must include information collected when debiting the contributor’s account, such as itemized transaction reports (including the credit card confirmation number), debit/credit account transaction records, and credit card receipts, or vouchers. Documentation of contributions received over the Internet
must include a record of the transaction created and transmitted by the cardholder including the cardholder’s name and street address and card number.

For contributions or other receipts of $100 or more, copies of any letters or other communications sent by the committee to obtain the documents listed above must be kept.

F. Expenditures

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 and Independent Expenditures

For expenditures that are contributions or independent expenditures, the amount of the expenditure and the cumulative amount paid in that calendar year in connection with the candidate, committee, or ballot measure must be recorded.

Committees controlled by a candidate or officeholder (including general purpose ballot measure committees) must keep a dated record that includes the names of all individuals for whom an expenditure for a meal was paid. See Campaign Disclosure Manual 3 and Regulation 18421.7 for additional recordkeeping and reporting requirements for committees controlled by a candidate or officeholder that make expenditures for meals, gifts, or travel payments.
For all such expenditures of $25 or more, the following information is required:

- Date the contribution or independent expenditure was made;
- Whether the expenditure was an independent expenditure;
- Name of the officeholder or candidate and the office and district he or she holds or for which he or she seeks nomination or election, or the number or letter of the measure and the jurisdiction in which the measure is to be voted on; and
- Cumulative amount spent on behalf of the candidate, measure, or committee.

**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 6.)

**Documentation**

All bank and credit card records for expenditures must be kept.

For expenditures of $25 or more, canceled checks, bills, invoices, or statements; receipts; credit card charge slips, vouchers; contracts; loan agreements and other documents produced or received by the committee reflecting additional obligations also must be kept. Copies of canceled checks may be retained if the copies contain a legible image of the front and back of the canceled check and the copies are obtained from the financial institution.

If no receipt, voucher, or invoice is available, a voucher should be written as soon as possible with the date and amount of the payment, the name of the payee, and a description of the goods or services received. A voucher is not required for payments under $25.
G. Mass Mailings, Telephone Calls, Notices to Major Donors, and E-530

The following must be retained for a period of four years following the date the campaign statement relating to the records was filed:

- A copy of any mass mailing sent by the committee (see Chapter 9)
- A script of the call or a copy of the recorded phone message when the committee pays for more than 500 telephone calls to expressly advocate support for or opposition to a candidate or ballot measure (see Chapter 9)
- A copy or record of all major donor notices sent by the committee (see Chapter 4)

Electronic filing declarations required to be filed with the E-530 (Communications Identifying State Candidates) must be retained for a period of five years following the date the campaign statement to which it related is filed. (See Chapter 8.)

H. Multipurpose Organizations

A multipurpose organization must maintain all records necessary to ensure its compliance with the registration and reporting requirements of Government Code Section 84222 and FPPC Regulation 18422. (See Chapter 15.)

Answering Your Questions

A. Are there any specific accounting qualifications for someone to be able to serve as treasurer, or any conditions that would disqualify someone from being permitted to serve as treasurer?

No. However, no individual should accept the position as a mere figurehead. To adequately perform the duties, the treasurer must have a basic understanding of the campaign finance laws and the responsibilities of a committee treasurer.
B. 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.

C. Are form letters thanking the committee for contributions it has made required to be retained for recordkeeping purposes?

Form letters containing no information necessary to complete or verify the committee’s campaign statements are not required to be retained.

D. Must a city officeholder that controls a general purpose ballot measure committee maintain the names of all individuals who received a meal at the committee’s fundraiser?

Yes. Committees controlled by a candidate or officeholder (including general purpose ballot measure committees) must maintain a dated memo or other dated written record that includes the names of all individuals for whom an expenditure for a meal was paid. (See Campaign Disclosure Manual 3 and Regulation 18421.7 for additional information.)
Authority

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

**Government Code Sections**

84100 Treasurer.
84104 Recordkeeping.
84105 Notification of Contributors.
84300 Cash and In-Kind Contributions; Cash Expenditures.
84302 Contributions by Intermediary of Agent.
84306 Contributions Received by Agents of Candidates or Committees.
84307 Commingling with Personal Funds.
84310 Identification Requirements for Telephone Calls.
85700 Donor Information Requirements; Return of Contributions.
90000 Responsibility.
90001 Mandatory Audits and Investigations.
90002 Audits and Investigations; Time.
90003 Discretionary Audits.
90007 Auditing Guidelines and Standards.

**Title 2 Regulations**

18401 Required Recordkeeping for Chapter 4.
18421.1 Disclosure of the Making and Receipt of Contributions.
18421.2 Street Address.
18421.3 Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
18421.31 Text Message Contributions.
18421.7 Reporting an Expenditure for a Gift, a Meal, or Travel.
18421.8 Reporting an Expenditure by a Candidate Controlled General Purpose Ballot Measure Committee.
18426.1 Assistant Treasurer.
18427 Duties of Treasurers and Candidates with Respect to Campaign Statements.
18427.1 Notification to Contributors of $5,000 or More.
18432.5 Intermediary.
18534 Required Committee Bank Accounts.
18539.2 Reporting Payments Pursuant to Government Code Section 85310.
18570 Return of Contributions with Insufficient Donor Information.
18994 Auditing and Investigations.
18995 Standards and Guidelines for Auditing Statements and Reports.
CONTRIBUTIONS

This chapter discusses contributions and provides guidelines for proper reporting, including how to value nonmonetary contributions. For information about how to determine if a payment made for a communication is an independent expenditure, see Chapter 8.

A. What is a Contribution?

A contribution is a monetary or nonmonetary payment made to or received by a candidate or committee for which the candidate or committee has not provided full and adequate consideration in return. See the definition of “contribution” in FPPC Regulation 18215. A contribution may take any of the following forms:

- Money (cash, check, credit card, wire transfers, text contributions)
- Nonmonetary items (donated goods or services)
- Payments made by a third party for advertising or other communications coordinated with a candidate or committee
- Loans (including loan guarantees, co-signing, lines of credit, and forgiveness of a loan)
- Tickets to political fundraisers (full value of ticket)
- Funds collected through payroll deduction or membership dues that are earmarked or allocated for the purpose of making contributions to state or local candidates or committees
- 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 good or services).
Note: Contributions of $100 or more may never be made or received in cash. See Chapter 6 for additional contribution restrictions.

**B. Reporting the Date Contributions are Made and Received**

Each type of contribution is reported differently. In fact, **when** a contribution is received is determined in part by what type of contribution it is.

In general, a **monetary** contribution is *made* on the date the contribution is mailed, delivered, or otherwise transmitted to the candidate or committee. Alternatively, the date of the check may be used provided it is no later than the date the contribution is mailed, delivered, or otherwise transmitted.

A **monetary** contribution is *received* on the date the committee or an agent of the committee obtains possession or control of the cash, check, or other item that constitutes the contribution. When an agent of the committee, such as a campaign consultant, receives a contribution for the committee, the treasurer must be notified by the agent 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** – John Burns, the campaign consultant for Citizens for Cleaner Air, received a hand-delivered check at a May 14, Friday evening fundraiser for Citizens. John did not give the check to the committee’s treasurer for deposit until the following Monday, May 17. The contribution was received on May 14, the day the committee’s agent obtained possession of the check.

Citizens for Cleaner Air 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 his or her donor information and credit card number. Logging onto the website service, the treasurer can accept the contribution and receive the funds. The committee reports receipt of the contribution on the date it receives the email from the website service because it controls the contribution on that date.
A nonmonetary contribution is made by the contributor and received by the candidate or committee on the earlier of the following:

- The date funds were expended by the contributor for the goods or services;
- The date the committee or an agent of the committee obtained possession or control of the goods or services;
- The date the 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 “Employee Time” under Section F., Valuing Nonmonetary Contributions.)

An enforceable promise is made by the contributor and received by the candidate or committee on the date the candidate or committee or an agent of the candidate or committee is provided documents verifying that the contributor has made a legally-enforceable promise to make a payment. A person makes an “enforceable promise to make a payment” if he or she:

- Guarantees a loan.
- Furnishes security for a loan.
- Endorses a loan.
- Cosigns a loan.
- Makes and delivers a post-dated check.
- Establishes a line of credit at a bank or other commercial lending institution for a candidate or committee.

A pledge card is not considered an enforceable promise to make a contribution. “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. Contributions: Exceptions

There are many exceptions to the definition of “contribution” contained in FPPC Regulation 18215. In addition to the most common exceptions listed below, Chapter 8 discusses certain types of political communications that are not considered contributions.

Volunteer Personal Services: If an individual donates his or her personal or professional services to a campaign (including a volunteer’s travel expenses), no contribution has been made or received as long as there is no understanding of reimbursement. “Volunteer personal services” does not include any tangible items. Donated goods are contributions.

If an employer donates employee services to a committee, and any employee spends more than 10 percent of his or her compensated time in a calendar month performing campaign services, the employer has made a nonmonetary contribution to the committee. (See “Employee Time” in Section F., Valuing Nonmonetary Contributions.)

Home/Office Fundraisers: If a person holds a fundraiser or other campaign event for a candidate or committee in his or her home or office, the costs incurred by the occupant of the home or office need not be reported as long as the total cost of the event is $500 or less. However, if someone else donates food, beverages, or anything else of value to the event, the fair market value of those donated goods is a nonmonetary contribution. In addition, the donated goods must be counted to determine whether the total cost of the event is $500 or less.

If a fundraiser will exceed $500, all payments are reportable nonmonetary contributions, including the reasonable rental value of the home/office for the duration of the fundraiser. If the costs of the home/office fundraiser do not otherwise exceed $500, the reasonable rental value of the space is not factored in.
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. Therefore, the FPPC does not advise that a lobbyist host a fundraiser for such officials, even if the candidate agrees to pay the fundraiser’s expenses. The FPPC has imposed significant fines on lobbyists.

**Ex 4.2** – Jim Yee holds a fundraiser in his home for a committee. He spends $250 on decorations, food, and drinks for the event. His neighbor brings some door prizes with a fair market value of $50. Since the total cost of the event is under $500, Jim’s $250 is not reportable. However, his neighbor has made a nonmonetary contribution of $50.

**Ex 4.3** – Shannon sponsors an event after work in her business’ downtown office to raise contributions for a committee. Shannon spends $450 to have the event catered. Her friend supplies a flower arrangement centerpiece worth $125. Since the total cost of the event now exceeds $500, both Shannon’s contribution of $450 and her friend’s $125 flower arrangement are reportable by the committee.

**Quick Tip**

For the “contribution” exception to apply, the total cost of the home or office fundraiser must be $500 or less, no matter how many candidates or committees benefit from the event.

**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.

When a PAC blogs or posts communications that expressly advocate a candidate or measure, the advertisement is subject to disclaimer requirements. Depending upon the communication and the cost to prepare the communication, a contribution may be reportable.

**Ex 4.4** – A PAC may establish a social media account (e.g., Facebook, Twitter, Tumblr) to engage in campaign activity, such as posts or tweets to support candidates and ballot measures. See Chapter 9 for information about required disclosure for advertisements.
Administrative Expenses – Sponsored Committees: Payments made by a sponsoring organization for the “establishment and administration” of its sponsored committee are not considered contributions but must be reported.

“Establishment and administration” of a sponsored committee means the cost of office space, phones, salaries, utilities, supplies, legal and accounting fees, and other expenses incurred in setting up and running a sponsored committee. In addition, bank fees (including fees for monthly services, purchasing/printing checks, cashier’s checks and money orders, overdraft, stop payments) and third party vendor fees, such as internet account fees and merchant account fees, are considered payments for the establishment and administration of its sponsored committee, so long as they are not incurred for fundraising activities.

Although the establishment and administration costs are not contributions from the sponsor to the committee, the committee must report them on Schedule C (Nonmonetary Contributions Received) of its campaign disclosure reports (Form 460).

Other payments made by a sponsoring organization, such as the cost of raising funds for the committee and the cost of reviewing a communication to determine the advertisement disclosure requirements, are contributions to the committee. These payments are subject to regular reporting and contribution limits for committees that make contributions to state candidates.

In addition, if the sponsoring organization provides services to a candidate or a committee other than its sponsored committee, those payments are contributions to the candidate or committee, which must be reported by the sponsoring organization. The sponsoring organization may file its own reports to disclose the contributions or, in most circumstances, the contributions are disclosed on the sponsored committee’s campaign statements.
**Member Communications:** Payments made by an organization or its sponsored committee for a communication that supports or opposes a candidate or ballot measure are not contributions or expenditures as long as the communication is made only to the organization's members, employees, or shareholders, or to the families of its members, employees, or shareholders. The communication may not be for general public advertising, such as billboards, newspaper ads, or radio or television ads. Payments made by a recipient committee for member communications must be disclosed as regular expenditures on the committee’s campaign disclosure statements (Form 450 or 460). See Chapter 8 for special rules that apply to political parties.

**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 entitled, *Limitations and Restrictions on Gifts, Honoraria, Travel and Loans.*
Payments for Legislative, Governmental, or Charitable Purposes: Behested payments made in connection with a legislative, governmental, or charitable purpose, are not considered to be made for political or personal purposes; therefore, they are not considered contributions or gifts. However, if the payment is made at the behest of an elected official and the payment(s) totals $5,000 or more from a single source in a calendar year, the official is required to file a Form 803 (Behested Payment Report) to disclose the payment within 30 days. Behested payments solicited by state elected officials are posted on the FPPC’s website.

Ex 4.6 – At the request of a county supervisor, the Committee for Educated Children donates $5,000 to a school for the purpose of purchasing library books. Although the payment is not considered a gift or a contribution, the supervisor must file a Form 803 to report the behested payment within 30 days.

D. Aggregating Contributions

Contributions made by certain 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 made from an individual’s personal funds and from an entity’s funds he or she directs and controls.

- Contributions made by 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 the entities act independently in their decisions to make contributions.

The following are examples to provide general guidance regarding aggregation of contributions. Every case is unique. If these examples are not helpful, contact the FPPC for advice.

Quick Tip

The term “person” includes an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, and association.
**Ex 4.7** – Global Corporation has a board of directors and the Corporation has a sponsored general purpose recipient committee with a separate board of directors. (No one director serves on both boards.) Global Corporation may make a contribution of $4,100 to an Assembly candidate for the primary election and the sponsored PAC may also make a contribution of $4,100 (2013-2014 contribution limit) to the same candidate for the primary election.

**Ex 4.8** – A union has a small contributor committee and another committee that makes contributions to state candidates. The contributions of both committees are approved by a single board of directors. If the small contributor committee makes a $13,600 contribution to a Lt. Governor candidate’s general election (2013-2014 contribution limit for a small contributor committee), the other committee may not make a contribution to the candidate for the same election.

**Ex 4.9** – Sally Perez Jones contributed $98 from her personal funds and another $98 from the funds of her business, Flowers by Sally, to the Committee to Advance Public Education. Because contributions from an individual and his or her business, or from any other account he or she directs and controls, are considered from a single contributor, the committee must itemize both contributions and report a cumulative amount received of $196 on its campaign statement.

**Ex 4.10** – William owns two separate corporations. William makes political contributions from his personal funds and directs and controls the contributions of his corporations. William made a contribution of $800 from his personal funds and contributions of $3,000 from the funds of each of his corporations to the Committee to Advance Public Education. 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 $6,800. If the committee makes contributions to state candidates, it may not receive any additional contributions from William or his corporations for the rest of the calendar year unless the contributions are placed in a separate “restricted use” account.

**Ex 4.11** – Southwest TeleCom has a greater than 50 percent ownership interest in American TeleCom. Each entity, entirely on its own, and with separate decisionmaking bodies, makes a contribution of $1,000 to the Committee to Advance Public Education. The committee does not aggregate these contributions because Southwest TeleCom and American TeleCom acted completely independently in their decisions to make the contributions.
There are special rules for “major donors” (generally these are individuals and business entities that make contributions totaling $10,000 or more in a calendar year) when they make contributions that are subject to aggregation. The major donor must notify each committee to which it makes a contribution of the name under which the major donor is filing its report (Form 461). The recipient of the contribution must identify the name of the “filer” and the name of the contributor, if that is different than the name of the filer.

**Ex 4.12** – Temple Construction is a subsidiary of Temple Enterprise. 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 state contribution limits and for reporting cumulative amounts.

If more than one affiliated committee receives contributions from the same donor, the contributions received by the committees are not cumulated.

**Ex 4.13** – State Firefighters United has two general purpose committees: one committee makes contributions to state candidates and the other committee makes contributions to support state and local ballot measures. Leah Perry made a contribution of $200 to each committee. Each committee reports the contributions from Leah on Schedule A, in the column titled Cumulative to Date – Calendar Year, as $200.

If a general purpose committee has more than one bank account (see Chapter 5), contributions from a single source are cumulated.

**Ex 4.14** – The State Firefighters United committee has two bank accounts; one is used to make contributions to state candidates and the other is used only for administrative expenses. Bill Woods made two contributions to that committee; $2,500 for the state candidate account and $500 for the administrative account. When the committee reports the contributions on Schedule A, $3,000 is the amount reported in the column titled Cumulative to Date – Calendar Year.
E. Reporting the Intermediary of a Contribution

An intermediary is a person or entity that makes a contribution on behalf of another person and has been or will be reimbursed for the contribution. For each contribution of $100 or more from an intermediary, the name, address, and, if applicable, the occupation and employer information must be disclosed for both the true source of the contribution and the intermediary.

Ex 4.15 – Kenny made a $100 contribution from his personal funds to support the Committee to Advance the Arts, with the understanding that he would be reimbursed by his employer, Gary’s Guitars. Kenny must tell the committee that he is acting as an intermediary on behalf of his employer. The committee must itemize the contribution from Gary’s Guitars and list Kenny as an intermediary.

Ex 4.16 – A trade association’s PAC collected $200 from each of its members after sending a solicitation stating that the funds would be used to make a contribution to a local candidate. The PAC made a single contribution to the local candidate in the total amount received from its members. The committee receiving the contribution must report each of the members as contributors, with the PAC as an intermediary.

Ex 4.17 – The California Automobile Insurers Association’s (CAIA) sponsored general purpose committee received a $5,000 check from one of its members. The member stated in an email to the committee’s treasurer that she would like the funds to be contributed to the Yes on Proposition 42 Committee. The treasurer must inform the ballot measure committee that the member was the true source of the funds and the CAIA committee is acting as the intermediary. The ballot measure committee must report both the true source of the funds and the intermediary.

Committee treasurers are required to check information regarding the true source of a contribution if a person of reasonable prudence would question it based on all available information. If there is reason to question the source of a contribution, e.g., if there is reason to believe the information contained on the contribution check does not contain the name of the person who is actually making the contribution, the donor should be asked if he or she is acting as an intermediary for the true source of the contribution.

Quick Tip

When a general purpose committee makes a payment to another general purpose committee, whether or not the receiving committee is considered an intermediary depends on the facts of the situation. Contact the FPPC with questions.
Failure to disclose the true source of a contribution is often referred to in media reports as campaign money laundering and is one of the most serious violations of the Political Reform Act.

F. Reporting Various Types of Contributions

Electronic Receipt of Contributions: Contributions may be made or received by credit card, wire transfer, via the Internet, cell phone text message, telephone, debit account transaction, or similar electronic payment options:

- 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.

Fundraisers: The full amount (face value) of a fundraiser ticket is a reportable contribution.

Ex 4.18 – Your committee holds a fundraiser and charges $100 per person. After the event, you determine that your committee spent $25 per person to pay for the caterer, hall rental, entertainment, invitations, etc. Report on Schedule A of the Form 460 each contributor’s name, address, occupation, employer, and the full $100 per ticket as a contribution. Do not subtract $25 from each ticket sold. The expenses will be reported on Schedule E of the Form 460.

Auctions and Garage Sales: When items are donated for auction or sale at a fundraiser, the donated item is a nonmonetary contribution. (See below for determining the value.) When someone buys an item, the payment is usually considered a “Miscellaneous Increase to Cash” and is reported as such. If any person pays $100 or more, the payment is itemized.
However, when someone pays more than fair market value for an item, 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. Both must be itemized at $100 or more.

**Ex 4.19** – Andy Foster owns an electronics store and donates a TV worth $500 to your committee. At your committee’s auction, Gloria Fernandes bids $600 for the TV. Itemize $500 as a nonmonetary contribution from Andy’s store. Then, itemize $500, that part of Gloria’s payment that is the fair market value of the TV, as a miscellaneous increase to cash. Also itemize $100, the amount over the fair market value, as a monetary contribution from Gloria.

**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 4.20** – Linda and Jerry Nelson have a joint checking account. From this account, Linda signed a $100 check payable to Californians Against Drug Abuse. 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.

**Text Contributions:** For a contribution made by a text message, the contributor is the person who is subscribed to the cell phone number that texted in the contribution.

**Minor Children:** A contribution made by a child under the age of 18 is presumed to be a contribution from his or her parent or guardian, unless the facts show that the child actually chose to make the contribution.

### 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 not all possibilities are presented. Contact the FPPC for assistance.

**Fair Market Value**

When a nonmonetary contribution is made or received, the fair market value of the goods or service must be reported. If the committee does not know the fair market value of a nonmonetary contribution, such as an original piece of artwork, the committee may send a letter requesting that the contributor provide the value of the contribution in writing. The contributor is legally obligated to provide an amount if the value of the contribution is $100 or more.

**Ex 4.21** – The owner of an electronics store donates an iPad valued at $550 to a 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).
**Employee Time:** If an employer donates the use of an employee to work on campaign activities for one or more campaigns, the amount the individual is paid is reportable as a nonmonetary contribution from the employer if the employee spends more than 10 percent of his or her compensated time in a calendar month working on campaign activities. To determine the contribution amount, allocate the gross compensation 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 4.22** – Your general purpose committee donates the services of one of its employees to two ballot measure campaigns during the month before the election. The employee spends 9 percent of her compensated time working for one ballot measure campaign and 7 percent of her compensated time working for the other ballot measure campaign. Even though she did not spend 10 percent or more of her compensated time on a single campaign, more than 10 percent (16 percent) of her compensated time in a calendar month was spent on campaign activities, so each ballot measure committee must report a nonmonetary contribution from your committee. The value reported by the first ballot measure committee is 9 percent of her gross salary and the value reported by the second committee is 7 percent of her gross salary.

**Private Air Transportation:** A person that provides members of a committee or a candidate with a flight in a private airplane is making a nonmonetary contribution. The value is determined by using one of the following methods: the commercial rate, if available, to the destination or the charter rate divided by the number of passengers on the flight.

**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.

**Ex 4.23** – Your committee treasurer knows the owner of Janns’ Printing Shop and gets the owner to give your committee a 50 percent discount on the printing of a fundraising invitation that normally would cost $1,200. Your committee has received a nonmonetary contribution of $600 from Janns’ Printing Shop.
Joint Fundraisers: If a committee pays for a fundraising event for multiple candidates, the fair market value of the contribution for each candidate may be allocated based on the amount of expenditures and the number of candidates at the event.

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

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 4.24—A PAC produces and mails a one-page flyer urging voters to vote for Proposition 310 and to vote for two statewide candidates. Half of the flyer is devoted to supporting Proposition 310 and the other half equally supports the candidates. The PAC coordinates the mailing with the committee primarily formed to support Proposition 310, but does not coordinate with either candidate’s committee. The total cost of producing and mailing the flyer is $14,000. The PAC has made a nonmonetary contribution to the committee supporting Proposition 310 valued at $7,000, and has made independent expenditures of $3,500 apiece supporting the two candidates.
Political and Non-Political Material: The cost of a communication containing both express advocacy in support of or opposition to a candidate or ballot measure, as well as non-political material, may be prorated. Costs directly associated with the political message are reportable as nonmonetary contributions, 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 additional weight of the political material or the comparative number of pages as between the political and non-political material.

Ex 4.25 – A local association of realtors is holding a golf tournament, which will be featured as a networking and marketing event for its members. The association sends invitations, which include an option for attendees to donate an additional sum earmarked for the association’s sponsored committee. Because the invitations include non-political material as well as political material (i.e., the portion of the invitation that solicits contributions for the association’s sponsored committee), the costs may be prorated. Costs directly associated with the political message are reportable by the committee, including the pro rata costs of paper, envelopes, and postage. The allocation may be based on the comparative amount of space devoted to political versus the non-political material.

Bulk Rate Permits: Except for the use of a nonprofit sponsor’s bulk rate by its sponsored committee, use of another organization’s bulk rate permit is a nonmonetary contribution from the organization. If the candidate or committee using the permit pays the actual postage costs incurred, 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.

If the organization pays for the costs of the mailing using its bulk rate permit, and the candidate or 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.
A sponsored committee’s use of its sponsor’s nonprofit postal permit is not a contribution from the sponsor to the committee since the committee could obtain the same permit at no cost. (See Chapter 1 for the definition of “sponsored committee.”)

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. One method to determine the fair market value is to contact organizations that provide phones banks as a business.

**Ex 4.26** —A committee provided phone banking services. The services included the use of phone banking software, the cost of the call list, the cost of voter updates from the registrar, and donated materials and snacks for the volunteers. The calls expressly advocated for a candidate and a measure; both of which will be voted upon by all the same voters and the message provides equal time to both committees. The contribution to each committee may be valued at one-half of the total cost for the phone bank. Note: If a phone bank makes calls on behalf of several committees with different voting jurisdictions and different messages, the committees must also report the fair market value, which may not be determined simply by dividing the full cost by the number of committees. Contact the FPPC for assistance.

Polls & Surveys: A person or entity that provides data from a public opinion poll or survey to a candidate or committee is making a nonmonetary contribution if the candidate or committee requests the data or the data are used for political purposes. Standards used by the Federal Election Commission (11 CFR 106.4) may be used for valuing polling or survey data, as to the aging of poll results and the amount of a contribution attributable to each candidate or committee that receives the poll results. 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.

<table>
<thead>
<tr>
<th>Age of Data</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 -15 days</td>
<td>Full Value</td>
</tr>
<tr>
<td>16 - 60 days</td>
<td>50%</td>
</tr>
<tr>
<td>61 - 180 days</td>
<td>5%</td>
</tr>
<tr>
<td>More than 180 days</td>
<td>No Value</td>
</tr>
</tbody>
</table>
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. In other words, the value of the nonmonetary contribution is based on the value of the information the committee receives. If the benefiting committee used 50 percent of the poll, the nonmonetary contribution value would be 50 percent of the total poll cost.

When two or more committees equally share the costs of a poll, before the results are known, the payments do not result in nonmonetary contributions among the committees. Committees are encouraged to contact the FPPC with specific facts for assistance.

I. Notification to Contributors of Filing Obligations

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; however, if a contribution of $10,000 or more is received in the 90 days prior to 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.

A multipurpose organization (including a nonprofit) that identifies another multipurpose organization as a contributor of more than $50,000 on its campaign report by the “last in, first out” (LIFO) accounting method, must send an expedited notice as described below.
You do not need to send the notice 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 italicized language below:

**Major Donors**

*If your contribution(s) to this committee and to other California state or local committees total(s) $10,000 or more in a calendar year, California law requires you to file a Major Donor Committee Campaign Statement (Form 461). The deadline and location for filing this statement will depend upon the timing and type of contribution(s) you have made. For additional information, visit www.fppc.ca.gov and review the available campaign materials.*

**Multipurpose organizations including nonprofits**

*If your organization is a multipurpose group, it may qualify as a major donor committee required to file Form 461 or as a recipient committee required to file the Form 460 disclosing donors. Refer to Government Code Section 84222 and FPPC Regulation 18422 to determine your filing requirements. For additional information, visit www.fppc.ca.gov and review the available campaign materials.*

**24-Hour Reports**

*Major donors and multipurpose organizations that trigger reporting obligations must also file a 24-hour Contribution Report (Form 497) if you:

- Make contributions totaling $1,000 or more to a single candidate, any of the candidate’s controlled committees, or to a committee primarily formed to support or oppose a candidate or ballot measure during the 90 days before the election in which the candidate or measure is being voted on; or*
• Make contributions totaling $1,000 or more to a state or county political party committee during the 90 days prior to a state election, including state special elections.

**Electronic Filing**

State committees that make contributions of $25,000 or more must file electronically with the Secretary of State. State committees that are required to file the Form 497 (24-hour Contribution Report) must file this form electronically even if the $25,000 threshold has not yet been met. For more information on the electronic filing requirements, contact the Secretary of State’s office at (916) 653-6224. Local committees should contact the local jurisdiction to determine if there are electronic filing requirements.

**Late Filing Penalties and Fines**

Failure to file campaign statements may result in late filing penalties of $10/day (state committees may be fined $20/day if they must file electronically and on paper) and fines of up to $5,000 per violation.

**FPPC Assistance**

For assistance with your filing obligations, contact the Fair Political Practices Commission toll-free at (866) ASK-FPPC, send an email to advice@fppc.ca.gov, or refer to their website: www.fppc.ca.gov

**Contributions Between Multipurpose Organizations: Expedited Notice and Filing**

A multipurpose organization (including a nonprofit) that identifies another multipurpose organization as a contributor of more than $50,000 on its campaign report using LIFO, must send a notice to the contributing multipurpose organization that the organization may be required to file expedited campaign reports. The notice must include the major donor notification language above as well as the following additional language:
The Political Reform Act requires disclosure of the source of donor funds used for political expenditures and tracks back to the original donors when funds are contributed by one multipurpose organization to another. Your organization was identified as a contributor of more than $50,000 in funds that our organization used for political expenditures. Therefore, your organization may qualify as a committee under Government Code Section 84222 and Fair Political Practices Commission (FPPC) Regulation 18422, contained in Title 2, Division 6 of the California Code of Regulations, that is required to register with the Secretary of State on FPPC Form 410 and file expedited reports on FPPC Form 460 disclosing donors for such funds within three business days during the 90 days before an election or within 10 business days at all other times.

The notice must be sent by email, overnight delivery, or fax within 24 hours during the 90-day period before an election and within ten business days outside of the 90-day period. The organization must maintain a record of all notices it sends. (Gov. Code Section 84222; Regulation 18422.)

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 contributions to its contributors so long as the return is reasonably related to a political, legislative, or governmental purpose.

Reporting

A contribution is not required to be reported 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. Once a contribution is deposited, cashed, or negotiated, it must be disclosed on the next campaign statement, even if it is subsequently returned.

A major donor notice must be sent to persons listed on a campaign report prepared by a multipurpose organization. For example, if when using the LIFO accounting method to determine reportable sources, a contributor of $5,000 or more is identified, the organization must send the contributor a major donor notification. In addition, a multipurpose organization that identifies another multipurpose organization as a contributor of more than $50,000 must send an expedited notice. (See Chapter 15.)
Contributions that Exceed the Limits

Contributions that exceed the contribution limits are not considered accepted if they are not deposited into the committee’s bank account and are returned within 14 days of receipt. For nonmonetary contributions, either the item itself, its monetary value, or the monetary amount by which the value of the nonmonetary contribution exceeds the limits must be returned within 14 days of receipt. Contributions that exceed the contribution limits may, under certain circumstances, be deposited into a general purpose committee’s “restricted use” account which may not be used for contributions to state candidates. (See Chapter 5 for more information about “restricted use” bank accounts.)

Missing Contributor Information

A contribution of $100 or more must be returned within 60 days of receipt if the committee has not obtained the contributor’s name, address, and, in the case of a contributor who is an individual, his or her occupation and employer. (See Chapter 3 for additional information.)
Answering Your Questions

A. We are holding a $100-a-plate fundraiser for our committee. The actual cost of the event to our committee will be $25 per person. When someone gives us $100 to attend the dinner, do we report $100 as a contribution, or do we subtract the $25 and report receiving a $75 contribution?

The cost of the ticket for the fundraiser is the amount of the contribution. Report $100 as the contribution.

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 put the identification number anywhere on the letter. However, many campaigns do so because if other committees, or others with their own reporting obligations, contribute to your committee, they will need your identification number to complete their campaign reports.

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 Section 319 does prohibit some raffles. This 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. Standard reporting and recordkeeping is required.

D. If Jan, my next door neighbor, spends $1,000 on an event to help raise funds for two different ballot measure committees and the event is held in her home, has she made a contribution to each committee?

Yes. The total cost of a home fundraiser must be $500 or less, or the event will qualify as a nonmonetary contribution. This is true no matter how many committees benefit from the event.
E. May a nonprofit organization hold a joint fundraiser with a political committee?

Yes. However, any costs incurred by the nonprofit organization that are not reimbursed by the political committee would be considered 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.

F. Three ballot measure committees 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 committees receiving contributions from the polling firm because of the discounted fee, and are the committees making contributions to each other?

If each committee pays only its share of the cost of the poll, the committees are not making contributions to each other. Additionally, if the polling firm provides the discount as part of its standard business policy and does not provide the discount for political purposes, the committees are not receiving contributions from the polling firm.

G. The sponsoring organization of a general purpose committee produced and sent a communication to its members advocating the committee’s position on a ballot measure. Are costs associated with this communication reportable by the committee?

No. Payments made by an organization for communications that are sent only to the organization’s members, employees, or shareholders, or their families, are not contributions to the ballot measure committee endorsed in the communications.
H. A business donated the use of an employee to work on two ballot measure campaigns. In one month, the employee spent a total of 6 percent of her compensated time working on one measure and 6 percent on the other measure. Since more than 10 percent of her compensated time was not spent on a single campaign, is her compensated time still required to be reported as a nonmonetary contribution from her employer?

Yes. If an employee spends more than 10 percent of his or her compensated time working on campaign activity (one or multiple campaigns) in a calendar month, a nonmonetary contribution from the business must be reported. In this situation, each ballot measure committee must report a nonmonetary contribution in the amount of 6 percent of the employee’s compensated time. The value of the nonmonetary contribution is based on her gross salary; standard benefits (i.e., retirement and health care) do not need to be counted.

I. If someone takes a candidate out to dinner to discuss his or her campaign and pays for the candidate’s dinner, is the payment for the meal considered a contribution to the candidate?

No. Because there is a personal benefit to the candidate, the payment for the meal would be considered a gift to the candidate.

Authority

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

**Government Code Sections**

82015 Contribution.
82018 Cumulative Amount.
82025 Expenditure.
82025.5 Fair Market Value.
82027.5 General Purpose Committee.
82041.5 Mass Mailing.
82043 Measure.
82047 Person.
84104 Recordkeeping.
84105 Notification of Contributors.
84211 Contents of Campaign Statements.
84216 Loans.
84300 Cash and In-Kind Contributions; Cash Expenditures.
84301 Contributions Made Under Legal Name.
84302 Contributions by Intermediary or Agent.
85311 Affiliated Entities; Aggregation of Contributions to State Candidates.
85312 Communications to Members of an Organization.
85319 Returning Contributions.
85700 Donor Information Requirements; Return of Contributions.

**Title 2 Regulations**

18215 Contribution.
18215.1 Contributions; When Aggregated.
18215.2 Uncompensated Internet Activity by Individuals that is not a Contribution or Expenditure.
18216 Enforceable Promise to Make a Payment.
18225 Expenditure.
18225.7 Made at the Behest of.
18421.1 Disclosure of the Making and Receipt of Contributions.
18421.3 Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
18421.31 Text Message Contributions.
18423 Payments for Personal Services as Contributions and Expenditures.
18427.1 Notification to Contributors of $5,000 or More.
18428 Reporting of Contributions and Independent Expenditures Required to be Aggregated.
18431 Reporting of Expenditures by an Agent or Independent Contractor.
18432.5 Intermediary.
18531  Return of Excessive Contributions.
18531.7 Payments for Communications – Section 85312.
18533 Contributions from Joint Checking Accounts.
18534 Required Committee Bank Accounts.
18570 Return of Contributions with Insufficient Donor Information.
18946.4 Reporting and Valuation of Gifts: Tickets to Nonprofit and Political Fundraisers.
STATE CONTRIBUTION LIMITS

Candidates seeking a state office and general purpose recipient committees that make contributions to state candidates are subject to contribution limits from a single source. The charts below show the current limits of $6,800 per calendar year (effective January 1, 2013 through December 31, 2014) for general purpose committees making contributions to state candidates.

**Election Period:** Contribution limits to candidates apply per election. The primary, general, special, and special run-off elections are considered separate elections. After an election, contributions may be made to candidate committees only if the committee has net debt.

**Calendar Year:** Contribution limits to officeholder committees and committees that make contributions to state candidates apply on a calendar year basis.

Contribution limits may increase or decrease every two years based on changes in the Consumer Price Index.

**Local Contribution Limits**

This chapter does not apply to local committees. City and county general purpose recipient committees must contact the local jurisdiction to determine if local contribution limits or other restrictions apply. Copies of local campaign finance ordinances are also posted on the FPPC’s website.
California Fair Political Practices Commission
California State Contribution Limits
(Effective January 1, 2013-December 31, 2014)

Candidates seeking a state office and committees that make contributions to state candidates are subject to contribution limits from a single source. (Section 85301-85303.) Contributions from affiliated entities are aggregated for purposes of the limits. (Regulation 18215.1.) The chart below shows the current limits per contributor for state offices. The primary, general, special, and special run-off elections are considered separate elections. Contribution limits to candidates apply to each election. Contribution limits to officeholder and other committees apply on a calendar year basis. Contact your city or county about contribution limits for local offices.

### Contribution Limits to State Candidates Per Election

<table>
<thead>
<tr>
<th>Candidate or Officeholder</th>
<th>Contributor Sources</th>
<th>Small Contributor Committee (see definition on page 2)</th>
<th>Political Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senate and Assembly</td>
<td>$4,100</td>
<td>$8,200</td>
<td>No Limit</td>
</tr>
<tr>
<td>CalPERS/CalSTRS</td>
<td>$4,100</td>
<td>$8,200</td>
<td>No Limit</td>
</tr>
<tr>
<td>Lt. Governor, Secretary of State, Attorney General, Treasurer, Controller, Supt. of Public Instruction, Insurance Commissioner, and Board of Equalization</td>
<td>$6,800</td>
<td>$13,600</td>
<td>No Limit</td>
</tr>
<tr>
<td>Governor</td>
<td>$27,200</td>
<td>$27,200</td>
<td>No Limit</td>
</tr>
</tbody>
</table>

### Contributions to Other State Committees Per Calendar Year

<table>
<thead>
<tr>
<th>Committee (Not Political Party) that Contributes to State Candidates (PAC)</th>
<th>Contributor Sources</th>
<th>Person (individual, business entity, committee/PAC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee Account NOT for State Candidates (Ballot Measure, PAC, Political Party)</td>
<td>No Limit*</td>
<td>No Limit*</td>
</tr>
</tbody>
</table>

*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

<table>
<thead>
<tr>
<th>Committee</th>
<th>Any Source (Person, Small Contributor Committee or Political Party)</th>
<th>Aggregate From All Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senate and Assembly</td>
<td>$3,400</td>
<td>$56,500</td>
</tr>
<tr>
<td>CalPERS/CalSTRS</td>
<td>$3,400</td>
<td>$56,500</td>
</tr>
<tr>
<td>Lt. Governor, Secretary of State, Attorney General, Treasurer, Controller, Supt. of Public Instruction, Insurance Commissioner, and Board of Equalization</td>
<td>$5,700</td>
<td>$113,000</td>
</tr>
<tr>
<td>Governor</td>
<td>$22,600</td>
<td>$226,000</td>
</tr>
</tbody>
</table>
Notes:

- See Chapter 1 for the “small contributor committee” definition and requirements.

- “Person” includes 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.

- Contributions from affiliated entities are aggregated for purposes of the limits. See Chapter 4 for information on aggregation.

- Loans are considered contributions subject to limits; however, if a loan has been repaid in full or in part, the lender may make additional contributions to the same committee up to the limit.

**A. Receiving Contributions**

A general purpose committee, including a small contributor committee and a political party committee, that makes contributions to state candidates and state officeholders, has a limit on how much it may accept from a single source in a calendar year.

A general purpose committee that pays for certain communications that identify state candidates may also be subject to the contribution limits even if it does not make contributions to state candidates. (See “Communications Identifying State Candidates” below.)

**“All Purpose” and “Restricted Use” Bank Accounts**

**All Purpose Account.** A committee that receives contributions for the purpose of making contributions to state candidates must establish a bank account for its state candidate contributions and title the account an “all purpose” account. The title “all purpose” alerts a contributor that the committee is subject to a contribution limit. It also means that a contribution may be made to any California candidate or committee. In other words, it is an “all purpose” account for making legitimate expenditures.
Restricted Use Account. Funds in this account may include contributions received in excess of the contribution limits and may not be used for the purpose of making contributions to state candidates or to other committees for the purpose of making contributions to state candidates. These funds may be used for any other legitimate purpose, such as independent expenditures, contributions to local candidates, contributions to state and local ballot measure committees, voter registration, administrative costs, etc.

Checks drawn on the accounts must include “all purpose account” or “restricted use account” in the title of the account appearing on the checks. The funds may be used as described below:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Bank Account</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions to State Candidates</td>
<td>All Purpose Only</td>
</tr>
<tr>
<td>Contributions to Local Candidates</td>
<td>All Purpose or Restricted Use</td>
</tr>
<tr>
<td>Contributions to Ballot Measures</td>
<td>All Purpose or Restricted Use</td>
</tr>
<tr>
<td>Independent Expenditures</td>
<td>All Purpose or Restricted Use</td>
</tr>
<tr>
<td>Voter Registration</td>
<td>All Purpose or Restricted Use</td>
</tr>
<tr>
<td>Member Communications)</td>
<td>All Purpose or Restricted Use</td>
</tr>
</tbody>
</table>
| Mailers, Phone Banks, TV and Radio Ads, Emails (Contributions to Candidates) | State – All Purpose Only  
Local – All Purpose or Restricted Use |
| Employee Time for State Candidate Polling/Canvassing | All Purpose Only |
| Renting Office Space                         | All Purpose or Restricted Use          |

When making contributions, the committee must notify the recipient whether the contribution is from the “all purpose” or “restricted use” account, or from some other account (e.g., administrative account).
B. Contributions that Exceed the Limits

A general purpose committee that makes contributions to state candidates may not accept and deposit contributions in excess of the limits into its “all purpose” account. Contributions that exceed the limits are not considered accepted if they are not deposited into the receiving committee’s bank account and are returned within 14 days of receipt. For nonmonetary contributions, the item itself, its monetary value, or the monetary amount by which the value of the nonmonetary contribution exceeds the limits must be returned within 14 days of receipt.

However, a general purpose committee that makes contributions to state candidates (other than a small contributor committee) may receive contributions in excess of the per calendar year limit ($6,800 for 2013-2014) if the contributions are placed in the committee’s local and out-of-state committees (e.g., federal PACs) that make contributions to state candidates must do so from a bank account that does not receive contributions totaling more than $6,800 from a single contributor in a calendar year. Instead of opening separate bank accounts (all purpose and restricted use), an entity may choose to establish separate committees to receive contributions in excess of the limits, such as an “issues” PAC for ballot measures.

Local and out-of-state committees (e.g., federal PACs) that make contributions to state candidates must do so from a bank account that does not receive contributions totaling more than $6,800 from a single contributor in a calendar year. Instead of opening separate bank accounts (all purpose and restricted use), an entity may choose to establish separate committees to receive contributions in excess of the limits, such as an “issues” PAC for ballot measures.

Quick Tip

A small contributor committee is prohibited from receiving more than $200 per calendar year from any contributor.

Ex 5.1 – The Committee for Californians United makes contributions to state candidates and has only one bank account. It received a contribution of $3,000 on March 5 from Starr Lu. On April 10 of the same year, Starr contributed a second contribution of $3,800. Since her total contributions during the calendar year to the committee equal $6,800, Starr may not make additional contributions, including loans, to the committee until the following year, unless the committee opens a separate “restricted use” bank account.

Ex 5.2 – The California Council for Solar Energy established three separate PACs; a committee that will make contributions to state candidates, a small contributor committee (“SCC”), and a ballot measure committee. In a calendar year, a single contributor may contribute $200 to the SCC, $6,800 to the state candidate committee, and an unlimited amount to the ballot measure committee.

Ex 5.3 – The California Landscape Employees’ Association transmits $35 per month from each of its members to its political action committee. Because the committee does not receive contributions totaling more than $6,800 per calendar year from a single source, it is not required to have more than one bank account. Contributions to state candidates and all other expenditures made by the committee may be paid from the account. When contributions are made to state candidates, the committee must include the term “all purpose account” on its checks.
“restricted use” account. The committee may then transfer the allowable amount to be used for state candidate contributions to the “all purpose” account. The transfer must be made within 14 days of receiving the contribution.

Alternatively, some financial institutions may allow the committee to divide the contribution between accounts at the time of deposit. **No amounts in excess of the applicable contribution limit may be deposited in or transferred to the “all purpose” account.**

### C. Communications Identifying State Candidates
*(Also known as “electioneering communications” or “issue ads”)*

Some general purpose committees are subject to contribution limits even if they do not make contributions to state candidates. A committee may not receive a contribution of more than $34,000 from a single source if the committee makes a payment or a promise of payment totaling $50,000 or more for a communication that:

- Clearly identifies a state candidate;
- But does not expressly advocate the election or defeat of the candidate; and
- Is disseminated, broadcast, or published within 45 days of the candidate’s election; and
- Is made at the behest of the candidate featured in the communication. (Section 85310.)

Once a committee receives a contribution over the limit, it may not make or promise to make a payment for a communication identifying a state candidate, as described above.

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**Ex 5.4** – The Bay City Chamber of Commerce Political Action Committee has two bank accounts, one that it uses for making contributions to state candidates (“all purpose”) and a separate account for other expenditures that are not subject to contribution limits (“restricted use”). The committee receives a contribution check for $20,000. The committee must deposit the check in its “restricted use” account and, within 14 days, it may transfer $6,800 to the “all purpose” account.

**Ex 5.5** – The California Solar Energy “Issues” Committee pays $300,000 for a television advertisement to oppose a state ballot measure. The ad includes a photograph of the State Controller who also opposes the measure, but the ad does not expressly advocate support of or opposition to the Controller’s election. The ad is broadcast during the 45-day period before the Controller’s election. If the ad was coordinated with or made at the behest of the Controller, the committee is subject to contribution limits and must file an E-530 report. (See Chapter 8 for additional information about the E-530 report.)
D. Making Contributions to State Candidates

For purposes of the contribution limits, the primary, general, special, and special runoff elections are considered separate elections. General purpose committees may contribute to a state candidate’s general or special general election prior to a primary or special primary election for the same office. If the candidate is defeated in the primary or special primary election, contributions received for the general or special general election must be returned to the contributors on a pro rata basis, less the cost of raising and administering the funds.

**Ex 5.6** – The California Council for Solar Energy’s state candidate PAC wants to make contributions to a candidate seeking an Assembly office in 2014. The PAC may make a contribution of $8,200 ($4,100 designated for the primary and $4,100 for the general election). If the candidate is defeated in the primary election, the contribution for the general election must be returned to the PAC on a pro rata basis, less the cost of raising and administering the funds. The returned contribution will be reported by the PAC on Schedule I as a miscellaneous increase to cash.

**Intermediary for Contributions.** An organization may act as an intermediary for contributions to state candidates and must identify to the candidate that it is acting as an intermediary. The contributions received and made as an intermediary are not assigned to the organization.

**Ex 5.7** – The Committee for Californians United collected contributions for Sharon Winston, a candidate for the State Senate. Contributors wrote checks of $4,100 payable to the general purpose committee. The committee deposited the checks and then wrote one check to Ms. Winston’s campaign, providing her with the name, address, occupation, and employer of each contributor. The committee itself may also contribute $4,100 to Ms. Winston’s campaign.

**Transferred Contributions.** If a general purpose committee makes a contribution to a state candidate’s campaign committee and the candidate subsequently transfers the contribution, in whole or in part, to another committee to run for a different state office, future contributions made by the general purpose committee directly to the candidate’s subsequent committee are aggregated with the funds transferred by the candidate for purposes of the contribution limits.
Carryover Contributions. If a general purpose committee makes a contribution to a state candidate’s campaign committee and the candidate carries over the contribution to a committee for the same state office (e.g., from the primary to the general election for the same office or to the next election for the same office), those “carryover funds” are not required to be aggregated with future contributions made by the general purpose committee.

Ex 5.8 – Tom Davies has a committee to run for Assembly in 2014. A general purpose committee makes a contribution of $4,100 to his committee for the general election. After the election, Mr. Davies decides to transfer $2,500 of the general purpose committee’s funds to his committee to run for State Senate in 2016. The $2,500 transfer will count toward the amount the general purpose committee may contribute to Mr. Davies’ Senate committee for the 2016 primary election.

Ex 5.9 – A general purpose committee made a contribution of $3,900 (the 2012 limit) to an Assembly member’s committee for the 2012 election. The Assembly member established a committee to run for the Assembly in 2014 and carried over $100,000 from the 2012 Assembly committee to the 2014 Assembly committee. Although the general purpose committee’s contribution was included in the “carryover” funds, the general purpose committee may still make contributions of up to $8,200 to the 2014 Assembly committee ($4,100 for the primary and $4,100 for the general election).

Affiliated Committees Making Contributions to State Candidates

If an organization has both a regular general purpose committee (PAC) and a small contributor committee (SCC), and the contributions made are controlled by a majority of the same persons, the contributions from the two committees must be aggregated for the purpose of contribution limits.

Ex 5.10 – A chamber of commerce has a regular PAC and a SCC. The SCC made a contribution of $13,600 to a 2014 Secretary of State candidate’s committee. Assuming the committees’ contributions are controlled by a majority of the same persons, the regular PAC may not make a contribution to the same candidate for the same election as the contributions must be aggregated and the SCC already contributed the maximum amount allowed per election.
E. After the Election – Contributions to State Candidates are Restricted

After the election, committees controlled by a state candidate for election purposes are prohibited from accepting contributions unless they have net debts outstanding from the election. The primary and general elections are separate elections for purposes of calculating net debt. The applicable contribution limits apply to contributions to pay net debt. See Campaign Disclosure Manual 1 (for State Candidates) for additional information about net debts outstanding.

F. Making Contributions to State Officeholder Expense Account Committees

An elected state officer may establish a separate committee to receive contributions after the date of the election for the purpose of paying expenses associated with holding office. The committee name must include the name of the officeholder, the office held, the year of the election, and the words “officeholder account.” For example, “Garcia Assembly 2014 Officeholder Account.” The chart on page 5-2 shows the limits on contributions to officeholder committees.

Officeholder account contributions are subject to calendar year limits on both the amount a donor may give and the aggregate total the officeholder may raise. In addition, officeholder contributions must be cumulated (in full) with any other contributions from the same contributor(s) for any other future elective state office for which the officeholder maintains a controlled committee.

Ex 5.11 – If the chamber’s regular PAC made a contribution of $4,100 to a legislative candidate, the SCC may only make a contribution of $4,100 to the same candidate for the same election because the contributions must be aggregated and the SCC limit for a legislative candidate is $8,200 per election (2013-2014 limits).

Ex 5.12 – Jordan Michaels was elected to the Senate in 2014 and his committee ended up with net debt outstanding after the election. A general purpose committee made a contribution of $1,000 to his committee for the 2014 general election. The committee may make an additional contribution of up to $3,100 (the limit in 2014 was $4,100) toward Mr. Michaels’ Senate committee’s debt.
Contributions made to an officeholder account are counted toward and may not exceed the limits on contributions to a campaign committee the officeholder establishes for reelection or election to another state office. In order to determine the applicable contribution limit to an elected state officer’s officeholder account, use the lower of the following:

- The calendar year contribution limits applicable to the officeholder committee on the chart, or
- The lowest per election contribution limit (the aggregate of the primary and general election limits) applicable to any future state office for which the officeholder maintains a controlled committee at any time during his or her term of office. When an officeholder files a statement of intent to run for a future state office, he or she must notify donors who have made contributions to the officeholder account.

Contributions to a state officeholder account must be made from a general purpose committee’s “all purpose” bank account. A state officeholder may not receive new contributions to an officeholder account once the officeholder’s term of office ends, or the officeholder leaves office, whichever is earlier.

### G. When State Contribution Limits Do Not Apply

#### Ballot Measure Committees

A state or local ballot measure committee is not subject to contribution limits. A state candidate’s controlled ballot measure committee may not make a contribution to a state candidate’s election committee.

**Exception:** State candidates and officeholders may not make contributions to any committees controlled by other state candidates in excess of $4,100, including a state candidate’s ballot measure committee. This limit applies on a per election basis and includes, in the aggregate, contributions made from the candidate’s or officeholder’s personal funds and from campaign funds.

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**Ex 5.13** – In February 2013, the CA Medical Technicians’ PAC contributed $3,400 from its “all purpose” account to Assemblymember Brenda Yee’s officeholder committee. In June 2013, the PAC received a notice from Assemblymember Yee that she had filed a statement of intent to run for State Senate in 2014. The $3,400 contribution to the officeholder committee will count toward the maximum amount the PAC may contribute to Ms. Yee’s 2014 Senate committee.
Legal Defense Committees

Candidates and officeholders may establish a legal defense fund to defray attorneys’ fees and other related legal costs incurred for the candidate’s or officeholder’s legal defense arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officeholder’s official duties. Such committees must have “legal defense” and the name of the candidate or officeholder in the name of the committee. Contributions to a state candidate’s legal defense fund are not subject to contribution limits.

**Exception:** State candidates and officeholders may not make contributions to any committees controlled by other state candidates in excess of $4,100, including a state candidate’s legal defense committee. This limit applies on a per election basis and includes, in the aggregate, contributions made from the candidate’s or officeholder’s personal funds and from campaign funds.

Recall Committees – State Elected Officer Who is the Target of a State Recall

An elected state officer who is the target of a state recall may establish a committee to oppose the qualification of the recall measure or the recall election. Such committees must have the word “recall” and the name of the target officer in the name of the committee. Contributions to a state target officer’s recall committee are not subject to limits. However, contributions to a replacement state candidate’s committee are subject to the applicable limits. See Campaign Disclosure Manual 3 (for ballot measure committees) for additional information about recall elections.

**Exception:** State candidates and officeholders may not make contributions to any committees controlled by other state candidates in excess of $4,100, including a state candidate’s controlled committee opposing a recall. This limit applies on a per election basis and includes, in the aggregate, contributions made from the candidate’s or officeholder’s personal funds and from campaign funds.
H. Sponsored Committees – Administrative Payments

Payments for the establishment and administration of a committee made by the sponsor of the committee (see Chapter 1 for the definition of “sponsored committee”) are not contributions to the committee, and therefore not subject to contribution limits; however, the committee must report the payments. See Chapter 4 for additional information about payments for the establishment and administration of a sponsored committee, including how to report the payments. A sponsor’s payments for fundraising activities are not considered administrative payments.

Answering Your Questions

A. If a labor union has both a small contributor committee and a committee that makes contributions to state candidates, may the small contributor committee contribute $8,200 to an Assembly candidate’s primary election and the other committee contribute $4,100 to the same candidate’s primary election?

No. Assuming both committees are sponsored by the same organization and a majority of the same persons control the contributions and expenditures made by both committees, they would be treated as one entity when determining the contribution limits. Thus, if the small contributor committee contributed $8,200 to the candidate’s primary election, the other sponsored committee would be prohibited from making any additional contributions.

B. If a sponsor has two committees, a ballot measure committee and a small contributor committee, can the sponsor receive one check for $7,000 and deposit $200 into the small contributor committee’s bank account?

The committee should deposit the check into the ballot measure committee’s bank account. The committee may then transfer up to $200 to the small contributor committee. The transfer must be made within 14 days.
C. If a Federal PAC that is subject to the federal limit of $5,000 per calendar year per source makes contributions to a California state candidate, does it need a separate “all purpose” account?

No. If all contributions to the federal PAC are under the $5,000 federal limit, they are under the California limit of $6,800, so a separate account is not required. The PAC should include “all purpose account” on its check to the California state candidate. The notation also helps state candidates ensure that they may deposit the funds.

**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.
82027.5 General Purpose Committee.
82031 Independent Expenditure.
82043 Measure.
82047 Person.
82048.7 Sponsored Committee.
82050 State Candidate.
82051 State Measure.
84302 Contributions by Intermediary or Agent.
85203 Political Party Committee.
85204.5 Special Election Cycle and Special Runoff Election Cycle.
85205 Political Party Committee.
85301 Limits on Contributions from Persons.
85302 Limits on Contributions from Small Contributor Committees.
85303 Limits on Contributions to Committees and Political Parties.
85304 Legal Defense Fund.
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CONTRIBUTION RESTRICTIONS

Although the Political Reform Act is primarily a disclosure law, there are several important restrictions and prohibitions on receiving contributions. This chapter reviews these restrictions and prohibitions, as well as some that are contained in laws other than the Political Reform Act. For restrictions and prohibitions related to expenditures made with campaign funds, see Chapter 7.

A. Restrictions under the Political Reform Act

Reporting the True Donor

As noted throughout the manual, 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 4 for additional information about intermediaries.)

Failure to disclose the true source of a contribution is often referred to in media reports 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, the likelihood of that source making a contribution of the size reported, and all other circumstances surrounding receipt of the contribution.

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. A local agency may deposit laundered funds into its general fund when the action is brought under its local campaign finance ordinance.

**Cash Contributions**

A committee may not accept a cash contribution of $100 or more. Such a contribution may be returned to the contributor prior to the end of the reporting period, provided the cash was not previously deposited or spent. A cash contribution that is inadvertently deposited into the committee bank account must be refunded within 72 hours of receipt.

**Anonymous Contributions**

Anonymous contributions of $100 or more are prohibited. If the committee receives a cash contribution of $100 or more from an unknown source, it must be sent to the Secretary of State for deposit in the State General Fund.

**Contributor’s Legal Name**

Contributions must be made in the name by which the contributor is identified for legal purposes.

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**Ex 6.1** – A committee receives contributions of $5,000 each from ten different individuals in the same week. The committee treasurer and campaign fundraiser did not make specific solicitations to the individuals. Upon 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.

**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.
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. Campaign funds may not be used for personal expenses. (See Chapter 7 for information about the use of campaign funds.)

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 4.)

Contributions Delivered in State Office Buildings

A contribution may not be delivered 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 mail.

Contribution Limits

Chapter 5 includes a detailed discussion about contribution limits to state candidate controlled committees and committees that make contributions to state candidates. In addition, the contribution limits chart is available on the FPPC website. Local committees should consult with the city clerk or county elections office to determine if local limits apply in the jurisdiction.
Contributions From State Lobbyists

A 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 for which the candidate is seeking election or the governmental agency of the elected state officer.

A general purpose committee that receives personal funds from a lobbyist and includes the lobbyist in decisions regarding the making of contributions is also prohibited from making contributions to state candidates who are seeking or holding an office of an agency the lobbyist is registered to lobby.

A lobbyist is not prohibited from advising his or her clients (including sponsored general purpose committees) regarding the making of contributions to state candidates.

State Lobbyist and Lobbying Firm Fundraisers

A fundraiser held in the home of a lobbyist is considered a contribution; therefore, a lobbyist is prohibited from holding a fundraiser in his or her home for a candidate seeking election to a governmental agency that the lobbyist is registered to lobby. The same prohibition applies to lobbying firms holding fundraisers at their offices.

Contributions From Foreign Governments or Foreign Principals

Committees are prohibited from soliciting or accepting contributions from a foreign government or foreign principal in connection with a candidate or ballot measure in any state or local election. (2 U.S.C. § 441e and Government Code Section 85320 of the Act.)

For purposes of this prohibition, a “foreign principal” includes:

- A foreign political party.

- An individual outside the United States, unless the individual is a United States citizen.

- A corporation outside of the United States, unless it is organized or created by the laws of the United States or any place subject
to the jurisdiction of the United States, and its principal place of business is within the United States.

- A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.
- A foreign partnership, association, corporation, or organization.
- A domestic subsidiary of a foreign corporation if the decision to contribute or expend funds is made by an officer, director, or management employee of the foreign corporation who is not a citizen of the United States or a law permanent resident of the United States.

Contributions, expenditures, or independent expenditures made by a lawfully-admitted permanent resident (e.g., a “green card” holder) of the United States are permitted.

### B. Public Funds and Public Resources

The Political Reform Act prohibits the payment of public moneys, in the form of matching funds or cash subsidies, for the financing of elections, except for elections in charter cities and counties.

In addition, laws outside the Act prohibit the use of public resources, such as office equipment, staff time, etc., for campaign or personal purposes. (Education Code Section 7054; Gov. Code Section 8314; Penal Code Section 426; and Vargas v. City of Salinas (2009) 46 Cal 4th 1.)

Government Code Section 54964 restricts 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 ballot measure or a candidate. For further information on laws outside the Act, contact the Attorney General’s office at (800) 952-5225 or the local district attorney.
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.
84309  Transmittal of Campaign Contributions in State Office Buildings.
84607  Prohibition Against Political or Campaign Use.
85320  Foreign Entities.
85701  Laundered Contributions.
85702  Contributions from Lobbyists.

**Title 2 Regulations and Opinions**

18432.5  Intermediary.
18439  Definition of “Personally Deliver.”
Lobbyist Contributions—Making a Contribution Defined.
USE OF CAMPAIGN FUNDS

The Political Reform Act restricts the personal use of campaign funds by individuals who control the expenditures of the funds for a general purpose committee. To ensure that campaign funds are not used for personal benefit, 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 any individual with the authority to approve the expenditure, the expenditure must be directly related to a political, legislative, or governmental purpose. A substantial personal benefit means an expenditure which results in a direct personal benefit of $200 or more to any individual with the authority to approve the general purpose committee’s expenditures.

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.

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 not be paid with campaign funds. However, where the litigation is directly related to the committee’s activities that are consistent with its primary objectives, campaign funds may be used to pay for expenses related to the following:

Ex 7.1 – The committee’s treasurer has decided to enter an accounting certificate program at the local community college. While the program may enhance her qualifications as a treasurer, campaign funds may not be used for this purpose. A certificate would confer a personal benefit to the individual that is not considered to be directly related to a political, legislative, or governmental purpose.

Quick Tip

The FPPC has fined committees for payments made from a campaign account that were used for the following personal purposes: auto care services, doctor visits, clothing, and personal life insurance premiums.
• 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 a ballot or challenge the wording of a ballot pamphlet;

• Contest an election;

• Election recount; and

• Compliance expenses (for example, completing campaign disclosure reports).

Reimbursements

A volunteer, campaign worker, or any other individual may make expenses from personal funds and be reimbursed, so long as the expenses are incurred for political, legislative, or governmental purposes.

Automobile Lease or Purchase

When making payments associated with leasing, purchasing, or operating a vehicle, such as insurance, maintenance, and repairs, the committee must be the lessee or hold title to the vehicle. Additional titleholders may not be the treasurer or any other person who may approve committee expenditures, or a member of any such person’s immediate family (spouse, registered domestic partner, and dependent children).
Reimbursed Automobile Expenses

Campaign funds may be used to reimburse the treasurer or any person who may approve committee expenditures, or 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 that 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, contact the Internal Revenue Service at (800) 829-1040 (www.irs.gov).

Donations

Campaign funds may be used to make donations or loans to bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organizations. The donation or loan must be reasonably related to a political, legislative, or governmental purpose. For example, a sponsored general purpose committee may not use campaign funds to pay for the sponsor’s general operating expenses that have no connection to its political, legislative, or governmental programs.

In addition, the donation to a nonprofit organization may not personally benefit the committee treasurer or any individual with the authority to approve the expenditure of campaign funds, or any such person’s immediate family member (spouse or registered domestic partner, and dependent children).

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 and if use for any other purpose will be minimal. 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.
Food

A committee may purchase a meal with a cost of $200 or less, so long as the expense 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.

Fines, Penalties, Judgments, and Settlements

Only the following types of fines, penalties, judgments, and settlements may be paid with committee funds:

- 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.

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.

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.
Loans

Campaign funds may be used to make loans to other political committees. Loans to state candidate committees are subject to limits. In addition, committee funds may be used to make loans to bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organizations.

However, a loan may not personally benefit the committee treasurer, or any individual with authority to approve the expenditure of committee funds, or any such person’s immediate family member (spouse, registered domestic partner, and dependent children). The loan must be reasonably related to a political, legislative, or governmental purpose. Committee funds may not be loaned to an individual or to an entity other than those described above.

A sponsored committee may not loan campaign funds to its sponsoring organization for general expenses of the sponsor.

Out of State Contributions

The Political Reform Act does not prohibit a general purpose recipient committee from making donations to support out of state candidates so long as the expenditure is related to a political, legislative, or governmental purpose.

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.
Real Property

A committee, other than a state political party, 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 treasurer or any other individual with authority to approve the committee's expenditures, or an immediate family member (spouse, registered domestic partner, and dependent children) of any of these persons may not be a lessee or sublessor, or hold legal title to the leased property.

Refunding Contributions

The return of a contribution to a contributor is permitted as it is considered to be reasonably related to a political, legislative, or governmental purpose.

Returning Contributions Lacking Contributor Information

When a contribution of $100 or more in a calendar year is received from a single contributor, the committee must report the contributor's name and address, and, if the contributor is an individual, his or her occupation and employer. If the committee does not have this information in its records within 60 days of receipt, the contribution must be returned. (See Chapter 3.)

Salary and Compensation

Any individual authorized to approve the committee's expenditures may not receive a salary or other compensation from the committee for the performance of political, legislative, or governmental activities. The committee may pay for professional services such as an accountant, however, even if the accountant has authority to sign committee checks.

Tickets for Entertainment and Sporting Events

Campaign funds may not be used to purchase entertainment and sporting event tickets for use for an officer, director, employee, or staff of the committee, unless attendance at the event is directly related to a political, legislative, or governmental purpose.
Tickets to Political Fundraisers

Campaign funds may be used to purchase tickets to another committee’s political fundraiser (subject to any applicable contribution limits) for an officer, director, employee, or staff of the committee.

Travel

A committee may use campaign funds to pay for travel or accommodations for any individual with authority to approve the committee’s expenditures, or employees 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. The Internal Revenue Service may be contacted at (800) 829-1040 or www.irs.gov for more information.

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 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.

Lobbying

Campaign funds may be used to attempt to influence legislative or administrative action. Expenditures for lobbying may include salaries for lobbyists and their support staff, bill tracking services, overhead expenses in support of a lobbyist, and other payments associated with lobbying.
Answering Your Questions

A. I am the treasurer of a state general purpose ballot measure committee. I make long distance campaign phone calls on my home phone. How may I pay for them?

One method is to calculate the portion of the phone bill that is campaign related. Have the committee write a check for that portion directly to the phone company. Otherwise, you may pay for the bill with personal funds and subsequently request reimbursement from the committee treasurer by providing a copy of the bill.

B. As a volunteer for our general purpose committee, I will occasionally use my personal car to assist the committee. Is mileage considered a reportable contribution to the committee 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.

C. Is it permissible to have an agreement with a committee fundraiser or consultant to pay additional money if we surpass our fundraising goals?

Yes, under the Act you may make contingency agreements that the committee will not pay a contractor unless a particular outcome is achieved in fundraising or campaign results, or that a bonus will be paid depending upon an outcome. The arrangement should be made part of the written contract. However, no contingency fee or arrangement is permissible when paying a lobbyist.

D. May we give bonuses to our committee workers?

Yes, but in most cases, the bonuses would be considered gifts and must be limited to less than $250 per calendar year.
E. May we give campaign funds to our committee’s sponsor to help pay the sponsor’s general operating expenses?

No. Committee funds may only be used for political, legislative, or governmental purposes.

F. May campaign funds be used to pay lobbying expenses?

Yes. Committee funds may be used for political, legislative, or governmental purposes.

G. May campaign funds be used to pay the $95 membership dues of an honorary member of the committee? The individual has served as president for many years and is retiring.

Yes. Committee funds may be used to provide a gift to a former board member of the committee as long as the gift does not exceed $250 in a year.

H. May campaign funds of an education related political committee be used to establish a recall committee to remove a school board member from office?

Yes. This would be used considered a political purpose.

I. May a county central committee allow its offices to be used by candidates? Candidates could use the office equipment and share help from volunteers.

Yes. This would be considered a political purpose. However, the office space would also be a nonmonetary contribution to the candidates and must be reported.
Authority

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

Government Code Sections

82025  Expenditure.
82029  Immediate Family.
82044  Payment.
89511  Campaign Funds Held by Candidates and Committees.
89512.5 Expenditures by Committees Not Controlled by Candidates.
89513  Use of Campaign Funds for Specific Activities.
89514  Use of Campaign Funds for Attorney’s Fees.
89515  Use of Campaign Funds for Donations and Loans.
89516  Use of Campaign Funds for Vehicle Expenses.
89517  Use of Campaign Funds for Real Property, Appliances or Equipment.
89518  Use of Campaign Funds for Compensation.

Title 2 Regulations

18229  Inclusion of Registered Domestic Partners
18570  Return of Contributions with Insufficient Donor Information.
18960  Direct Personal Benefit Defined.
18961  Incidental Use.
COMMUNICATIONS

Campaigns reach the voters through communications including television, radio and Internet advertising, mailers, billboards, precinct walking and flyers. The Political Reform Act requires reporting of most payments in connection with political communications and requires “paid for by” disclaimers on ads placed by general purpose committees on candidates and measures to inform voters who is paying for a communication.

This chapter reviews common communications in a campaign and how payments for the communications are required to be reported. The next chapter discusses the disclaimer requirements that apply to political communications.

A. Payments for Communications

Nonmonetary Contributions. Generally speaking, when a general purpose committee pays for a communication supporting or opposing a candidate or ballot measure, the general purpose committee has made a nonmonetary contribution to that committee if the general purpose committee was coordinating with the candidate or measure committee.

Reporting Nonmonetary Contributions: When a general purpose committee makes payments for a communication that is a contribution, both the general purpose committee and the candidate or committee receiving the benefit report the contribution on a campaign statement.

Independent Expenditures. A general purpose committee may also make “independent expenditures” supporting or opposing a candidate or measure. If a general purpose committee spends money for communications to support or oppose a measure without coordinating with the affected candidate or ballot measure committee, the general purpose committee's expenditures are considered to be independent expenditures.
Reporting Independent Expenditures: When a general purpose committee makes payments for communications that are independent expenditures, only the general purpose committee will report the payments on its campaign statements. Committees that are the beneficiaries of independent expenditures do not report them. A general purpose committee making independent expenditures on a candidate or a ballot measure must file reports, including 24-hour reports, verifications, and supplemental independent expenditure reports. (See Chapter 11.)

There is an exception for certain “member communications” sent solely to an entity or organization’s employees, shareholders, or members, as discussed below.

B. Coordinated Communications

When a general purpose committee pays for a communication that is coordinated with or “made at the behest of” a candidate’s committee or ballot measure committee, the communication is a nonmonetary contribution to that committee.

Coordination – “Made at the Behest”

“Coordinated” or “made at the behest” means made at the request, suggestion, or direction of, or in cooperation or consultation with the committee for whose benefit the expenditure is made.

A payment is coordinated with or “made at the behest” of a candidate or ballot measure committee under each of the following:

- It is made at the request, suggestion, or direction of, or in cooperation, consultation or coordination with the committee for whose benefit the expenditure is made.

- The committee or their agents have made or participated in making any decision about the content, timing, location, mode, intended audience, distribution, or placement of the communication.
• The creator, producer, or person paying for the communication has had discussion and agreement with the committee, or its agents, regarding the content, timing, location, mode, intended audience, distribution, or placement of the communication.

An expenditure is **presumed to be coordinated** or “made at the behest of” a committee if:

- **Committee’s Needs.** It is based on information about the committee’s campaign needs or plans provided to the expending person by the committee.

- **Agent.** It is made by or through any agent of the committee in the course of the agent’s involvement in the current campaign.

- **Common Consultants.** The person making the expenditure retains the services of a person who provides the committee with professional services related to the campaign or fundraising strategy for that same election.

- **Republication.** The communication reproduces, republishes, or disseminates a communication designed, produced, paid for, or distributed by the committee.

However, an expenditure is **not coordinated** or made at the behest of a candidate or committee merely because:

- **Interview.** A person interviews the committee or committee’s agent on issues affecting the person making the expenditure.

- **Committee Material.** The person making the expenditure has obtained a photograph, position paper, press release, or similar material from the committee or the committee’s agents.

- **Public Appearance.** The person making the expenditure has invited committee representatives to make a public appearance before the person’s members, employees, shareholders, or their families provided that there is no discussion with the committee prior to the expenditure related to details of the expenditure.

**Ex 8.1** – A general purpose recipient committee printed campaign literature stating, “Vote for Banks.” The communication included Banks’ photograph, which was obtained from the Banks re-election committee’s website. The general purpose committee did not in any other way coordinate with the Banks campaign in producing the campaign literature. The general purpose committee made an independent expenditure, not a contribution to Banks’ committee.

On the other hand, if the general purpose committee contacted Banks’ political consultant and arranged for a professional photographer to meet with them for the purpose of taking photographs for the mailer, the general purpose committee would be making a nonmonetary contribution to Banks’ committee.
FPPC Regulation 18225.7, summarized above, specifies when a communication is considered independent or made at the behest of a committee. Because the determination is based on specific facts, persons may contact the FPPC for guidance.

If a general purpose committee places an online advertisement supporting a candidate and the advertisement, without consultation or coordination with the candidate or candidate’s committee, links to the candidate’s or committee’s web page or other information posted by the candidate or committee, the presence of the link itself does not mean that the advertisement was coordinated with or “made at the behest of” the candidate.

If two or more general purpose committees exchange information between or among themselves, subsequent expenditures by each committee are not, merely by reason of that exchange, considered to be coordinated with or “made at the behest of” the other committee.

C. Independent Expenditures

When a general purpose committee makes an expenditure for a communication supporting or opposing a candidate or ballot measure that is not coordinated with the candidate or measure committee, it is making an independent expenditure. 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 committee.

**Clearly Identified**

A communication clearly identifies a candidate or ballot measure when the candidate’s name, photograph, or status as a candidate or officeholder is used, or the measure’s name, popular title, or official...
title is used. Some flyers may mention a group of candidates by some well-defined characteristic of the group. Even if no specific names are used, these too may be communications which clearly identify candidates.

**Express Advocacy**

A communication expressly advocates support or opposition of a clearly identified ballot measure under the following scenarios:

- **Magic Words.** The communication uses words such as “vote for,” “elect,” “cast your ballot,” or “defeat.”

- **Unambiguously Urges.** The communication is made within 60 days prior to an election and the communication refers to a clearly identified candidate or ballot measure so that 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 or ballot measure.

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.

**D. Other Communications**

**Endorsements**

An endorsement of a candidate or measure may become a contribution or an independent expenditure when a payment is made in connection with the endorsement.

**Social Media – Internet Communications:**

Uncompensated Internet activity by an individual, such as sending or forwarding electronic messages, social networking, blogging, creating

**Ex 8.3** – A general purpose committee paid $4,000 for a newspaper ad stating “Vote for Measure A.” The communication expressly advocates support for a clearly identified ballot measure. It must be reported by the general purpose committee either as a contribution or independent expenditure, depending upon whether it was coordinated with a primarily formed ballot measure committee.

Later, the same general purpose committee 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 clearly identified measure.

**Ex 8.4** – The president of a police officers’ association announces at its annual meeting that the association endorses county Measure Y. Merely making an oral endorsement is not a contribution or independent expenditure to the committee supporting Measure Y.

Closer to the election, in coordination with the committee formed to support Measure Y, the association mails a special flyer to the voters announcing its endorsement. The association has now made a nonmonetary contribution to the committee.
or hosting a website, to support or oppose a candidate or ballot measure is not considered a contribution or expenditure.

When a PAC blogs or posts communications that expressly advocate a candidate or measure, the advertisement is subject to disclaimer requirements. Depending upon the communication and the cost to prepare the communication, a contribution will be reportable.

**Communications Identifying State Candidates**

If a general purpose 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 committee must report the payment. The committee must file Form E-530 with the Secretary of State within 48 hours.

If the communication is made at the behest of the candidate, the general purpose committee is subject to the political party contribution limits of $34,000 per contributor. Once a general purpose committee receives a contribution in excess of that contribution limit, the committee may not make a payment for such a communication. (See Chapter 5.)

**Ballot Measure Ad – Paid Spokesperson**

When a general purpose committee pays an individual for his or her appearance in a ballot measure advertisement, the committee must file a Paid Spokesperson Report (Form 511) and include a disclaimer on the ad in the following situations:

- **$5,000 payment to individual in ad:** The committee makes expenditures totaling $5,000 or more to an individual for his or her appearance in an advertisement to support or oppose

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**Ex 8.5** – A PAC may establish a social media account (e.g., Facebook, Twitter, Tumblr) to engage in campaign activity, such as posts or tweets to support candidates and ballot measures. See Chapter 9 for information about required disclosure for advertisements.

**Ex 8.6** – Two weeks before a 2016 election in which State Senator Ramos will be listed on the ballot, a general purpose committee pays more than $50,000 for billboard ads in her district stating “Thank you Senator Ramos for your support of high speed rail.” The ads do not advocate her election, but include her name and image and were approved by her. The general purpose committee must file an E-530 report and is subject to a contribution limit of $34,000 in a calendar year from a single source.

“Thank you Senator Ramos for supporting seismic retrofitting and the jobs it creates.”
the qualification, passage or defeat of a state or local ballot measure.

- Any payment to individual in ad portraying a professional (nurse, doctor, firefighter, scientist, engineer, lawyer, etc.): The committee makes expenditures of any amount to an individual for his or her appearance in an advertisement to support or oppose 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.

See Chapter 9 for additional information about the Form 511 and for the disclaimer requirements.

### E. Non-Contributions

There are some communications that are not considered to be contributions, although payments made by a general purpose committee in connection with these communications would be reportable expenditures.

#### Debates

If an organization or entity hosts a debate or other forum and invites at least two opposing candidates or the proponent of a ballot measure and at least one opponent, or their respective representatives, to participate in equal numbers, a payment for the event is not a contribution to the candidate or ballot measure committees.

#### 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 or an individual representing either side of a ballot measure 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 make reference to the candidate’s election campaign, or his or her opponent’s qualifications for office; and
- Does not solicit contributions to the candidate or to third persons for use in support of or opposition to the candidate.

Voter Registration

A payment made at the behest of a candidate or ballot measure committee 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 or ballot measure.

Member Communications

Payments made by an organization or its sponsored committee for a communication that supports or opposes a candidate or ballot measure 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 made by the organization’s sponsored committee, the committee would report the payments as being made for general member communications.

Payments made by a political party for a communication that supports or opposes a candidate or ballot measure are not contributions as long as the communication is distributed only to the party’s members, employees, and families of its members and employees. However, the party must report the payments as if they were contributions or independent expenditures.
If a communication is sent to members and nonmembers, the committee may allocate that portion of the costs associated with communicating with nonmembers as a contribution or independent expenditure.

However, if the communication is inadvertently sent to nonmembers and the costs do not exceed $100 or 5% of the total cost of the communication, whichever is higher, all of the communication is considered a member communication.

Other communications, such as a sponsoring organization’s solicitations for contributions for its committee, are not considered “member communications” and are contributions to the committee.

**Ex 8.10** – A corporation’s sponsored PAC sends a mailing supporting a ballot measure to the corporation’s shareholders. The mailing is not a contribution to the ballot measure committee whose position is supported, nor is it an independent expenditure. Later, at the behest of the ballot measure committee, the PAC sends the mailing to all registered voters in the district where the measure will appear on the ballot. The mailing to the voters is a nonmonetary contribution.

**Ex 8.11** – The California Tree Doctors Association collects and transmits dues earmarked by its members for political purposes to its sponsored committee. In December, the Association sends a special mailing to its members to raise additional funds for the upcoming state elections. The committee must disclose the payments made by the Association for the solicitation mailing on Schedule C of the Form 460 as nonmonetary contributions from the Association (rather than administrative services). The following year, the Association sends a letter to its members recommending candidates running in the upcoming state election. The payments for this mailing qualify as “member communications” and, therefore, are not contributions to the committee or to the candidates. Neither the Association or the candidates must report the costs of the mailing. (Note: If the sponsored committee paid for the member communication the payments would be reported on Schedule E or F of the Form 460.)

**Definition of “Member”**

A member is any person who, according to a specific provision of an organization’s articles or bylaws, has the right to vote for the election of a director or an officer or on a disposition of all or substantially all of the assets of the organization or on a merger or on a dissolution. A member is also any person who is designated in the articles or
bylaws as a member and, according to a specific provision of an organization’s articles or bylaws, has the right to vote on changes to the articles or bylaws, or pays or has paid membership dues in an amount predetermined by the organization so long as the organization is tax exempt under 26 U.S.C. 501(c). Members of a local union are considered to be members of any national or international union of which the local union is a part and of any federation with which the local, national, or international union is affiliated.

For more information, see Regulation 18531.7 or contact the FPPC.

**Ex 8.12** – The River City Rowing Club’s bylaws require payment of membership dues in order to vote for officers of the club. The club also has a mailing list of individuals that do not pay dues, but receive the club’s literature. When the club sends a mailer supporting or opposing candidates and measures, they do not send the communication to the mailing list of non-members. Therefore, the mailing qualifies as a “member communication” and the payments made are not contributions or independent expenditures.

**Third Party Payments for Member Communications**

To meet the exception to the definition of contribution or expenditure, the payment for the communication must be paid by the committee or its sponsor. If a third party makes the payment in coordination with the committee or organization, the payment is considered a contribution or expenditure, subject to any applicable limits and reporting requirements.

**Ex 8.13** – The California Association of Vegetarians has decided to send a campaign brochure supporting the three Green Party members running for statewide office to its members. Upon hearing of the plan, Friends of the California Environment offers to pay for the communication. The total cost of the communication is $15,000. The payments are made at the behest of each candidate, and each will be featured equally on the flyer. Because the association is not paying for the communication, it does not meet the definition of a “member communication.” Friends must report making a contribution to the three candidates of $5,000 each. Contribution limits apply.

**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.
Authority

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

Government Code Sections

82015 Contribution.
82025 Expenditure.
82031 Independent Expenditure.
82044 Payment.
82047 Person.
85310 Communications Identifying State Candidates.
85312 Communications to Members of an Organization.
85500 Independent Expenditures; 24-Hour Disclosure; Coordination.

Title 2 Regulations

18215 Contribution.
18225 Expenditure (express advocacy, clearly identified).
18225.7 Made at the Behest of (coordination).
18531.7 Payments for Communications – Section 85312 (member communications).
18531.10 Communications Identifying State Candidates.

Cases

ADVERTISEMENT DISCLAIMERS

This chapter describes the disclaimers required on political mailings and other advertisements made by general purpose committees on candidates or ballot measures. The disclaimers inform the public who is paying for a communication.

The disclaimers required for communications made by a general purpose committee that are independent expenditures and those required for coordinated communications that are contributions to a candidate or measure are shown in two charts.

A. What is the Disclaimer?

“Paid for by [committee name]” is the basic disclaimer on most campaign communications. The disclaimer is required on the following:

- Mailings and emails
- Paid telephone calls
- Radio ads
- Television ads
- Electronic media ads
- Newspaper ads
- Billboards
- Yard signs

On all communications, “paid for by [committee name]” is required. On printed mass mailings “paid for by [committee name] and the committee’s address” are required.

Examples:

“This call was paid for by ABC Trade Association”

“This ad was paid for by Going Green Political Action Committee”

Quick Tip
Contact the local elections office for rules on placement of campaign signs in residential or commercial areas.

Quick Tip
Local rules may require additional disclaimers on campaign ads beyond those required by state law.
Not Authorized by Candidate

When a general purpose committee pays for an independent expenditure advertisement supporting or opposing a candidate, the ad must include a statement that it was not authorized by a candidate or a committee controlled by a candidate.

Examples:

“This call was paid for by ABC Trade Association and was not authorized by Senator Jones”

“This ad was paid for by Susan Johnson and was not authorized by a candidate or a committee controlled by a candidate.”

The Political Reform Act ensures that the committee paying for the ad is identified. The Act does not regulate the truth or accuracy of the content of political communications given the broad First Amendment protection for political speech.

How Must the Disclaimer Appear?

Disclaimers on political ads must be clear and conspicuous so as to be understood by the public. Written disclaimers must be printed clearly and legibly. Spoken disclaimers must be clearly audible and intelligible. Specific requirements for color contrast, print font size, and time appearing on screen are provided on the following chart. Disclaimers must also be written or spoken in the same language used in the advertisement.

If an acronym is used to identify the committee, the name of any sponsoring organization of the committee must be printed on print advertisements or spoken in broadcast advertisements.

Ex 9.1 – Denim Manufacturers Committee made two types of independent expenditures. One was for a series of radio spots opposing a proposition and the other was a mass mailing supporting a candidate for mayor in San Francisco. The radio spots audio disclaimer must say “paid for by Denim Manufacturer’s Committee.” The mailing must state “Paid for by Denim Manufacturer’s Committee and not authorized by a candidate or a committee controlled by a candidate.”
Telephone Calls

When a general purpose committee pays for 200 or more similar telephone calls that expressly advocate support for or opposition to a candidate or ballot measure, the name of the committee must be disclosed to recipients. The disclosure must include the words “paid for by” or “authorized by.” This is required for both contributions and independent expenditures. A script of the call must be maintained in the committee’s records.

B. Advertisement Disclaimers for Independent Expenditure Ads

The disclaimer rules for independent expenditure ads by general purpose committees that support or oppose candidates or measures are summarized in the chart below.

Independent Expenditure Ads on Candidates or Ballot Measures (By General Purpose Recipient Committees)

<table>
<thead>
<tr>
<th>Communication</th>
<th>Manner of Display</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>All mass mailings</strong> (more than 200) (see note)</td>
<td>• Committee name/address (on file with Forms 410) on outside of mailing in no less than 10 pt type/contrasting color</td>
</tr>
<tr>
<td><strong>Telephone calls</strong> (more than 200) - made by vendors (“robo” calls) or paid individuals</td>
<td>• Disclaimer must state the call is “paid for by” committee name&lt;br&gt;• Must be at least 3 seconds at beginning or end of call</td>
</tr>
<tr>
<td><strong>Radio</strong></td>
<td>• Must be at least 3 seconds either at beginning or end of the ad</td>
</tr>
</tbody>
</table>
### Television

- Both written & spoken at the beginning or end of ad
- Not less than 4 seconds
- Size & contrasting color must be legible to the average viewer
- Exception - no spoken disclosure required if written statement is shown for at least 5 seconds on a 30 second broadcast or 10 seconds on 60 second broadcast

### Electronic Media

1. **Websites and blast emails**

2. **Ads of limited size (micro bar, button ad, ads limited to 500 characters or less)**

3. **SMS texts**

4. **Electronic ads sent in an audio format**

5. **Electronic ads sent in a video format**

1. Disclaimer statement must be in the same font size as majority of text and displayed conspicuously near the ad

2. Ad must provide disclaimer via rollover, link or other connection to website with the disclaimer

3. Include the committee ID number and if technically possible link to the committee's campaign statement on Secretary of State's website

4. Same requirements as for radio ads above

5. Same requirements as for television ads above
| Paid spokesperson in ballot measure ad - $5,000 or more | • Printed or televised ad: shown continuously in highly visible roman font  
• Radio broadcast or phone message: spoken in clearly audible format  
• Both must also include: “spokesperson’s name is being paid by this campaign or its donors” |
|---|---|
| Newspaper ads | • 10 pt type in contrasting color  
• Also check the Elections Code |
| A billboard | • 5% of height of ad in contrasting color |
| Yard signs (more than 200) | • 10 pt type in contrasting color |
| Door hangers, flyers, posters, and oversized campaign buttons and bumper stickers (buttons 10” across or larger and stickers 60 sq. in. or larger) (more than 200) | • 10 pt type in contrasting color |

Note: Two display rules exist for mass mailings. A mass mailing must have the committee name/address on the outside of an envelope in 6 pt type; while the manner of display for the ad disclaimer requires the committee name in no less than 10 pt type. Often a one-page mailer combines the display rules with both the committee name and address in no less than 10 pt type although the address may be at 6 pt type.

**Updating a Disclaimer**

In the event an advertisement disclaimer must be revised due to a name change, television, radio, electronic media, or robocalls must be amended within five calendar days. Print media, mass mailings, or other tangible items must be amended every time an order to reproduce is placed.
Advertisements in Languages Other than English

Disclaimers on political advertisements should be written or spoken in the same language used in the advertisement. Proper names are not required to be translated.

Advertisement Disclaimer Exceptions

A disclaimer is not required on regular-size campaign buttons, pins, bumper stickers, or magnets. It is not required on pens, pencils, rulers, mugs, potholders, key tags, golf balls and similar small campaign promotional items where a disclaimer cannot be conveniently printed. The disclaimer is not required on t-shirts, caps, hats, and other articles of clothing; skywriting and airplane banners; or committee checks and receipts.

C. Disclaimers for Coordinated Communications

The disclaimer rules for communications made by general purpose committees that are coordinated with a candidate or committee are summarized in the chart below. Payments for such communications are a reportable contribution to the candidate or committee.
Communications by General Purpose Recipient Committee that are Contributions to a Candidate or Committee

<table>
<thead>
<tr>
<th>Communication</th>
<th>Manner of Display</th>
</tr>
</thead>
</table>
| **All mass mailings** (more than 200) (including electronic mail messages, faxes, Twitter feeds) | • Committee name/address, as on file with Form 410. (If no Form 410 on file, use candidate name/address.)  
  • Only committee name required on electronic messages  
  • No less than 6 pt type/contrasting print color  
  • Return envelopes (included in solicitation)—committee’s name, address and ID number are recommended, but not required |
| **Telephone calls** (500 or more) - made by vendors ("robo" calls) or paid individuals | • Any time during the message  
  • Must identify the candidate that paid for the call or an organization authorizing the call that files campaign reports  
  • Must state that the call is “paid for by” or “authorized by the identified candidate or organization  
  • Examples: This call was paid for by Senator Jones; This call was authorized by (name of committee)  
  • No ID required on telephone calls personally dialed by candidate, campaign manager or volunteers |
The Political Reform Act does not require a specific disclaimer on the following communications, although the FPPC recommends placing “paid for by committee name” and committee ID number on all public campaign materials.

| Newspaper, radio and television ads | • Radio and television advertisements require “paid for by” or sponsor identification under Federal Communications Commission rules  
• Check the Elections Code for newspaper ad requirements |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Billboards, yard signs, business cards, door hangers, flyers, posters and websites</td>
<td>• “Paid for by committee name” and committee ID number are recommended but not legally required</td>
</tr>
</tbody>
</table>

D. Mass Mailings – Postal Mailings and Emails

When a general purpose committee pays for a mailing of more than 200 substantially similar pieces in a calendar month (“mass mailing”), the committee’s name and address must be on the mailing. Mass mailings include more than 200 substantially similar electronic messages sent to the public within a calendar month. All mass mailings must include the words “Paid for by” immediately adjacent to or above identification of the name of the committee. The committee’s address is also required on postal mailings.

The committee name must be printed in at least 10 point type. The committee address must be printed in at least 6 point type. The color or print must contrast with the background so it is easily read (e.g., no light blue on blue). 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.
Sent by Two or More Committees

If a mass mailing is paid for by more than one committee, the name and address of the committee that is paying the greatest share of the mass mailing, including costs for designing, postage, and printing, must be placed on the outside of each piece of mail as described above. 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 as described above, and the names and addresses of all committees must appear on at least one insert.

Emails

When over 200 substantially similar emails are sent by a political committee, the email must include “Paid for by [committee name].” The committee’s street address is not required on mass emails sent by a committee, but may be included.

To: Voter@emailaddress.web
From: ABCTradeAssociation@emailaddress.web
Subject: Vote for Smith for Senate

The following message is paid for by ABC Trade Association and was not authorized by Candidate Smith.

Valuing a Mailing

Multiple candidates/measures: If a mass mailing (including emails) supports or opposes more than one candidate or measure, the fair market value attributable to each may be calculated by prorating the costs based on the amount of space allotted to each candidate or measure supported or opposed in the mailing.

Political and non-political material: The cost of a mailing containing both express advocacy supporting or opposing a ballot measure or candidate as well as non-political material may be prorated. Costs directly associated with the political message are reportable, including staff time of more than 10 percent in a calendar month.

Required Recordkeeping

For each mass mailing, the following must be retained for a period of four years:
• A sample of the mailing;
• A record of the date;
• The number of pieces sent; and
• The method of postage used.

**Ballot Measure Ad – Paid Spokesperson**

The Act requires specific disclosure when a committee pays an individual for his or her appearance in a ballot measure advertisement. The committee must (1) file a Paid Spokesperson Report (Form 511) and (2) put a disclaimer on the ad in the situations below.

- **$5,000 payment to individual in ad:** The committee makes expenditures totaling $5,000 or more to an individual for his or her appearance in an advertisement to support or oppose the qualification, passage or defeat of a state or local ballot measure.

  **Disclaimer on ad:** “(Spokesperson's name) is being paid by this campaign or its donors.”

- **Any payment to individual in ad portraying a professional (nurse, doctor, firefighter, scientist, engineer, lawyer, etc.):** The committee makes expenditures of any amount to an individual for his or her appearance in an advertisement to support or oppose the qualification, passage or defeat of a state or local ballot measure that states or suggests that the individual is a member of an occupation that requires licensure, certification, or other specialized, documented training to engage in that occupation.

  **Disclaimer on ad:** “Persons portraying members of an occupation in this advertisement are compensated spokespersons not necessarily employed in those occupations.” However, if the individual in the ad is actually a member of the occupation portrayed, the committee may omit this disclaimer, and shall maintain documentation of the individual’s license or certification for the occupation.
The advertisements include print, television, and radio ads, as well as telephone messages. The disclaimers on the ads must be shown in highly visible roman font for print or television ads, or spoken in a clearly audible manner for radio ads or telephone messages.

When to File Form 511

A committee that makes an expenditure identified above must file the Form 511 within 10 days. An expenditure is made on the date the payment is made or the date the services are received, if any, whichever is earlier.

Where to File Form 511

State Committees: File Form 511 with the Secretary of State. Committees required to E-file must also file a paper version.

Local Committees: File Form 511 in the same location the committee files its regular campaign statements (i.e., Form 460).

Penalties

The penalty for failing to comply with the Act’s disclaimer requirements is a fine of up to $5,000 per violation. In addition, any person who violates the disclaimer requirements concerning ballot measure and independent expenditure advertisements may be liable for a fine of up to three times the cost of the advertisement, including placement costs.

Answering Your Mass Mailing Questions

A. Must the committee’s identification number appear on a mailing?

No. The committee may include its FPPC ID #, but it is not legally required.
B. If an organization includes a copy of a candidate’s flyer in its newsletter, 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.

C. A committee has more than one address. Which address must be used on mass mailings?

Any address that also appears on the committee’s Statement of Organization (Form 410) on file with the Secretary of State may be used.

D. A committee pays for a ballot measure committee’s mailing as a nonmonetary contribution. Which committee must be identified on the outside, the committee paying for the mailing or the ballot measure committee?

Only the committee that pays for the mailing is required to be identified on the outside of the mailing.

E. If a committee is sending a post card-type mailing, may the name of the committee appear only once?

Yes.

F. Where on the outside of the mailing does the committee identification need to be placed?

There is no specific requirement for location of the identification, as long as it appears somewhere on the outside of the mailing.
G. If our general purpose committee pays for a mass mailing that was coordinated with a candidate, must the general purpose committee be identified on the mailing?

Yes. If more than 200 pieces of the same or substantially similar mail are sent in a calendar month, the name and address of the general purpose committee paying for the mailing must appear on the outside of the mailing in no less than six-point type and in a color that contrasts with the background (e.g., no light brown on brown).

H. If our general purpose committee decides to produce a broadcast expressly asking voters to vote for a candidate without coordinating with the candidate, are there disclaimer requirements?

Yes. The advertisement must state “paid for by [name of the general purpose committee]” and “not authorized by a candidate or a committee controlled by a candidate.”

I. Will your general purpose committee be identified on any campaign ads you are not responsible for producing?

Ballot measure ads include the name of the top two donors of $50,000 or more to the ballot measure committee. If your general purpose committee contributes $50,000 or more to a primarily formed ballot measure committee, your committee’s name may be included as a top donor in the primarily formed committee’s advertisements if your committee is one of the two highest contributors to the committee.
Authority

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

**Government Code Sections**

82041.5  Mass Mailing.
84305  Requirements for Mass Mailing.
84310  Identification Requirements for Telephone Calls.
84501  Advertisement.
84505  Avoidance of Disclosure.
84506  Disclaimers: Independent Expenditure Ads
84506.5  Disclaimers: Independent Expenditure Ads; Not Authorized by Candidate.
84507  Disclaimer: Legible and Audible.
84509  Amended Disclaimers.
84511  Ballot Measure Ads; Paid Spokesperson Disclosure.

**Title 2 Regulations**

18435  Definition of Mass Mailing and Sender.
18440  Telephone Advocacy.
18450.1  Definitions. Advertisement Disclosure.
18450.4  Contents of Disclosure Statements. Advertisement Disclosure.
18450.5  Amended Advertisement Disclosure.
18450.11  Spokesperson Disclosure.
24-HOUR CONTRIBUTION REPORTS (FORM 497)

In order for voters to be more informed about the contributors to election campaigns, the Act requires committees to file certain contribution reports within 24 hours. During the 90-day period before an 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 Contribution Report) within 24 hours from the time the contribution is made. In addition, state committees that make contributions of $5,000 or more to state ballot measure committees outside of the 90-day, 24-hour reporting period must file the Form 497 within 10 business days.

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, officeholder, or ballot measure committee within the 90-day election cycle.

- 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.

- Contributions that total in the aggregate $1,000 or more made to a candidate in a CalPERS or CalSTRS election within 90 days before an election.

State committees that are required to file electronically must file the Form 497 within 10 business days for the following payments:

- 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.

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.

Ex 10.2 – In 2013, several state special elections were held. A general purpose committee that made a contribution of $1,000 or more to a political party within 90 days before any special election was required to file the Form 497.
Filing deadlines are extended to the next business day on Saturdays, Sundays, and official state holidays. 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:** 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.

### B. Local Committees

Local committees must file the Form 497 in the following situations:

- Contributions that total in the aggregate $1,000 or more made to a candidate or ballot measure committee within the 90 days before an election.

- Contributions made before a local election that are required by local ordinance to be reported within 24 hours. Check with the city clerk or county elections office to determine if there are such requirements in the jurisdiction.

- 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.

- Contributions that total in the aggregate $1,000 or more are made to a candidate in a CalPERS or CalSTRS election within 90 days before the election.

Filing deadlines are extended to the next business day on Saturdays, Sundays, and official state holidays. 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.

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**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 $1,000 since the last report filed.
Where To File: 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.

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 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.
2. Contribution(s) Made

<table>
<thead>
<tr>
<th>DATE MADE</th>
<th>FULL NAME, STREET ADDRESS AND ZIP CODE OF RECIPIENT (IF COMMITTEE, ALSO ENTER I.D. NUMBER)</th>
<th>CANDIDATE AND OFFICE OR MEASURE AND JURISDICTION</th>
<th>AMOUNT OF CONTRIBUTION</th>
<th>DATE OF ELECTION (IF APPLICABLE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/19/XX</td>
<td>Friends of Senator Smith, 2014 1010 Main Street Sacramento CA 95814 #135234</td>
<td>Smith, Senate Dist 2</td>
<td>$3,000</td>
<td>6/4/XX</td>
</tr>
<tr>
<td>5/19/XX</td>
<td>County Central Committee 22 First Street Fresno CA 93611 #123456</td>
<td>N/A</td>
<td>$4,000</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Reason for Amendment: ____________________________________________________________________________________________

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

Local committees: This section is not required.

State E-filers: A committee is required to complete this part for each contribution of $5,000 or more 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, local ballot measures or political party committees. For specific guidance, see FPPC Regulation 18466.

For Contributions Made, provide:

1. The date made.
2. 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.
3. The candidate’s name and office sought or the ballot measure number or letter and jurisdiction.
4. The amount of the contribution.
5. For a contribution made to a city or county committee, enter the date of the election.

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.

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).
Answering Your Questions

A. If a contribution of $1,000 or more is made to one of a candidate’s campaign committees (i.e., legal defense, ballot measure, past election), but not to the committee that is formed for the election triggering the 90-day reporting, are the candidate and/or the donor required to file a Form 497?

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 is made to a state candidate committee for a 2014 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.
82015  Contribution.
82036  Late Contribution.
84203  Late Contribution; Reports
84203.3  Late In-Kind Contributions.
84204.5.  Ballot Measure Contributions and Expenditures:  Reports

**Title 2 Regulations**

18116  Reports and Statements.
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.
INDEPENDENT EXPENDITURE REPORTING

A. Overview

As described in Chapter 8, 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 8 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 reports so that voters are fully informed about who is paying for the communications that urge voters to support or oppose a particular candidate or measure. Because the affected candidate or measure committee will not report the expenditures, the committee making the independent expenditure must file certain reports at the same time the candidate or measure committee 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 measure committee (or the opponent) must be filed.

This chapter describes how to complete each of the required forms and reviews when and where to file them. In general, a committee that makes an independent expenditure of $1,000 or more is required to file each of the forms listed below.

- Form 462 (Verification of Independent Expenditures)
- Form 465 (Supplemental Independent Expenditure Report)
- Form 496 (24-hour Independent Expenditure Report)

Quick Tip
There is an exception for “member communications” sent solely to an entity or organization’s employees, shareholders, or members. See Chapter 8 for information about member communications.
These reports are filed in addition to any required preelection and semi-annual campaign statements (Form 460). Independent expenditures disclosed on these reports must also be reported on the

### B. Filing Deadlines

This chart summarizes the deadlines and filing locations for each of the independent expenditure reports. Additional information is included later in the chapter.

<table>
<thead>
<tr>
<th>Deadline</th>
<th>Form</th>
<th>Filing Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within 24 hours</td>
<td>496</td>
<td>Filing officer where election is held</td>
</tr>
<tr>
<td>10 days after first IE</td>
<td>462</td>
<td>FPPC</td>
</tr>
<tr>
<td>Preelection/semi-annual deadlines</td>
<td>465</td>
<td>Filing officer where election is held</td>
</tr>
</tbody>
</table>

**Notes:**

- Filing deadlines cannot be extended.
- Failure to file on time may result in late filing penalties of $10 for each day the statement is late.
- State electronic filers may be fined for both the electronic statement and the paper copy, resulting in a $20/day fine.
- Failure to file a statement may result in additional penalties of up to $5,000 per violation.

### C. Valuing Mailings

**Multiple candidates/measures:** The cost of a communication paid for by an independent expenditure that expresses support of or opposition to more than one candidate or ballot measure may be attributed to each featured candidate and ballot measure by calculating the prorated costs based on the amount of space allotted to each candidate or ballot 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.

**Political and non-political material:** The cost of a communication paid for by an independent expenditure that contains both express advocacy in support of or opposition to a candidate or ballot measure, as well as non-political material, may be prorated. Costs directly associated with the political message are reportable, 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 additional weight of the political material or the comparative number of pages between the political and non-political material.

**D. Form 462 - Verification of Independent Expenditures**

A state or local general purpose committee that makes an independent expenditure of $1,000 or more in a calendar year to support or oppose a single candidate, single ballot measure, or the qualification of a single ballot measure, must file the Form 462.

The Form 462 identifies an individual who is a principal officer of the committee. Any individual listed as a principal officer on the committee’s Statement of Organization (Form 410) may sign the Form 462.

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**Ex 11.1** – A PAC produces and mails a one-page flyer urging voters to vote for Proposition 310 and to vote for two statewide candidates. Half of the flyer is devoted to supporting Proposition 310 and the other half equally supports the candidates. The PAC coordinates the mailing with the committee primarily formed to support Proposition 310, but does not coordinate with either candidate’s committee. The total cost of producing and mailing the flyer is $14,000. The PAC has made a nonmonetary contribution to the committee supporting Proposition 310 valued at $7,000, and has made independent expenditures of $3,500 apiece supporting the two candidates.

**Ex 11.2** – A local association of realtors is holding a golf tournament, which will be featured as a networking and marketing event for its members. The association sends invitations, which include an option for attendees to donate an additional sum earmarked for the association’s sponsored committee. Because the invitations include non-political material as well as political material (i.e., the portion of the invitation that solicits contributions for the association’s sponsored committee), the costs may be prorated.
Who is a Principal Officer?

A principal officer is an individual primarily responsible for approving the political activity of the committee such as:

- Authorizing the content of communications.
- Authorizing independent expenditures.
- Determining the committee’s campaign strategy.

When to File

File within 10 days from the date of an independent expenditure that totals, in the aggregate, $1,000 or more to support or oppose a candidate or measure in a calendar year. A candidate or measure is only required to be listed once for each election.

Where to File

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 records for four years.
E. Completing the Form 462

Form 462
Verification of Independent Expenditures

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).

CA Technology PAC, Sponsored by CA Technology Association
1810-21st Street
Sacramento
CA 95814
E-mail: lcooper@cclaw.com
Phone: (916) 555-1640

2. Candidates or Measures:

This committee has reported independent expenditure(s) to support or oppose the candidate(s) or measure(s) listed on a ballot for the election date identified below. (Note: The reporting of an independent expenditure may occur after this form is filed if an independent expenditure is made before the 90 day-24 hour reporting period of Government Code Sections 84204 and 85500.)

Jason Reid
State Assembly
District 26
06/04/2014

3. Verification (Check One):

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 ___________________________ Printed Name Corey Silva
Signed on 03/01/2014

FPPC Form 462 (Dec/2012)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov
2 Candidates or Measures

List the candidate(s) and measure(s) supported or opposed. If the committee files this form and later makes independent expenditures in connection with other candidates or measures, subsequent forms do not need to repeat the previously identified candidates and measures. Once a candidate or measure is listed on the Form 462, no further Form 462 filings are required for that candidate or measure for that election.

3 Verification

The form must be reviewed and signed by the committee’s principal officer. 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 principal officer is not required to sign each Form 462.

The individual acknowledges, under penalty of perjury, that the committee’s independent expenditures were not coordinated with the listed candidate or measure committee (or the opponent) and that the committee will report all contributions and reimbursements as required by law.

F. Amending the Form 462

To amend a previously filed Form 462, file a new Form 462 with the corrected information, check the “Amendment” box, and provide a brief explanation of the amendment. Amendments must be filed within 10 days of the change. Like the original, the amendment must be signed and dated. The Form 462 amendment must be filed via email with the FPPC (form462@fppc.ca.gov).
G. Form 465 (Supplemental Independent Expenditure Report)

In addition to filing the Form 462, a state or local general purpose committee that makes an independent expenditure of $1,000 or more in a calendar year to support or oppose a single candidate, single ballot measure, or the qualification of a single ballot measure, must file the Form 465.

If a communication lists more than one candidate or measure, the Form 465 is filed only if $1,000 or more was expended on each candidate or measure featured. A separate Form 465 must be filed for each candidate or measure supported or opposed.

When to File Form 465

The Form 465 is filed at the same time(s) the candidate or committee supported or opposed by the independent expenditure must file its pre-election or semi-annual campaign reports (Form 460). This provides the public with a total picture of the money spent in connection with the particular candidate or measure. Consult the election filing schedules for specific deadlines.

Where to File Form 465

The Form 465 is filed in the same manner and location(s) that a committee primarily formed to support or oppose the candidate or ballot measure identified in the communication would file. This is so the voters in the affected jurisdiction have access to reports showing who has spent funds in an attempt to influence the voters there. A separate Form 465 must be filed for each candidate or ballot measure supported or opposed.

Ex 11.5 – Stonecreek Vineyards mails a flyer asking the voters to vote for three ballot measures. The flyer is not sent at the behest of the committees formed to support the measures. The total cost of the mailing, including postage, amounts to $44,850. Because the amount attributable to each measure is $1,000 or more, Stonecreek Vineyards must file a Form 465 for each measure.

Quick Tip

The Form 465 will repeat information previously disclosed on a Form 496. Both of these reports are filed with the same filing officer that receives campaign statements prepared by the candidate or measure committee. In odd-numbered years, many state committees make IEs in connection with a local election; these reports are filed with the local elections office. In this manner, the public may obtain, at one location, the political payments of both the candidate/measure committee and the committee making IEs. In some instances, the committee making IEs will report more funds paid in connection with voter advertisements than a candidate.
<table>
<thead>
<tr>
<th>Jurisdiction of Candidate or Measure Supported/Opposed</th>
<th>Location of Filing Form 465</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statewide</td>
<td>Secretary of State</td>
</tr>
<tr>
<td>Senate or Assembly District</td>
<td>Secretary of State</td>
</tr>
<tr>
<td>CalPERS/CalSTRS</td>
<td>Secretary of State</td>
</tr>
<tr>
<td></td>
<td>Also file a copy at CalPERS/CalSTRS board office</td>
</tr>
<tr>
<td>Multi-County</td>
<td>County with the largest number of registered voters in the jurisdiction</td>
</tr>
<tr>
<td>County</td>
<td>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.</td>
</tr>
<tr>
<td>City</td>
<td>City in which the candidate or measure will appear on the ballot</td>
</tr>
</tbody>
</table>

File an original and one copy in the first filing location listed in the above chart for your type of committee and activity. If additional filing locations are listed, file one copy in each location.

Note: State committees that are required to file electronically must file the Form 465 electronically and must also file a paper copy with the Secretary of State.

Ex 11.6 – A county general purpose committee makes an independent expenditure of $10,000 on April 19 to support a candidate for the State Senate in the June primary election. Since the independent expenditure was made during the candidate’s second pre-election reporting period, the general purpose committee must file a Form 465 with the Secretary of State by the deadline for the candidate’s second pre-election statement.

Quick Tip
A committee that triggers a Form 465 in connection with the second pre-election filing must file the report by personal delivery or guaranteed overnight mail.
1. Committee/Filer Information

I.D. NUMBER (If recipient committee) 13582XX

COMPANY/OWNER’S NAME
CA Technology PAC, Sponsored by CA Technology Association

STREET ADDRESS (NO P.O. BOX)
1810 - 21st Street

CITY STATE ZIP CODE AREA CODE/PHONE
Sacramento CA 95814 (916) 555-1640

OPTIONAL: FAX / E-MAIL ADDRESS

2. Name of Candidate or Measure Supported or Opposed

NAME OF CANDIDATE
Jason Reid

NAME OF BALLOT MEASURE
State Assembly District 26

OFFICE SOUGHT OR HELD AND DISTRICT, IF APPLICABLE
District

BALLOT NO./LETTER JURISDICTION
SUPPORT

3. Independent Expenditures Made

ATTACH ADDITIONAL INFORMATION ON APPROPRIATELY LABELED CONTINUATION SHEETS.

DATE NAME AND ADDRESS OF PAYEE DESCRIPTION OF EXPENDITURE AMOUNT
2/25/XX Creative Ads & Designs 1916 Folsom Blvd. Sacramento, CA 95826 Maier Design $2,100 $5,300
3/7/XX Perfect Print & Mail 5800 Rolling River Avenue Rancho Cordova, CA 95670 Maier $37,550 $37,550
3/7/XX Creative Ads & Designs 1916 Folsom Blvd. Sacramento, CA 95826 Maier Design $3,200 $5,300

DATE STAMP

CALIFORNIA FORM 465

H. Completing the Form 465

A. Period Covered

The period covered begins the day after the closing date of the most recently filed Form 465 related to the candidate or measure supported or opposed. If this is the first Form 465 filed for the current calendar year for a particular candidate or measure, the period covered begins January 1. The closing date of the period covered is the closing date for the current campaign statement being filed by the candidate or measure. For example, if the independent expenditure was made during the first preelection period, the Form 465 would cover the period through the closing date for the first preelection statement filed by the candidate or measure identified in the communication.
1 Committee/Filer Information and Treasurer

Provide the committee's full name, address, and telephone number as listed on the Statement of Organization (Form 410). In addition, provide the treasurer's name, mailing address, and telephone number.

2 Name of Candidate or Measure Supported or Opposed

Report the name of the candidate supported or opposed by the independent expenditure and the office the candidate is seeking, including the district number if applicable. Or, report the name of the ballot measure supported or opposed, including the ballot number or letter, if it has been assigned, and the jurisdiction of the election. Indicate whether the independent expenditure supported or opposed the candidate or ballot measure.

3 Independent Expenditures Made

Provide the date the independent expenditure was made, the name and address of the payee, a short description of the expenditure, the amount, and the cumulative to date amount spent during the calendar year on behalf of the candidate or measure.
**Supplemental Independent Expenditure Report**

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER:
CA Technology PAC, Sponsored by CA Technology Association

**4. Summary**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Total independent expenditures of $100 or more made this period. (Part 3.)</td>
<td>$42,850</td>
</tr>
<tr>
<td>2. Total independent expenditures under $100 made this period. (Not itemized.)</td>
<td>$0</td>
</tr>
<tr>
<td>3. Total independent expenditures made this period (Add Lines 1 + 2.)</td>
<td>TOTAL $42,850</td>
</tr>
</tbody>
</table>

**5. Filing Officers**

Enter the name and address of each filing officer with whom the filer's most recent campaign statements (Form 450, 460 or 461) have been filed:

<table>
<thead>
<tr>
<th>1) NAME OF FILING OFFICER</th>
<th>ADDRESS (NO. AND STREET)</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secretary of State</td>
<td>1500 11th Street, Room 495</td>
<td>Sacramento</td>
<td>CA</td>
<td>95814</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2) NAME OF FILING OFFICER</th>
<th>ADDRESS (NO. AND STREET)</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3) NAME OF FILING OFFICER</th>
<th>ADDRESS (NO. AND STREET)</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>4) NAME OF FILING OFFICER</th>
<th>ADDRESS (NO. AND STREET)</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
</tr>
</thead>
</table>

**6. Verification**

I certify that the “independent expenditure(s)” disclosed in this statement were not “made at the behest of” the candidate or committee that benefitted from the expenditure(s) as those terms are defined in Government Code Section 82031 and FPPC Regulation 18225.7., I have used all reasonable diligence in preparing and reviewing 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 3/17/XX

By ___________________________

SIGNATURE OF FILER, TREASURER OR ASSISTANT TREASURER

Executed on __________________

By ___________________________

SIGNATURE OF CONTROLLING OFFICER, HOLDING CANDIDATE, STATE MEASURE PROPONENT OR RESPONSIBLE OFFICER OF SPONSOR

Executed on __________________

By ___________________________

SIGNATURE OF CONTROLLING OFFICER, HOLDING CANDIDATE, STATE MEASURE PROPONENT

**4 Summary**

Complete the Summary section by entering the total of independent expenditures made of $100 or more during the period for the candidate or ballot measure (Line 1), the total of independent expenditures made of under $100 during the period (Line 2), and the total for both (Line 3).

**5 Filing Officers**

Enter the name and address of each filing officer with whom the committee files its regular pre-election and semi-annual statements.

**6 Verification**

The committee treasurer or the assistant treasurer named on the committee’s Statement of Organization (Form 410) must review the form and complete the verification. Under certain circumstances, the responsible officer of a sponsoring organization must also sign the Form 465. The Form 465 is not considered filed if it is not signed.
I. Amendments

To amend a previously filed Form 465, file a new Form 465 with the corrected or missing information, check the “Amendment” box, and provide a brief explanation of the amendment. Like the original, the amendment must be signed and dated. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. File the amendment in the same location(s) as the original.

J. Form 496 (24-Hour Independent Expenditure Report)

90-Day Election Period

In addition to the Form 462 and Form 465, a state or local general purpose committee that makes an independent expenditure of $1,000 or more to support or oppose a single candidate or ballot measure during the 90 days prior to a candidate’s or measure’s election must file within 24 hours a separate Form 496 for each candidate or measure.

The 24-hour reports are the most important of the independent expenditure disclosure reports because they provide “real time” information before the election about who is spending money to influence voters about candidates and measures in a particular jurisdiction.

All independent expenditures must also be disclosed on the committee’s next campaign statement (Form 460) and on the Supplemental Independent Expenditure Report (Form 465).

When to File Form 496

State Elections: Committees that make an independent expenditure of $1,000 or more to support or oppose a single state candidate or a single state ballot measure during the candidate’s or measure’s 90 day election cycle must file a separate Form 496 within 24 hours for each candidate or ballot measure supported or opposed. The report must be filed electronically within 24 hours regardless of the day of the week.
Local Elections: Committees that make an independent expenditure of $1,000 or more to support or oppose a single candidate or single ballot measure during the 90 days prior to the local candidate’s or measure’s election must file a separate Form 496 for each candidate or ballot measure supported or opposed. The report must be filed within 24 hours regardless of the day of the week and must be filed by fax, guaranteed overnight delivery, or personal delivery. Regular mail may not be used. Check with the local jurisdiction about possible electronic filing requirements. Local agencies that have an approved electronic filing program in accordance with Government Code Section 84615 may eliminate the filing of a paper Form 496.

Where to File Form 496

The Form 496 is filed in the same location(s) that a committee primarily formed to support or oppose the candidate or measure identified in the communication would file. This allows the voters in the jurisdiction where the election is taking place to have access to reports showing who has spent funds attempting to influence them. File a separate report for each candidate or ballot measure supported or opposed.

If the Form 496 is filed electronically with the Secretary of State, no paper copies are required. (Exception: As noted in the chart below, if independent expenditures are made to support or oppose a candidate for the CalPERS or CalSTRS board, a copy must be filed with the relevant board office.) If the Form 496 is required to be filed with a local jurisdiction, an original and one copy must be filed.

Ex 11.7 – Within 90 days of a county election, a state general purpose committee makes an independent expenditure of $4,000 to support a San Joaquin County ballot measure. The committee must file the Form 496 within 24 hours with the San Joaquin County elections office, where the measure is being voted on. If the same committee makes an independent expenditure to support a city council candidate in Stockton within 90 days of the election, the committee must also file the Form 496 within 24 hours with the Stockton city clerk’s office.
<table>
<thead>
<tr>
<th>Jurisdiction of Candidate or Measure Supported/Opposed</th>
<th>Location of Filing Form 465</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statewide</td>
<td>Secretary of State</td>
</tr>
<tr>
<td>Senate or Assembly District</td>
<td>Secretary of State</td>
</tr>
<tr>
<td>CalPERS/CalSTRS</td>
<td>Secretary of State</td>
</tr>
<tr>
<td></td>
<td>Also file a copy at CalPERS/CalSTRS board office</td>
</tr>
<tr>
<td>Multi-County</td>
<td>County with the largest number of registered voters in the jurisdiction</td>
</tr>
<tr>
<td>County</td>
<td>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.</td>
</tr>
<tr>
<td>City</td>
<td>City in which the candidate or measure will appear on the ballot</td>
</tr>
</tbody>
</table>

A state general purpose committee that makes independent expenditures to support or oppose local candidates or ballot measures may trigger reporting as a city or county committee instead of a state committee. Similarly, a local general purpose committee that makes independent expenditures to support or oppose state candidates or ballot measures may trigger reporting as a state committee. See Chapter 1 for information on how to determine if the committee is a state, county, or city committee.

Quick Tip

If subsequent independent expenditures of $1,000 or more are made to support or oppose the same candidate or ballot measure, another Form 496 is required to be filed. For example, a committee files a Form 496 in April to disclose an independent expenditure of $1,500 made to oppose a candidate on the June ballot. In May, the committee makes another independent expenditure of $1,500 to oppose the same candidate. The committee must file a second Form 496 within 24 hours to report the subsequent independent expenditure. However, if the committee made a $1,500 independent expenditure in April and made its last independent expenditure of $500 in May, a second Form 496 is not required.
Outside the 90-Day Election Cycle (Ballot Measure Reports)

State Elections Only

In addition to the 90-day, 24-hour reports discussed above, at all times other than the 90-day election cycle, a state general purpose committee that is required to file electronically with the Secretary of State must file within 10 business days a Form 496 each time it makes independent expenditures totaling $5,000 or more to support or oppose the qualification or passage of a single state ballot measure. The report must be filed electronically with the Secretary of State.

All independent expenditures must also be disclosed on the committee’s next campaign statement (Form 460) and on the Supplemental Independent Expenditure Report (Form 465).
### Filer Information

Provide the committee’s full name, address, and telephone number as listed on the Statement of Organization (Form 410).

### 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.

### Name of Candidate or Ballot Measure Supported or Opposed

Disclose the name, office sought or held, and the district number, if applicable, of the candidate supported or opposed in the communication. Or, disclose the name, ballot number or letter, if assigned, and jurisdiction of the ballot measure supported or opposed. Check the box indicating whether the candidate or ballot measure was supported or opposed by the independent expenditure.

---

#### Example:

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Expenditure</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/7/XX</td>
<td>Mailer Design</td>
<td>$2,100</td>
</tr>
<tr>
<td>3/7/XX</td>
<td>Mailer</td>
<td>$37,550</td>
</tr>
</tbody>
</table>
**Note:** When filing a $5,000 ballot measure report (state committees only – see above) outside of the 90-day election cycle, if the measure has not yet been assigned a ballot number or letter, include the title of the measure if the title has been issued by the Attorney General. If the title has not yet been issued, include the subject of the measure.

2 **Independent Expenditures Made**

Disclose the date the committee made the independent expenditure. In the “Description of Expenditure” column, include a description of the independent expenditure (e.g., printing, postage, mail house) and the cumulative-to-date total relating to each candidate or measure. List the amount of the specific expenditure in the “Amount” column.

The cumulative-to-date total includes independent expenditures made in connection with a candidate or measure’s upcoming election. When a committee has made independent expenditures in connection with a candidate’s prior election, do not include the amount in the current report. For example, independent expenditures made in connection with a general election would not include the amount of independent expenditures made in connection with the primary election or a prior year’s election. The cumulative-to-date total must be accurate on the most recent report filed, but the committee is not obligated to amend the cumulative amount on previous reports.

**Note:** The cumulative-to-date total is not required when filing a $5,000 ballot measure report (state committees only – see above) outside of the 90-day election cycle.
Contributions of $100 or More Received

Disclose contributions of $100 or more received since the closing date of the last campaign statement (e.g., Form 460) through the date of the independent expenditure. If no statement has been filed in the current calendar year, start with January 1.

Disclose the name and street address of the donor and, if the donor is an individual, his or her occupation and the name of his or her employer. If the individual is self-employed, disclose the name of the business. Also disclose the date and amount of the contribution and if the contribution is a loan, 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 (e.g., Form 460).

### Contributions of $100 or More Received

<table>
<thead>
<tr>
<th>DATE RECEIVED</th>
<th>FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)</th>
<th>CONTRIBUTOR CODE **</th>
<th>IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</th>
<th>AMOUNT RECEIVED</th>
<th>INTEREST RATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/28/XX</td>
<td>CA Technology Association 450 Mill Valley Way, Cupertino, CA 95015 (Intermediary: No donors of $100 or more)</td>
<td>IND</td>
<td>$200,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3/2/XX</td>
<td>Jenna Martinez 562 Clarkson Court Santa Clara, CA 95051</td>
<td>IND</td>
<td>$500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3/3/XX</td>
<td>Advancing Forward PAC (ID# 1298XX) 1401 L Street, Suite 650 Sacramento, CA 95814</td>
<td>IND</td>
<td>$10,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Multipurpose Organizations

A multipurpose organization (i.e., nonprofit) that qualifies as a recipient committee identifies its donors as contributors using the “last in, first out” (LIFO) accounting method if it did not receive the funds for political purposes. It must only itemize contributors of $1,000 or more instead of $100 or more as required for contributors that made a payment for political purposes. See Chapter 15 for additional information.

Note: If the funds used for an independent expenditure include both funds received for political purposes and LIFO funds, the Form 496 will list donors at both the $100 and the $1,000 threshold.

Ex 11.8 – A multipurpose organization receives $10,000 from donors for a specific political campaign. The organization makes independent expenditures of $60,000, using the $10,000 received specifically for political purposes and $50,000 from the organization’s general membership dues account. The Form 496 will list the donor names that contributed $100 or more toward the initial $10,000 and will list the names of LIFO donors at $1,000 for the remaining $50,000.

Ex 11.9 – A multipurpose organization’s only payment in California was a $40,000 independent expenditure using funds only from its general membership dues account. Since the organization does not qualify as a recipient committee, it is not required to list donors in Part 3.

See Chapter 15 for information about when a multipurpose organization qualifies as a recipient committee.
L. Amending the Form 496

To amend a previously filed Form 496, file a new Form 496 with the corrected information, a new Report Number, the “Amendment” box checked, and a brief explanation of the amendment. The Report Number assigned to the original report being amended should be entered on the “Amendment to Report No.” line. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. File the amendment in the same location(s) as the original.

Quick Tip

Significant amendments to the Form 496 known before the election should be made as soon as possible. Filers reporting minimal independent expenditures before an election and filing amendments after the election to disclose substantial independent expenditures could be referred to the Enforcement Division for nondisclosure.
Answering Your Questions

A. If a state general purpose committee makes an independent expenditure to support a San Diego County candidate, is the Form 496 filed with the Secretary of State or with the San Diego County elections office?

The San Diego County elections office. The Form 496 is filed in the same location that a committee primarily formed to support or oppose the candidate or ballot measure identified in the communication would file.

B. Before the primary election, a general purpose committee filed a Form 462 with the FPPC when it made an independent expenditure to oppose a candidate for the state Senate. If the committee makes another independent expenditure after the primary election to oppose the same candidate in the general election, is the committee required to file another Form 462?

Yes. Only one Form 462 is required for each candidate or measure per election, but the primary and general elections are considered to be separate elections.

C. A general purpose committee plans to send out several flyers that expressly support a candidate. If the committee obtains a photograph from the candidate, is the payment for the communication considered to be “made at the behest of” the candidate?

Not necessarily. A payment for a communication is not considered to be “made at the behest of” the candidate merely because the committee obtained a photograph from the candidate. However, the issue of whether a payment is made at the behest of a candidate or committee is fact-specific. For assistance from the FPPC, an email with the pertinent facts may be sent to advice@fppc.ca.gov.
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.
82036.5 Late Independent Expenditure.
82044 Payment.
82046 Period Covered.
82047.6 Principal Officer.
84200 Semi-Annual Statements.
84200.5 Preelection Statements.
84200.6 Special Campaign Statements and Reports.
84203.5 Supplemental Independent Expenditure Report.
84204 Late Independent Expenditures; Reports.
84204.5 Ballot Measure Contributions and Expenditures; Reports.
84211 Contents of Campaign Statement.
84213 Verification.
84215 Campaign Reports and Statements; Where to File.
84605 Who Shall File Online.
84615 Campaign Reports and Statements -Electronic Filing for Local Agencies.
85500 Independent Expenditures; 24-Hour Disclosure; Coordination.
**Title 2 Regulations**

18116  Reports and Statements; Filing Dates.
18225  Expenditure.
18227.5 General Purpose Committees.
18402.1 Principal Officers.
18422 Multipurpose Organization Political Activity Transparency.
18423 Payments for Personal Services as Contributions and Expenditures.
18428 Reporting of Contributions and Independent Expenditures Required to be Aggregated.
18431 Reporting of Expenditures by an Agent or Independent Contractor.
18465.1 Verification of Online Filers.
COMMITTEE REPORTS

Typically, all general purpose committees (state and local) use the Recipient Campaign Statement (Form 460) to report campaign activity for all semi-annual and pre-election statements. The Form 460 is the main campaign disclosure report 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 established by law. The report must include all activity during the specified reporting period, even if it was previously reported. For example, a contribution that was already reported on a Form 497 (24-Hour Contribution Report) must still be reported on the committee’s next Form 460.

Committees with minimal activity in a reporting period may be eligible to file the Form 450 (Committee Campaign Statement – Short Form) instead of the Form 460. A Form 450 example is provided at the end of this chapter.

A committee with no activity may file the Form 425 (Semi-Annual Statement of No Activity) as a semi-annual statement. The form simply requires the committee’s name and address and the treasurer’s signature.

The forms reviewed in this chapter can be accessed from the FPPC website. Software programs are also available for purchase. The FPPC does not endorse any specific programs. A list of vendors is available on the Secretary of State’s website.

Multipurpose Organizations (including nonprofits and federal and out-of-state PACs)

Multipurpose organizations that are required to file the Form 460 should refer to Chapter 15 to determine which of the organization’s donors must be listed as contributors. In addition, there are other special filing requirements that apply. For example, a federal PAC that is filing campaign statements with the Federal Election Commission is not required to reitemize its donors.
A. Completing the Form 460 Cover Page

**A. Statement Covers Period**

If this is the first report 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 is identified on the filing schedule available on the FPPC website.

**B. Date of Election**

When filing a pre-election statement in connection with an election, provide the date of the election.
Type of Recipient Committee

Check the “General Purpose Committee” box and if the committee is sponsored and/or a small contributor committee or a political party, mark the applicable circle. (See Chapter 1 for definitions.)

Type of Statement

Check the appropriate box to indicate the type of statement being filed (e.g., semi-annual, preelection).

Committee Information and Treasurer(s)

This entire section must be completed and should include the same information as provided on the committee’s most recently filed Statement of Organization, Form 410. If the committee has not yet received an identification number from the Secretary of State, enter “pending” in the “I.D. Number” box.

Verification

The Form 460 is not considered filed if it is not signed. The committee treasurer or the assistant treasurer named on the committee’s Statement of Organization, Form 410, must review the form and complete the verification.

If the committee is sponsored and the sponsor is reporting contributions received through the sponsor or made by the sponsor, the responsible officer of the sponsor must also complete the verification. (See Chapter 1.)

B. Amending 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 showing 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. File the amendment with each of the filing officers that received the original filing. To amend a report filed electronically with the Secretary of State, a complete replacement filing is required.

### Contributions Received

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Monetary Contributions</td>
<td>$265,000</td>
<td>$1,225,000</td>
</tr>
<tr>
<td>2. Loans Received</td>
<td>$100,000</td>
<td>$100,000</td>
</tr>
<tr>
<td>3. SUBTOTAL CASH CONTRIBUTIONS</td>
<td>$365,000</td>
<td>$1,325,000</td>
</tr>
<tr>
<td>4. Nonmonetary Contributions</td>
<td>$7,500</td>
<td>$15,000</td>
</tr>
<tr>
<td>5. TOTAL CONTRIBUTIONS RECEIVED</td>
<td>$372,500</td>
<td>$1,340,000</td>
</tr>
</tbody>
</table>

### Expenditures Made

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Payments Made</td>
<td>$170,000</td>
<td>$535,000</td>
</tr>
<tr>
<td>7. Loans Made</td>
<td>$(10,000)</td>
<td>$40,000</td>
</tr>
<tr>
<td>8. SUBTOTAL CASH PAYMENTS</td>
<td>$160,000</td>
<td>$575,000</td>
</tr>
<tr>
<td>9. Accrued Expenses (Unpaid Bills)</td>
<td>$(115,000)</td>
<td>$0</td>
</tr>
<tr>
<td>10. Nonmonetary Adjustment</td>
<td>$7,500</td>
<td>$15,000</td>
</tr>
<tr>
<td>11. TOTAL EXPENDITURES MADE</td>
<td>$52,500</td>
<td>$590,000</td>
</tr>
</tbody>
</table>

### Current Cash Statement

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Column A</th>
</tr>
</thead>
<tbody>
<tr>
<td>12. Beginning Cash Balance</td>
<td>$879,450</td>
</tr>
<tr>
<td>13. Cash Receipts</td>
<td>$365,000</td>
</tr>
<tr>
<td>14. Miscellaneous Increases to Cash</td>
<td>$1,218</td>
</tr>
<tr>
<td>15. Cash Payments</td>
<td>$160,000</td>
</tr>
<tr>
<td>16. ENDING CASH BALANCE</td>
<td>$1,085,668</td>
</tr>
</tbody>
</table>

### Cash Equivalents and Outstanding Debts

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Column A</th>
</tr>
</thead>
<tbody>
<tr>
<td>17. LOAN GUARANTEES RECEIVED</td>
<td>$75,000</td>
</tr>
<tr>
<td>18. Cash Equivalents</td>
<td>$40,000</td>
</tr>
<tr>
<td>19. Outstanding Debts</td>
<td>$(15,000)</td>
</tr>
</tbody>
</table>

### Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>20. Contributions Received</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>21. Expenditures Made</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

### Expenditure Limit Summary for State Candidates

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>22. Cumulative Expenditures Made*</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

*Amounts in this section may be different from amounts reported in Column B.

---

C. Completing the Form 460 Summary Page

The Summary Page provides an overview of the committee’s financial activities and must be completed for each filing.
A Column A – Total This Period

This column reflects the committee’s activity during 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 reflects the cumulative totals since January 1 of the current year.

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.

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.
Lines 12-16 (Current Cash Statement)

The Current Cash Statement section should accurately reflect the committee’s cash condition position at the end of the reporting period. If deposits or expenditures have been made that have not cleared the 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 was 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. Do not include nonmonetary contributions.

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 to 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, Miscellaneous Increases to Cash.

Together, Lines 13 and 14 reflect all money that has been received during the current reporting period.
Line 15 (Cash Payments)
This figure 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 figure is carried forward from Schedule B, Part 2. The amount represents the total of all loan guarantees, endorsements, or security received during the period.

5 Line 18 (Cash Equivalents)
This figure 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)
Report 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 candidate election committees. General purpose committees do not complete these sections.

Answering Your Questions

A. Is there any circumstance when Line 16, Ending Cash Balance, would show 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 when 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 extensions of a filing deadline, complete the statement as accurately as you can and file an amendment with the corrections as soon as possible.

D. What is the common mistake made on the Summary Page?

Loan repayments are often reported twice, once on Schedule B and again on Schedule E. A loan repayment should only be reported on Schedule B.
D. General Rules for Reporting Contributions Received

Chapter 4 provides detailed information on the following topics and other contribution reporting rules. The information below is only a quick recap of some of the rules.

$5,000 Contributor – Major Donor Notice

If $5,000 or more is received from a single source in a calendar year, a “major donor” notice must be sent to the contributor. 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 has signed the check but both have signed an accompanying document indicating that the contribution is from both, then report 50 percent of the contribution coming from the one individual and 50 percent coming from the other, unless the document attributes specific amounts to each contributor.

Intermediary

If a contribution of $100 or more is received from someone who is acting as an intermediary, disclose both the true source of the contribution and the intermediary. Failure to report the true source of a contribution is a serious violation of the Political Reform Act.

Contributions from Family Trusts

If a contribution is received from a family trust account, it is attributed to the person who directed the contribution.

Aggregating Contributions

There are a variety of situations in which contributions from two or more donors need to 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 4.

**Reporting Cumulative Amounts**

Contributions from the same source are cumulated from January 1 through December 31.

**Returned Contributions**

**Not Deposited:** A contribution need not be reported if it is returned to the contributor prior to depositing it and prior to the closing date of the campaign statement on which it would otherwise be reported. A contribution of $1,000 or more received within 90 days of an election is not required to be reported if it is not deposited, negotiated, or cashed and is returned to the contributor within 24 hours of receipt.

**Deposited, Negotiated, or Returned After Closing Date:** Contributions that have been deposited or negotiated, or which were not returned prior to the closing date of the campaign statement, are 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, report the return of the contribution on Schedule E.

**Returned for Insufficient Funds:** If a check is returned from the bank for insufficient funds and the committee returns the check to the contributor during the same reporting period, both the receipt and the return of the contribution may be reported on Schedule A with the return shown as a negative amount. Otherwise, the return is reported on Schedule E.

**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 an agent of the committee, obtains possession or control of the funds for each installment payment.

**Sponsor’s Contributions**

If the sponsor of a committee collects contributions for the committee by means of employee payroll deductions or membership dues, the committee must disclose the sponsor as an intermediary for the contributions. If an employee or member contributes $100 or more to the committee in a calendar year, the employee or member must be itemized on the campaign reports.

In most cases, if the sponsor makes contributions from its general fund to other committees or candidates, the sponsored committee may report the contributions as if they were received and made by the committee. The sponsored committee’s report must identify the donors that account for the political expenditures using the “last in, first out” (LIFO) accounting method. If any member made payments totaling $1,000 or more, the member’s name, address, occupation and employer must be disclosed. These committee reports must be signed by both the committee treasurer and a responsible officer of the sponsoring organization. (See Regulation 18419 for additional information.)

---

**Ex 12.1** – Sandra Nickel informed your committee that she wanted to contribute a total of $500, in five payments of $100 each month from June through October. On the committee’s statement due July 31 covering the period January 1 through June 30; the campaign statement must itemize Sandra and report receipt of $100 on June 1; the report would not include the future contributions.

**Quick Tip**

A membership organization that is the sponsor of a committee may be required to register as a separate recipient committee if it receives payments of $10,000 or more in a calendar year from a single source. (See Chapter 15 for additional information.)

**Ex 12.2** – A union has a sponsored general purpose committee. The union made a contribution of $2,500 from its general treasury, which included only income producing funds and not membership dues, directly to a state ballot measure committee. On its next report, the sponsored committee reports: $2,500 from the Sponsor on Schedule A and $2,500 on Schedules D and E. Later, the same union made a contribution of $10,000 to a state ballot measure.
Contribution Limits

Chapter 5 contains detailed information about the state contribution limits and the requirement for a committee to maintain two separate bank accounts if contributions over the applicable limit are received. A general purpose committee, including a small contributor committee and a political party committee, that makes contributions to state candidates and state officeholders, has a limit on how much it may accept from a single source in a calendar year.

A general purpose committee that pays for certain communications that identify state candidates may also be subject to the contribution limits even if it does not make contributions to state candidates.

Donor Disclosure for Multipurpose Organizations

A multipurpose organization (i.e., nonprofit) that qualifies as a recipient committee must identify its funding sources for contributions and independent expenditures made. Chapter 15 discusses when a multipurpose organization qualifies as a recipient committee and provides detailed information about how to determine which donors to a multipurpose organization must be disclosed as contributors on a campaign statement.

Quick Tip

Committee from its general treasury from an account that held membership dues. The Form 460 must identify contributors to the membership dues fund that account for the $10,000 using a last in, first out accounting method. For example, if the most recent donation to the membership dues account was a $2,000 payment from donor A, donor A’s name would be identified on Schedule A. On the other hand, using the LIFO method to account for the $10,000, if all of the most recent donor’s payments were under $1,000, no donors would be disclosed.

Chapter 15 includes several examples of how to report donors to a multipurpose organization that qualifies as a recipient committee.
### Schedule A Summary

1. Amount received this period — itemized monetary contributions.
   (Include all Schedule A subtotals.) ....................................................... $ 259,950
2. Amount received this period — unitemized monetary contributions of less than $100 .............................................. $ 5,050
3. Total monetary contributions received this period.
   (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) .......................................................... TOTAL $ 265,000

---

### Schedule A (Continuation Sheet)

#### Monetary Contributions Received

<table>
<thead>
<tr>
<th>DATE RECEIVED</th>
<th>FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR</th>
<th>CONTRIBUTOR CODE *</th>
<th>AMOUNT RECEIVED THIS PERIOD</th>
<th>CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)</th>
<th>PER ELECTION TO DATE (IF REQUIRED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/15/XX</td>
<td>CA Union of Information Technology Workers 1525 March Street, San Francisco, CA 94111 INTERMEDIARY FOR DONORS BELOW:</td>
<td>IND COM</td>
<td>$100</td>
<td>$100</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>OTH PTY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SCC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>James Nguyen</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3600 Bingham Street Foster City, CA 94404</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10/30/XX</td>
<td>Bay Area Council</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>200 Pine Street, Suite 300 San Francisco, CA 94104</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11/05/XX</td>
<td>Technological Advancers United 750-200 Richmond Road Tucson, AZ 85701</td>
<td>IND COM</td>
<td>$1,000</td>
<td>$2,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>OTH PTY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SCC</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SUBTOTAL $** 1,700
E. Completing the Form 460 Schedule A (Monetary Contributions Received)

Report monetary contributions the committee has received on Schedule A, except for loans (reported on Schedule B). Receipt of repayments for loans made is reported on Schedule H, and miscellaneous receipts are reported on Schedule I.

1 Date Received

List 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 or 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.

A contribution collected by means of payroll deductions or membership dues by a membership organization for its sponsored committee is received by the committee on the earlier of the following:

- The date the committee obtains actual possession or control of the contribution; or
- Within 60 days after the receipt of the payment by the committee’s sponsor.

2 Contributor Information

Itemize persons and organizations that have contributed to the committee a cumulative amount of $100 or more during the calendar year. Provide each contributor’s name, street address, city, state, and zip code. Remember to maintain the names and addresses of contributors of $25 or more in your records. (See Chapter 3.)

Some local agencies require itemization at less than $100. Check with the county elections office or the city clerk.
Contributor Codes

For each itemized contributor, check the box indicating 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.)

Occupation and Employer, I.D. Number, and Intermediary Information

If the contributor is an individual, provide the individual’s occupation and employer. If the contributor is self-employed, provide the name of the business. Do not leave this blank. If this information has not yet been obtained, enter “requested” or similar language in this column and amend Schedule A when the information has been received.

As noted in Chapter 3, a contribution of $100 or more must be returned if the contributor’s name, street address, and, if the contributor is an individual, his or her occupation and employer are not in the committee’s records within 60 days from receipt of the contribution.

If the contributor is a recipient committee, report that committee’s identification number. If an identification number has not yet been assigned or is unknown, report the full name, street address, city, state, and zip code of that committee’s treasurer.

If a contribution is received through an intermediary, provide the name, street address, city, state, zip code, and, if applicable, occupation, and employer of both the intermediary and the true source of the contribution. (See Chapter 4.)
Amount Received This Period

Report the amount of the contribution.

Cumulative to Date

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 this same source during the calendar year.

Once a contributor has contributed $100 in a calendar year, all future contributions received from that contributor must be itemized, regardless of the amount.

Per Election to Date

This column does not apply to general purpose committees, unless otherwise required by a local ordinance.

Schedule A Summary

Complete the summary section of each schedule after completion of the corresponding schedule. Each summary provides detailed instructions for every line.
### F. Completing the Form 460 Schedule B – Part 1 (Loans Received)

Schedule B is for reporting 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.

#### Example

<table>
<thead>
<tr>
<th>Lender Name</th>
<th>Type</th>
<th>Amount</th>
<th>Date Due</th>
<th>Date Incurred</th>
<th>Rate</th>
<th>Payment/Forgiveness</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA Technology Association</td>
<td>$15,000</td>
<td>9/1/XX</td>
<td>12/31/XX</td>
<td>75,000</td>
<td>Indirect Loan</td>
<td></td>
</tr>
<tr>
<td>Tr-Cities Bank</td>
<td>$75,000</td>
<td>12/15/XX</td>
<td>1/1/XX</td>
<td>75,000</td>
<td>Direct Loan</td>
<td></td>
</tr>
</tbody>
</table>

---

*Amounts forgiven or paid by another party also must be reported on Schedule A.
** If required.
† 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

---

**Quick Tip**
If the committee has drawn on a line of credit, it is reported as a loan.
Lender Information and Contributor Codes

Provide the name, street address, city, state, and zip code of a lender of $100 or more. Check the box indicating whether the contributor is an individual, a committee, “other” (i.e., business entity), a political party, or a small contributor committee.

Individual Lender

If the lender is an individual, also provide the individual’s occupation and employer, or, if the contributor is self-employed, provide the name of the business. Do not leave this column blank. If this information has not yet been obtained, enter “requested” or similar language in the column and amend Schedule B, Part 1, when the information is received. (See Chapter 3 as contributions loans may need to be returned if the name, address, occupation, or employer information is not received.)

Loan Amounts

1. **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.

2. **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.

3. **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. Enter zero if no payments were made 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(s) during this reporting period. If the lender is not charging interest, indicate “none” on the “interest rate” line. Interest paid is reported separately from payments made on the loan principal. Interest payments are also transferred to the Schedule E Summary.

f Original Amount of Loan
Enter the original amount of the loan and the date it was received. If this is the first time the loan is being reported, this is the same amount as reported in Column (b).

g Cumulative Contributions to Date
Enter the cumulative amount of contributions (including loans, loan guarantees, monetary and nonmonetary contributions) received from the lender during the calendar year covered by the statement. Generally, the “per election” line is not applicable to general purpose ballot measure committees; however, local committees should check with the local filing officer to determine if there is a local ordinance that may require the “per election” information.

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.

Quick Tip
A loan is a contribution unless it is received from a commercial lending institution in the ordinary course of business. It is not necessary to disclose cumulative amounts for loans that are not contributions.
### Outstanding Loans Received (Summary Page – Column B, Line 2)

Loans received are carried forward on future statements until they are paid off. 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
**Loan Guarantors**

Type or print in ink. Amounts may be rounded to whole dollars.

<table>
<thead>
<tr>
<th>Guarantor Information</th>
<th>Contributor Codes</th>
<th>Loan</th>
<th>Amount Guaranteed This Period</th>
<th>Cumulative To Date</th>
<th>Balance Outstanding To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trevor McCann</td>
<td></td>
<td></td>
<td></td>
<td>75,000</td>
<td>75,000</td>
</tr>
<tr>
<td>55712 Columbia Blvd.</td>
<td>MD COM OTH PTY SCC</td>
<td></td>
<td>Tri-Cities Bank</td>
<td>75,000</td>
<td>75,000</td>
</tr>
<tr>
<td>Oakland, CA 94603</td>
<td>Software Manager</td>
<td></td>
<td>12/15/XX</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td></td>
<td>Genesis Software</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SUBTOTAL $** 75,000

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**G. Completing the Form 460 Schedule B – Part 2 (Loan Guarantors)**

1. **Guarantor Information**

If someone guarantees, co-signs, endorses, or provides security for a loan of $100 or more, enter the name and address of the guarantor.

2. **Contributor Codes**

For each itemized contributor, check the box indicating whether the contributor is an individual, a committee, “other” (i.e., business entity), a political party, or a small contributor committee.
3 Individual Loan Guarantor

If the guarantor is an individual, provide his or her occupation and employer, or, if self-employed, the name of the business.

4 Loan

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, including loan guarantees, monetary and nonmonetary contributions) received from the guarantor during the calendar year covered by the statement.

7 Balance Outstanding to Date

Report the outstanding balance for which the guarantor is liable at the close of this reporting period.

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 Summary Page.
H. General Rules for Reporting Nonmonetary Contributions 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 4 for assistance in determining the fair market value of a nonmonetary contribution.)

Examples of Nonmonetary Contributions

- Items donated for a garage sale, raffle, or auction.
- Polling.
- 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.
- Compensation paid by an employer to an employee who spends more than 10 percent of his or her compensated time in a calendar month working on campaign activities. 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.
- 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.
• Facebook ads, banner ads.
• Precinct walking and door hangers.
• Food for volunteers.
• Slate mailer/slate cards.
• Campaign materials, flyers, for rally, buttons, t-shirts.

(See Chapter 4 for exceptions, such as volunteer personal services, home/office fundraisers, and member communications.)

**Administrative Services Provided by Committee Sponsors**

If the committee is sponsored and the sponsor pays for the establishment and administrative costs of the committee, the committee is required to report the payments on Schedule C, but they are not considered contributions to the committee. Report the payments in the “Description of Goods or Services” column, but do not include the value of the services in the “Amount/Fair Market Value” column.

“Establishment and administration” of a sponsored committee means the cost of office space, phones, salaries, utilities, supplies, legal and accounting fees, and other expenses incurred in setting up and running a sponsored committee. In addition, bank fees (including fees for monthly services, purchasing/printing checks, cashier’s checks and money orders, overdraft, stop payments) and third party vendor fees, such as internet account fees and merchant account fees, are considered payments for the establishment and administration of its sponsored committee.

**Ex 12.4** – An association forms a committee. The association collects contributions from its members, transmits them to the committee, and provides the committee with office space, and staff to prepare FPPC reports. The committee reports the administrative services from the association in the “Description of Goods or Services” column on Schedule C of its campaign reports.
Other costs paid by a sponsoring organization are contributions to the committee (e.g., costs of raising funds for the committee, costs of reviewing a communication to determine the advertisement disclosure requirements, petition gathering) and are subject to regular reporting.

**Ex 12.5** — A third party, in coordination with your committee, prepared a fundraising mailer for your committee. The mailer was delivered to your committee on February 22 and the third party stated the bill was paid on March 15. Your committee received the nonmonetary contribution on February 22.

### Schedule C
**Nonmonetary Contributions Received**

<table>
<thead>
<tr>
<th>DATE RECEIVED</th>
<th>FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR</th>
<th>CONTRIBUTOR CODE *</th>
<th>DESCRIPTION OF GOODS OR SERVICES</th>
<th>AMOUNT/FAIR MARKET VALUE</th>
<th>PRE ELECTION TO DATE VALUE (IF REQUIRED)</th>
<th>CUMULATIVE TO DATE CALENDAR YEAR VALUE (JAN 1 - DEC 31)</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/15/XX</td>
<td>CA Technology Association 450 Mill Valley Way Cupertino, CA 95015</td>
<td>IND</td>
<td>Administrative Services $14,500</td>
<td>-0-</td>
<td>-0-</td>
<td>7/15/XX</td>
</tr>
<tr>
<td>9/1/XX</td>
<td>CA Technology Association 450 Mill Valley Way Cupertino, CA 95015</td>
<td>IND</td>
<td>Staff time for fundraising $5,600</td>
<td>$750,000</td>
<td>9/1/XX</td>
<td></td>
</tr>
<tr>
<td>9/2/XX</td>
<td>Advancing Forward PAC (ID# 1298XX) 1401 L Street, Suite 650 Sacramento, CA 95814</td>
<td>IND</td>
<td>Mailing list $1,500</td>
<td>$1,500</td>
<td>9/2/XX</td>
<td></td>
</tr>
</tbody>
</table>

**Schedule C Summary**

1. Amount received this period – itemized nonmonetary contributions. (Include all Schedule C subtotals.) ........................................ $ 7,100
2. Amount received this period – unitemized nonmonetary contributions of less than $100 ........................................ $ 400
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 $ 7,500

*Contributor Codes
IND – Individual
COM – Recipient Committee (other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee
I. Completing the Form 460 Schedule C (Nonmonetary Contributions Received)

1. Date Received

A nonmonetary contribution is received on the earlier of the following:

- The date funds are spent by the contributor the goods or services
- The date the committee or an agent of the committee obtains possession or control of the goods or services
- The date the committee receives the benefit of the expenditure

2. Contributor Information

Itemize persons who have contributed to the committee a cumulative amount of $100 or more during the calendar year. Provide each contributor’s name, street address, city, state, and zip code. Remember to maintain the names and addresses of contributors of $25 or more in your records. (See Chapter 3.)

3. Contributor Codes

For each itemized contributor, check the box indicating 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.)

4. Occupation and Employer Information

If the contributor is an individual, provide the individual’s occupation and employer. If the contributor is self-employed, provide the name of the business. Do not leave this blank. If this information has not yet been obtained, enter “requested” or similar language in the column and amend Schedule C when the information has been received.
Description of Goods or Services
Provide a brief description of the goods or services received.

Amount/Fair Market Value
Report the value of the nonmonetary contribution received.

Cumulative to Date
Enter the cumulative amount of contributions (including loans, loan guarantees, monetary and nonmonetary contributions) received from the contributor during the calendar year covered by the statement.

Per Election to Date
This column does not apply to general purpose committees, unless otherwise required by a local ordinance.

Schedule C Summary
The total of nonmonetary contributions reported on Line 3, Schedule C Summary, is reported on the Form 460 Summary Page as both a contribution (Line 4, Column A) and as an expenditure (Line 10, Column A), because the committee would otherwise have had to pay for the good or serves donated.

J. General Rules for Reporting Expenditures Supporting/Opposing Other Candidates, Measures, and Committees on Schedule D
Schedule D is a summary of payments reported on Schedules E, F, and H that are contributions or independent expenditures to support or oppose candidates, measures, and other committees, including:

- A monetary contribution or loan to a candidate or committee;
- A payment to a vendor for goods or services for a candidate or committee (i.e., a nonmonetary contribution);
• A donation to a candidate or committee of goods on hand, or the payment of salary or expenses for a campaign employee who spends more than 10 percent of his or her compensated time in a calendar month on campaign activities for other committees; and

• A payment for a communication (e.g., a mailing, billboard, radio ad) that expressly advocates the election/passage or defeat of a clearly identified candidate or ballot measure, but the payment is not made to, or at the behest of, the candidate or ballot measure committee.

### Schedule D
Summary of Expenditures
Supporting/Opposing Other Candidates, Measures and Committees

**Type or print in ink. Amounts may be rounded to whole dollars.**

<table>
<thead>
<tr>
<th>Statement covers period</th>
<th>CALIFORNIA FORM 460</th>
</tr>
</thead>
<tbody>
<tr>
<td>from 7/1/XX</td>
<td>Page XX of XX</td>
</tr>
<tr>
<td>through 12/31/XX</td>
<td></td>
</tr>
</tbody>
</table>

| I.D. NUMBER | 13582XX |

| NAME OF FILER | CA Technology PAC, Sponsored by CA Technology Association |

#### Schedule D Summary

1. Itemized contributions and independent expenditures made this period. (Include all Schedule D subtotals.) .......................................................... $ 52,500

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 $ 52,500

---

<table>
<thead>
<tr>
<th>DATE</th>
<th>NAME OF CANDIDATE, OFFICE, AND DISTRICT, OR MEASURE NUMBER OR LETTER AND JURISDICTION, OR COMMITTEE</th>
<th>TYPE OF PAYMENT</th>
<th>DESCRIPTION (IF REQUIRED)</th>
<th>AMOUNT THIS PERIOD</th>
<th>SIMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)</th>
<th>PER ELECTION TO DATE (IF REQUIRED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/1/XX</td>
<td>Sydney Yang Los Angeles City Council, 9th District</td>
<td>Monetary Contribution</td>
<td>Support</td>
<td>$12,500</td>
<td>$25,000</td>
<td></td>
</tr>
<tr>
<td>8/17/XX</td>
<td>Californians Moving Forward, Yes on Proposition 25</td>
<td>Monetary Contribution</td>
<td>Support</td>
<td>$25,000</td>
<td>$25,000</td>
<td></td>
</tr>
<tr>
<td>10/3/XX</td>
<td>Los Angeles County Independent Party Central Committee</td>
<td>Monetary Contribution</td>
<td>Support</td>
<td>$15,000</td>
<td>$15,000</td>
<td></td>
</tr>
</tbody>
</table>

**SUBTOTAL $ 52,500**

---

FPPC Form 460 (January/05)
FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)
J. Completing the Form 460 Schedule D (Summary of Expenditures Supporting/Opposing Other Candidates, Measures and Committees)

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 committee or an agent of the committee. A nonmonetary contribution is made on the earlier of the following:

- The date funds were expended for the goods or services;
- The date the committee or agent of the committee obtained possession or control of the goods or services;
- The date the committee otherwise received the benefit of the expenditure.

An independent expenditure is made on the earlier of the following:

- The date the payment is made; or
- The date the committee making the payment receives consideration in exchange for the expenditure(s) (e.g., when the advertisement appears).

For purposes of reporting independent expenditures on Schedule D, the date an independent expenditure is made is the date the communication is mailed, broadcast, or otherwise disseminated to the public. If payments are made in one reporting period for a communication that is disseminated to the public during a subsequent reporting period, report the payments on Schedule E for the period in which they were made and complete Schedule D when the communication is disseminated. A payment for a communication that is never disseminated to the public is not an independent expenditure and need not be reported on Schedule D. Report the payment on Schedule E for the period in which it was made.
Candidate and Office, Measure and Jurisdiction, or Committee

Contributions: For each contribution of $100 or more, disclose the name of the committee that received the contribution. Disclose the name of the candidate or measure if a committee is not formed.

A contribution made to a primarily formed committee making independent expenditures to oppose a candidate would be identified as a contribution in support of the committee. For example a contribution to: Committee for School Reform opposed to Smith for Governor 2018; the support box and the monetary contribution box would be marked.

Independent Expenditures: For each independent expenditure of $100 or more, disclose the name of the candidate or measure. Include the office sought and district or the measure’s number/letter, if assigned, and the jurisdiction. If a number/letter is not assigned to a measure, include the measure’s title. Check the support or oppose box.

State Committees: A committee may make contributions to a state candidate for both the primary and general election before the primary. If the candidate loses in the primary, the candidate, after deducting expenses, must return general contributions. A returned contribution is reported on Schedule I. Do not amend the earlier report that identified the original contribution.

Type of Payment

Check the applicable box to indicate whether the payment was a monetary contribution, nonmonetary contribution, or independent expenditure.

Description

Because payments must be described when they are reported on Schedule E or F, a description is not required for payments reported on Schedules E or F that are nonmonetary contributions or independent expenditures. However, if no payment was made, describe the goods

Ex 12.6 – The committee made a $500 contribution to Committee to Support Bike Lanes, Yes on Measure C. In addition to reporting the contribution on Schedule D, the expenditure is also reported on Schedule E.
or services and disclose the fair market value of the contribution. For example, if goods on hand are contributed to a candidate or another committee (e.g., office supplies), a description must be included.

5 **Amount This Period**

Provide the amount(s) of contributions or independent expenditures made this period relative to each committee.

6 **Cumulative to Date Calendar Year**

Report the cumulative amount contributed to or expended to support or oppose each itemized committee since January 1 of the current calendar year.

If contributions are made to more than one committee controlled by the same candidate, report the total amount contributed to each committee separately. In addition, do not cumulate independent expenditures and contributions made to support a candidate.

In addition, there are situations in which contributions made by two or more committees must be aggregated for purposes of reporting cumulative amounts, and for purposes of state contribution limits.

FPPC Regulation 18428 requires committees to identify on its report contributions and independent expenditures that are subject to aggregation. This should be identified on Schedule D by listing the committee ID number of any affiliated committees that make a contribution or independent expenditure to the same committee. (See Chapter 4 for detailed information about aggregating contributions.)

7 **Per Election to Date**

If a contribution is made to a candidate that is subject to state contribution limits, report the total amount contributed to the candidate in connection with each election and identify the election year. The primary and general elections are separate elections. For example, a contribution of $4,100 to a candidate for the primary election in 2014 would be reported as “$4,100 P-14.” Some local ordinances may require that the “Per Election to Date” column be completed.

---

**Quick Tip**

 Regulation 18247.5 addresses when a committee is primarily formed. When reviewing payments, do not include contributions made to other general purpose committees. A general purpose committee that makes payments to a particular candidate or measure, or a group of candidates or measures in the same election, and such payments account for more than 70 percent of its total contributions and expenditures, may become a primarily formed committee.
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.

<table>
<thead>
<tr>
<th>“Per Election to Date” Column</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limitation Cycle</td>
</tr>
<tr>
<td>------------------</td>
</tr>
<tr>
<td>Primary</td>
</tr>
<tr>
<td>General</td>
</tr>
<tr>
<td>Special</td>
</tr>
<tr>
<td>Runoff</td>
</tr>
</tbody>
</table>

For purposes of contribution limits, contributions to a committee established by a state officeholder for officeholder expenses must be cumulated with contributions to any committee controlled by the officeholder for a future election.

K. General Rules for Reporting Payments Made and Accrued Expenses (Unpaid Bills) on Schedule E and Schedule F

An expenditure is “made” on the date the payment is made or the date the goods or services are received, whichever is earlier. Expenditures of campaign funds must have a political, legislative, or governmental purpose. (See Chapter 7.)

Use Schedule E to report money spent by the committee during the reporting period. Do not use Schedule E to report the repayment of loans received; use Schedule B, Part 1 instead. Also, do not use Schedule E when reporting loans made to other candidates, officeholders, and committees; use Schedule H instead.

Ex 12.8 –Your committee makes a contribution of $1,000 to a Senator’s 2012 election committee to help retire debt, a contribution of $1,000 to the member’s officeholder account, and a contribution of $1,000 to the member’s 2018 election committee for Secretary of State. For the “per election to date” total, the contributions to the officeholder account must be aggregated with the contribution to the 2018 committee so that the “per election to date” total will be $2,000.

Ex 12.9 –During October and November, the 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, disclose the outstanding amount on Schedule F. The cost of the flowers will not be reported until the next reporting period because...
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.

Unpaid administrative overhead expenses of the committee, 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 expenses do not include contracts for services such as accounting, legal, campaign consulting, and public relations. (See the Schedule C instructions earlier in this chapter if your committee’s sponsor provides administrative services to the committee.)

**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**

As reviewed in Chapter 9, the Act requires specific disclaimers on advertisements so that voters have the information they need to make informed decisions about the information they receive, whether from a digital or other source. FPPC Regulation 18421.5 requires a committee to report certain information when it pays an individual, either directly or through a third party, to create content for a digital platform unless the content provides a clear and conspicuous statement that a committee paid the author for the content.

Schedule E or F must identify such payments using the code “WEB.” In the description field the following must be identified: 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 regulation applies when a campaign committee pays someone to provide favorable or unfavorable content on an Internet website (other than the committee’s own website) about a candidate or ballot measure. It covers such content as a post for a blog, a video produced and posted online, and content created for social media. The regulation requires a campaign to disclose where the initial posting is made (on a supportive blog, for example), but does not require the campaign to know where the content is shared or passed on to after that initial post.

**Savings Accounts/Certificates of Deposit/Money Market Accounts**

Do not report 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 on Schedule E. Report these amounts as part of cash on hand on the Summary Page, Line 16.

**Subvendor Payments (often reported on Schedule G)**

Whenever an agent or independent contractor (such as a 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. Regulation 18431 lists the commonly known “subvendor payments.” 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;

'ex 12.11 – A committee paid a volunteer $665 for fundraiser expenses of $535 worth of food and $130 for decorations. Itemize the volunteer’s name and address on Schedule E, mark “FND” and the amount being reimbursed: $665. On Schedule E or G, list the name and address of the vendors, enter the code FND and the amount paid to each vendor.'
• Talent and media services, production costs;

• Voter canvas program, including individuals paid $500 or more.

• Robocalls;

• Printing and literature; and

• Design or management of campaign literature or advertising.

Agents and independent contractors must provide the committee with the required payment information no later than three working days prior to when the Form 460 campaign statement must be filed.

Expenditures made by the agent or independent contractor for its own overhead and operating expenses need not be itemized. The committee also must obtain and keep receipts, invoices, and other documentation of subvendor payments. (See Chapter 3.)

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. Report payments to the agent/contractor on Schedule E of the campaign statement covering the period in which the payment was made. When the agent/contractor spends the money, report subvendor payments on the campaign statement covering the period in which the agent/contractor made the expenditures; itemize payments made by the agent/contractor of $500 or more.

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/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, report the company’s 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 vendor itemized, and a code or description of the payment.

If a payment on the credit card has not been made 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.

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.
**Schedule E**  
**Payments Made**

**NAME AND ADDRESS OF PAYEE**  
**CODE OR DESCRIPTION OF PAYMENT**  
**AMOUNT PAID**

<table>
<thead>
<tr>
<th>NAME AND ADDRESS OF PAYEE</th>
<th>CODE OR DESCRIPTION OF PAYMENT</th>
<th>AMOUNT PAID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sydney Yang for L.A. County Supervisor 2014 (ID# 13798XX) 825-204 Wingfield Road Los Angeles, CA 90014</td>
<td>IND Campaign literature and mailings</td>
<td>$12,500</td>
</tr>
<tr>
<td>Californians Moving Forward, Yes on Proposition 25 (ID# 12441XX) 1600 - 11th Street, Suite 650 Sacramento, CA 95814</td>
<td>CTB Campaign literature and mailings</td>
<td>$25,000</td>
</tr>
<tr>
<td>Los Angeles County Independent Party Central Committee (ID# 12987XX) 2500 R Street, Suite 300 Los Angeles, CA 90011</td>
<td>CTB Campaign literature and mailings</td>
<td>$15,000</td>
</tr>
</tbody>
</table>

**Schedule E Summary**

1. Itemized payments made this period. (Include all Schedule E subtotals.) ................................................................. $ .................  
2. Untimelized payments made this period of under $100 ..........  
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ........................................... $ 0-  
4. Total payments made this period. (Add Lines 1, 2, and 3, Enter here and on the Summary Page, Column A, Line 6.) ................. TOTAL $ 170,000

**Schedule E (Continuation Sheet)**  
**Payments Made**

**NAME AND ADDRESS OF PAYEE**  
**CODE OR DESCRIPTION OF PAYMENT**  
**AMOUNT PAID**

<table>
<thead>
<tr>
<th>NAME AND ADDRESS OF PAYEE</th>
<th>CODE OR DESCRIPTION OF PAYMENT</th>
<th>AMOUNT PAID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vien Research 575 Embarcadero Drive, Suite 260 San Francisco, CA 94102</td>
<td>POL Polling and survey research</td>
<td>$40,000</td>
</tr>
<tr>
<td>O’Reilly, Hill &amp; Damon, Inc. 1225 1 Street, Suite 300 Sacramento, CA 95814</td>
<td>CNS Candidate filing/ballot fees</td>
<td>$75,000</td>
</tr>
</tbody>
</table>

**FPPC Form 460 (January/05)**

FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

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* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

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**FPPC Form 460 (January/05)**

FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)
L. Completing the Form 460 Schedule E (Payments Made)

1 Name and Address of Payee

Itemize each payment of $100 or more to a single payee during the reporting period, and any payments totaling $100 or more made during the period for a single product or service. Include the name, street address, city, state, and zip code of the recipient. Do not use post office box numbers when reporting the address of a payee or creditor.

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 fully explains the expenditure, leave the code column blank and provide a brief description of the goods or services purchased.

If several expenditures are made to one vendor during the same reporting period, all of the payments to the vendor may be reported in a single record. When coding the expenditures, use the code that represents the largest share of the expenditures, and the description field for the other codes or a description. Alternatively, an expenditure may be reported separately by category.

For expenditures that are contributions or independent expenditures to support or oppose a candidate or ballot measure, 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. Include a brief description of the payment for a nonmonetary contribution or an independent expenditure. **These expenditures also must be disclosed on Schedule D.**

3 Amount Paid

Enter the total amount paid to the payee during the reporting period.

Quick Tip

- A federal or out-of-state PAC is only required to itemize expenditures made in California. Non-California expenditures are reported as a lump sum. See Chapter 15 for additional information.

Ex 12.14 – A committee pays the balance of its credit card. That payment is required to be reported on Schedule E and F. A specific vendor, having already been indentified on a previous report on Schedule F as an accrued expense is not reported.
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 identified on Schedule F of a previous report.

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
Accrued Expenses (Unpaid Bills)

<table>
<thead>
<tr>
<th>NAME AND ADDRESS OF CREDITOR</th>
<th>CODE OR DESCRIPTION OF PAYMENT</th>
<th>(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD</th>
<th>(b) AMOUNT INCURRED THIS PERIOD</th>
<th>(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)</th>
<th>(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vien Research</td>
<td>POL</td>
<td>$40,000</td>
<td>0</td>
<td>$40,000</td>
<td>0</td>
</tr>
<tr>
<td>O'Reilly, Hill &amp; Damon, Inc.</td>
<td>CNS</td>
<td>$75,000</td>
<td>0</td>
<td>$75,000</td>
<td>0</td>
</tr>
</tbody>
</table>

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 $ 0

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 $ 115,000

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 $ (115,000)
M. 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.

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. When coding accrued expenses, use the code that represents the largest share of the accrued expenses, and the description field for the other codes or a description. Alternatively, each expenditure may be reported separately by category.

For accrued expenses in connection with contributions or independent expenditures to support or oppose a candidate or ballot measure, 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. Include a brief description of the payment for a nonmonetary contribution or an 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

Ex 12.15 – On its second preelection statement, a committee reported an estimated accrued expense of $5,000 owed to Reliable 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 paid this period in column (c), with a zero balance in column (d).
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 exact amount is known, 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.

**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/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, depending on the facts, the creditor may not be making a contribution. The FPPC may be contacted for assistance.
4 Schedule F Summary

Complete the Schedule F Summary by entering the total amount of accrued expenses incurred on Line 1 and the total amount of accrued expenses paid on Line 2. Subtract Line 2 from Line 1 and enter the difference (net change this period) on Line 3. The amount on Line 3 will be a negative amount when the accrued expenses paid are more than the amount of new accrued expenses. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Line 9.

Outstanding Accrued Expenses (Summary Page, Column B, Line 9)

Accrued expenses are carried forward on future statements until they are paid off. To determine the amount for Column B, Line 9 of the overall Summary Page, add the amount from Column A, Line 9 of this 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 the amount from the amount in Column B, Line 9 of the previous statement.

Answering Your 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 I have not received an invoice from the vendor yet?

If you have received the goods or services, you must report the accrued expense even if you have not received an invoice. If you do not know the exact amount, you may estimate the amount of the expense. When reporting an estimate, 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, say March 17, must we report an accrued expense for the period 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.

<table>
<thead>
<tr>
<th>CODE OR DESCRIPTION OF PAYMENT</th>
<th>AMOUNT PAID</th>
</tr>
</thead>
<tbody>
<tr>
<td>POL campaign literature and mailings</td>
<td>$4,500</td>
</tr>
<tr>
<td>POL Griffin Research Company</td>
<td>$3,575</td>
</tr>
<tr>
<td>POL Quick Survey Center</td>
<td>$5,250</td>
</tr>
<tr>
<td>POL Z. Morales Methods, Inc.</td>
<td>$3,500</td>
</tr>
</tbody>
</table>

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

Total* $16,825

* Do not transfer to any other schedule or to the Summary Page. This total may not equal the amount paid to the agent or independent contractor as reported on Schedule D.

FPPC Form 460 (January/05)
N. Schedule G – Payments Made by an Agent or Independent Contractor

Use Schedule G to report payments made on behalf of the committee by agents (such as campaign workers) and independent contractors (such as a consulting firm or an advertising agency). This schedule may be used in lieu of itemizing these amounts on Schedules E and F. Itemize payments of $500 or more made by the agent or independent contractor. Provide the name, street address, city, state, and zip code of the payee. Do not use post office box numbers. Schedule G totals are not transferred to any other schedule or to the Summary Page.

O. General Rules for Reporting Loans Made to Others on Schedule H

Schedule H is for reporting loans made by the committee. Outstanding loans are reported on each campaign statement until they are paid.

Generally, campaign funds may be used to make loans to candidates, officeholders, or bona fide charitable, educational, civic, religious, or similar tax-exempt nonprofit organizations. A substantial part of the proceeds may not have a material financial effect on the committee treasurer, or any individual with authority to approve the expenditure of campaign funds, or a member of his or her immediate family. The loan must also bear a reasonable relationship to a political, legislative, or governmental purpose. Loans made to state candidate election committees are subject to state contribution limits.

Quick Tip
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 information no later than three working days prior to the filing deadline for the campaign statement.

Quick Tip
Loans may not be made with committee funds to the sponsor of the committee unless the funds are used for a political, legislative, or governmental purpose.
Schedule H

Loans Made to Others*

See instructions on reverse

NAME OF FILER

CA Technology PAC, Sponsored by CA Technology Association

<table>
<thead>
<tr>
<th>NAME OF RECIPIENT</th>
<th>IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</th>
<th>OUTSTANDING BALANCE BEGINNING THIS PERIOD</th>
<th>LOANED THIS PERIOD</th>
<th>INTEREST RECEIVED</th>
<th>ORIGINAL AMOUNT OF LOAN</th>
<th>CUMULATIVE LOANS TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA Technology Issues PAC</td>
<td>N/A</td>
<td>$50,000</td>
<td>$10,000</td>
<td>$40,000</td>
<td>$0</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

*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 $-0- $10,000 $40,000 $-0-

Schedule H Summary

1. Loans made this period (Total Column (b) plus unitemized loans of less than $100.) $-0-

2. Payments received on loans (Total Column (c) plus unitemized payments of less than $100.) $10,000

3. Net change this period. (Subtract Line 2 from Line 1.) NET $10,000

P. Completing the Form 460 Schedule H (Loans Made to Others)

1. Recipient Information

For each loan of $100 or more that was made or was outstanding during the reporting period, disclose the recipient’s name and street address, city, state, and zip code and, if the recipient is an individual, his or her occupation and employer or, if self-employed, the name of the business.

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 this loan was made in a previous reporting period, Column (b) should be left blank.
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.

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.

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.

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).

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 a state candidate, 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, including loans, may not exceed the applicable state contribution limit. (Report loans to candidates or other committees on Schedule D.)
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.

Q. General Rules for Reporting Miscellaneous Increases to Cash on Schedule I

Report on Schedule I 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.

**Ex 12.16** – 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.
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

<table>
<thead>
<tr>
<th>DATE RECEIVED</th>
<th>FULL NAME AND ADDRESS OF SOURCE</th>
<th>DESCRIPTION OF RECEIPT</th>
<th>AMOUNT OF INCREASE TO CASH</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/31/XX</td>
<td>California First Tech Credit Union 1090 Sixth Avenue San Jose, CA 95002</td>
<td>Interest earned</td>
<td>$352</td>
</tr>
<tr>
<td>10/31/XX</td>
<td>California First Tech Credit Union 1090 Sixth Avenue San Jose, CA 95002</td>
<td>Interest earned</td>
<td>$366</td>
</tr>
<tr>
<td>11/17/XX</td>
<td>Sheraton Grand Hotel 1230 J Street Sacramento, CA 95814</td>
<td>Refund for room rental deposit</td>
<td>$500</td>
</tr>
</tbody>
</table>

Schedule I Summary

1. Itemized increases to cash this period. ............................................................. $ 1,218
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 $ 1,218

R. 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.
Description of Receipt

Provide a description of the receipt, e.g., refund on room deposit for fundraiser, interest earned on loans made to others.

Amount of Increase

Enter the amount of the receipt.

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 over to the overall Summary Page, Line 14.

S. Form 450 (Recipient Committee Campaign Statement – Short Form)

The Form 450 may be filed instead of the Form 460 if, during the reporting period, the committee has:

- No receipt (contributions, loans, refunds, interest, etc.) from a single source of $100 or more;
- No outstanding loans received or made; and
- No accrued expenses (unpaid bills).
T. Completing the Form 450 (Campaign Statement – Short Form)

A. Statement Covers

If this is the first report 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.

B. Date of Election

When filing a pre-election statement in connection with an election, provide the date of the election.
1 Type of Recipient Committee

Check the box indicating that the committee is a general purpose committee, and also indicate whether it is sponsored and/or a small contributor committee.

2 Type of Statement

Check the appropriate box to indicate the type of statement being filed, e.g., semi-annual, preelection, termination.

3 Committee and Treasurer Information

This entire section must be completed and should include the same information as provided on the committee’s most recently filed Statement of Organization, Form 410. If the committee has not yet received an identification number from the Secretary of State, enter “pending” in the “I.D. Number” box.

4 Verification

The Form 450 is not considered filed if it is not signed. The committee treasurer or the assistant treasurer must review the completed Form 450 and sign the verification. If the committee is sponsored and the sponsor is reporting contributions received through the sponsor or made by the sponsor, the responsible officer of the sponsor must also complete the verification.
Recipient Committee
Campaign Statement
Summary Page

NAME OF COMMITTEE
Independent Club of Chico

Expenditures Made
1. Expenditures of $100 or more made this period .......................................................... $ 650
2. Expenditures under $100 made this period (Not itemized.) .......................................................... $ 210
3. SUBTOTAL EXPENDITURES MADE THIS PERIOD .......................................................... $ 860
4. Nonmonetary Adjustment ................................................................................................ $ 400
5. Total expenditures made from previous statement .......................................................... 
   Previous Summary Page, Line 6 $ 3,550
6. TOTAL EXPENDITURES MADE TO DATE .......................................................................... $ 4,810

Contributions Received
7. Monetary contributions received this period .......................................................... $ 1,000
8. Non-monetary contributions received this period .......................................................... $ 400
9. Total contributions received from previous statement .................................................. 
   Previous Summary Page, Line 10 $ 4,110
10. TOTAL CONTRIBUTIONS RECEIVED TO DATE ............................................................ $ 5,510

Current Cash Statement
11. Beginning cash balance ................................................................................................ $ 550
12. Cash receipts this period ................................................................................................ $ 1,000
13. Miscellaneous increases to cash .................................................................................. $ -0-
14. Cash expenditures this period ....................................................................................... $ 860
15. ENDING CASH BALANCE THIS PERIOD ...................................................................... $ 690

The Summary Page lists the totals of all contributions received and expenditures made during the period covered by the statement and the cumulative amounts of contributions and expenditures made during the calendar year.

The Summary Page also includes the ending cash balance. Note: The figures on the Summary Page are representative, but not exact, from the chapter's illustrations.

Quick Tip
Identify the sponsor as an intermediary if funds were deposited into the sponsor’s account and transferred to the committee.
V. Completing Section 5 (Payments Made) of the Form 450

Refer to the “General Rules” section in the instructions above for completing Form 460.

For each payment of $100 or more, provide:

1. Date

The date an expenditure is made is generally not required; however, the date is required if the expenditure is a contribution to a candidate or committee or an independent expenditure to support or oppose a candidate or ballot measure.
2 **Name and Address of Payee**

For each payee or creditor of $100 or more, enter the full name, street address, city, state, and zip code. If the payee is different than the vendor providing the goods and services (subvendor), also enter the subvendor’s full name, street address, city, state, and zip code if the payment to the subvendor was $500 or more. (See Section K of this chapter for additional information about subvendor payments.)

3 **Description of Payment**

If the payment is a direct contribution to a candidate or committee, enter “monetary contribution.” If the payment is for a nonmonetary contribution, enter “nonmonetary contribution” and describe the goods or services provided. If the payment is not a contribution, provide a brief description of the goods or services received.

4 **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 another 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 (e.g., state, multi-county, county, city, special district, etc.) 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 and check one of the boxes indicating whether the payment was a contribution or an independent expenditure.

5 **Amount This Period**

Enter the amount paid this period.

6 **Cumulative Amounts to Date**

For each payment that is a contribution or an independent expenditure, 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.

See Chapter 4 for information about contributions that must be aggregated when reporting the cumulative amounts to date.
Authority

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

**Government Code Sections**

81004  Reports and Statements; Perjury; Verification.
81004.5 Reports and Statements; Amendments.
82013  Committee.
82015  Contribution.
82018  Cumulative Amount.
82025  Expenditure.
82025.5 Fair Market Value.
82044  Payment.
84105  Notification of Contributors.
84211  Contents of Campaign Statement.
84212  Forms; Loans.
84216  Loans.
84216.5 Loans Made by a Candidate or Committee.
**84222** Multipurpose Organizations.
84302  Contributions by Intermediary or Agent.
84303  Expenditures by Agent or Independent Contractor.
84306  Contributions Received by Agents of Candidates or Committees.
85311  Affiliated Entities; Aggregation of Contributions to State Candidates.
85700  Donor Information Requirements; Return of Contributions.
89515  Use of Campaign Funds for Donations and Loans.

**Title 2 Regulations**

18215  Contribution.
18215.1 Contributions; When Aggregated.
18216  Enforceable Promise to Make a Payment.
18225  Expenditure.
18401  Required Recordkeeping for Chapter 4.
18419  Sponsored Committees.
18421  Cash Equivalents.
18421.1 Disclosure of the Making and Receipt of Contributions.
18421.2 Street Address.
18421.3 Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
18421.4 Reporting Cumulative Amounts for State Elections and State Recipient Committees.
18421.6 Reporting Accrued Expenses.
18421.9 Reporting Expenditures Charged to a Credit, Debit or Charge Card by a Candidate or Committee.

18422 Multipurpose Organization Political Activity Transparency.

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 $5,000 or More.
18428 Reporting of Contributions and Independent Expenditures Required to be Aggregated.
18431 Reporting of Expenditures by an Agent or Independent Contractor.
18432.5 Intermediary.
18531.7 Payments for Communications—Section 85312.
18534 Required Committee Bank Accounts.
18570 Return of Contributions with Insufficient Donor Information.
When & Where to File the Form 460

This chapter reviews when and where committees file the Recipient Committee Campaign Statement (Form 460). All reports and statements filed under the Political Reform Act are public records available for public inspection. The Form 460 is the comprehensive report that discloses all receipts and expenditures of a committee. The Form 460 includes payments previously reported on forms such as the 24-Hour Contribution Report (Form 497) and the 24-Hour Independent Expenditure Report (Form 496).

Note: When a committee has minimal activity in a reporting period, the committee may be eligible to use the Recipient Committee Campaign Statement – Short Form (Form 450) or the Semi-Annual Statement of No Activity (Form 425). These reports are filed at the same time and locations as the Form 460.

The Secretary of State has a list of software vendors that prepare campaign reports. The FPPC does not endorse any specific programs.

A. General Information

Filing Schedules: The FPPC posts on its website filing schedules for specific election dates. In addition, county elections offices and city clerks often post filing schedules. Local committees should contact their local filing officer as some local jurisdictions may require filings in addition to what is required by the Political Reform Act. Except where noted, statements filed on paper must be hand-delivered or postmarked and sent by first-class mail by the due date.

The committee treasurer is responsible for meeting all applicable filing deadlines. Filing officers are not required to send reminder notices of upcoming deadlines, although they are required to notify committees that have missed a filing deadline.
**Deadlines:** Deadlines that fall on a Saturday, Sunday, or an official state holiday are extended to the next business day; however, the extension does not apply on the Saturday, Sunday, or an official state holiday immediately preceding an election. For example, if a committee made a $5,000 contribution to a candidate listed on a ballot 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:** Filing after a deadline may result in late filing penalties of $10 for each day the statement is late. A state committee required to file paper and electronic reports is subject to a $10/day fine for each report, resulting in a possible fine of $20/day.

**Failure to File:** Local and state 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. Electronic Filing**

**State Committees:** State general purpose committees are required to file electronically with the Secretary of State once they receive contributions totaling $25,000 or more, or make expenditures totaling $25,000 or more. Once electronic filing requirements have been triggered, all future semi-annual and pre-election statements discussed in this chapter must be filed electronically as well as on paper. For detailed information on electronic filing requirements, contact the Secretary of State’s office.

Until a committee has triggered the electronic filing requirements, only paper reports are required.

**Local Committees:** Local committees should check with the local jurisdiction to determine whether electronic filing is required. Local
agencies that have approved electronic filing programs may eliminate the requirement to file a paper copy of the Form 460.

**Website Postings:** The Secretary of State displays, among other things, the pdf versions of campaign statements filed by state general purpose committees that are required to file electronically. Many local agencies also post campaign statements, even those filed on paper. A local agency with an approved electronic program must provide the campaign data available on the Internet in an easily understood format that provides the greatest public access.

## C. When to File

### Semi-Annual Statements

All general purpose committees file a semi-annual statement for each half of the year. For the period January 1 through June 30, a semi-annual statement is due by July 31. For the period July 1 through December 31, a semi-annual statement is due by January 31 of the following year. A semi-annual statement may be filed prior to the deadline.

### Preelection Statements – State and County General Purpose Committees

**Even-Numbered Years.** During even-numbered years, state and county general purpose committees must file preelection statements in connection with a June primary or a November general election if, during a preelection reporting period, the committee makes contributions totaling $500 or more to any state or local committee, or makes independent expenditures of $500 or more to support or oppose any state or local candidate or ballot measure.

**Odd-Numbered Years.** State and county general purpose committees are not required to file regular preelection statements in odd-numbered years; however, they may be required to file supplemental preelection statements. (See below.)

---

Ex 13.1 – A state general purpose committee is formed in May of an even-numbered year to support or oppose candidates and ballot measures. The committee files a semi-annual statement for the period covering January 1 through June 30, due by July 31. In both the first and second preelection reporting periods for the November election of that year, the committee makes contributions totaling $500 or more to candidates and ballot measure committees. Preelection statements are due in September and October, in addition to the semi-annual statement due by January 31 of the following year.
Preelection Statements – City General Purpose Committees

During any year, a city general purpose committee must file preelection statements if, during a preelection reporting period for the city’s election, the committee makes contributions totaling $500 or more to any state or local committee, or makes independent expenditures of $500 or more to support or oppose any state or local candidate or ballot measure.

**Ex 13.2** – During the second preelection reporting period for the City of Madera’s April election held in an odd-numbered year, the Madera County Firefighters Association PAC, a county general purpose committee, made a $750 contribution to a ballot measure committee to support a city measure. Although the city ballot measure committee must report receipt of the contribution on its second preelection statement, the Madera County Firefighters Association PAC is not required to file a preelection statement in connection with the city election. The next Form 460 report due for this committee is the semi-annual statement.

**Ex 13.3** – During the first preelection reporting period for the City of Long Beach’s June election held in an even-numbered year, Keep Long Beach Beautiful, a city general purpose committee, made a $500 contribution to a state candidate. Although the contribution was made to a state candidate, Keep Long Beach Beautiful must file a preelection statement with the city.

Supplemental Preelection Statements

If a general purpose committee makes contributions totaling $10,000 or more in connection with an election in which the committee is not required to file regular preelection statements, the committee must file a Supplemental Preelection Statement (Form 495). The Form 495 is filed as an attachment to the Form 460.

The Form 495 is required if the following criteria are met:

- The committee has made contributions totaling $10,000 or more to any number of candidates or other committees primarily formed to support or oppose candidates or measures all being voted upon in one jurisdiction on one day; and
• The contributions were made during the period beginning six months prior to the election and ending 17 days before the election.

**Ex 13.4** – In October 2013, a state general purpose committee made contributions of $12,000 to support two candidates in a December 2013 state special election. The committee is required to file the Form 495 and Form 460 with the Secretary of State. The forms are due no later than 12 days before the election.

**Ex 13.5** – In February 2013, a state general purpose committee made a $25,000 contribution to a San Diego ballot measure committee for a June 2013 election. The committee is required to file the Form 495 and Form 460 with the Secretary of State. The forms are due no later than 12 days before the election.

**Special Odd-Year Reports: Contributions to State Officers**

During an odd-numbered year, if a general purpose committee makes contributions totaling $10,000 or more during the first and third quarters to an elected state officer, the committee is required to file a special odd-year report (Form 460).

The special odd-year report is triggered if contributions totaling $10,000 or more are made to any state or local committees controlled by an elected state officer. This includes a state officer's election committees, general purpose ballot measure committees, officeholder expense committees, legal defense committees, or recall committees. Contributions to a federal committee controlled by a state officer are not counted toward the $10,000 threshold.

**Ex 13.6** – During March of an odd-numbered year, a general purpose committee makes a contribution of $3,000 to a state officer’s controlled ballot measure committee, a $3,000 contribution to a state legislator’s committee established for a local office, and three contributions to three different Assembly officeholders of $3,000 each. The committee must file a special odd-year report (Form 460) covering the period January 1 through March 31. The report is due no later than April 30 and filed where the committee files its regular campaign reports.
D. Where to File

Committees file the forms discussed in this chapter with the filing officer in the jurisdiction as provided in the chart below:

<table>
<thead>
<tr>
<th>Forms 495, 460, 450, 425</th>
<th>Filing Officer</th>
<th>Format</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Committees</td>
<td>Secretary of State Political Reform Division 1500 11th Street, Room 495 Sacramento, CA 95814</td>
<td>Original &amp; 1 copy</td>
</tr>
<tr>
<td>County Committees</td>
<td>County Elections Official</td>
<td>Original &amp; 1 copy</td>
</tr>
<tr>
<td>City Committees</td>
<td>City Clerk</td>
<td>Original &amp; 1 copy</td>
</tr>
</tbody>
</table>

**Note:** State committees that are required to file electronically must also file a paper copy with the Secretary of State.

Faxing Statements

Campaign statements that contain 30 pages or less may be faxed provided that the faxed copy is the exact copy of the original version. The original document (with an original signature) must be sent by first-class mail, guaranteed overnight delivery, or personal delivery within 24 hours of the filing deadline. Because Forms 496 and 497 do not require a signature, an original statement is not required to be sent in addition to faxing.

Jurisdiction: State, County, or City Committee

As discussed in Chapter 1, each committee must review its expenditures periodically (quarterly for committees six months or older and monthly for new committees) to ensure that the committee is filing in the proper jurisdiction. In general, a committee is classified as a state committee unless it qualifies as a county committee or a city committee, as summarized below:

- A county committee makes more than 70 percent 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 percent 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.

When reviewing its expenditures to ensure that the committee is filing its campaign reports in the proper jurisdiction, the committee must count contributions and expenditures made during whichever of the following time periods most accurately reflects the committee’s current and upcoming activity:

• The immediately preceding 24 months; or

• The current two-year period, beginning with January 1 of an odd-numbered year and ending with December 31 of the following even-numbered year.

A committee may not knowingly file in an incorrect jurisdiction with the intention of avoiding the appropriate legal disclosure of campaign information to the public.

Exceptions:

• A city or county general purpose committee may make up to four contributions in a calendar year to state candidates whose districts include part of that jurisdiction and remain a local committee.

• An existing committee that has not made expenditures of $5,000 or more to support or oppose candidates/measures is not required to review its records and change jurisdictions, if applicable, but may do so.

• A new committee that has not made expenditures of $1,000 or more to support or oppose candidates/measures is not required to review its records and change jurisdictions, if applicable, but may do so.
Answering Your Questions

A. In an even-numbered year, must a state general purpose recipient committee file a preelection report if it makes contributions to other general purpose committees or is the report required only if contributions are made to candidates or ballot measure committees being voted on in the election?

A preelection report is required if the committee makes contributions or independent expenditures totaling $500 or more to support or oppose any candidates, ballot measures, or committees during the preelection reporting period.

B. If a state general purpose committee makes contributions to local candidates, is the state committee subject to a local campaign ordinance?

No. The state committee is required to file according to state filing obligations and is not subject to local reporting rules. However, there may be other rules, such as contribution limits to local candidates, that apply to all committees.

Authority

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

Government Code Sections

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.
<table>
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POLITICAL PARTY COMMITTEES

This chapter reviews additional rules and obligations required of political party committees, including county central committees. Information is organized by chapter references.

Chapter 1. What is a General Purpose Committee?

Pursuant to the Political Reform Act, a political party committee is considered a state general purpose committee. (Government Code Section 82027.5.) A “political party committee” is defined as the state central committee or the county central committee of an organization that meets the requirements as a political party pursuant to Elections Code Section 5100. (Government Code Section 85205.) The Political Reform Act does not include provisions governing the structure and internal bylaws of central committees.

Local party clubs are not considered political parties, but will often qualify as general purpose committees. County central committees and local party clubs will qualify as a committee under the Act if they receive $1,000 in contributions in a calendar year for political purposes. Political purposes include making contributions to state and local candidates and ballot measures, making independent expenditures for state and local candidates and ballot measures, and doing partisan voter registration or get out the vote drives.

Chapter 2. Statement of Organization (Form 410).

All political party committees are state general purpose committees. The Secretary of State is the filing officer for FPPC campaign reports other than the Form 462 (Verification of Independent Expenditures), which is filed with the FPPC.

A political party committee may not qualify as a sponsored committee. Like other general purpose committees, political party committees must list the committee treasurer and principal officer(s) on the Form 410 and must ensure that the information is current.
A political party committee is not required, like other general purpose committees, to review its expenditures on a quarterly basis to determine if the committee should be filing reports with a local filing officer. A political party committee always files with the Secretary of State as a state general purpose committee.

Chapter 3. Finance Rules.

A political party committee is subject to the same recordkeeping and finance rules as other committees, including the requirement to maintain records of campaign receipts and expenditures, along with the necessary documentation.

Chapter 4. Contributions.

The information in this chapter regarding the definition of a contribution, including the reporting rules and valuing nonmonetary contributions, applies to a political party committee in the same manner as other general purpose committees.

Member Communications Exception: Although a member communication does not result in a contribution or independent expenditure for the affected candidate or measure, a political party committee must report payments for member communications in the same manner as if a contribution or independent expenditure was made. For example, a political party committee that sends a postcard to its members, which expressly advocates support of a candidate and is sent the week before the election, must report the payment for the member communication within 24 hours on either the Form 496 or Form 497.

Chapter 5. State Contribution Limits.

Receiving Contributions

A political party committee is subject to contribution limits for contributions deposited into an account that is used to make contributions to state candidates. State political parties and county
central committees are subject to the $34,000 per contributor limits, while local clubs are subject to the $6,800 per contributor limit (2013 – 2014 limits). See the contribution limit charts in Chapter 5.

A political party committee that receives contributions in excess of the contribution limits must establish an “all purpose” account and a “restricted use” account. Contributions that exceed the contribution limit may not be deposited into the “all purpose” account. A political party may establish separate committees or have one committee with separate bank accounts. Chapter 5 includes a chart describing the expenditures that must be made from the “all purpose” account.

**Making Contributions**

**State Candidate Election Committees:** A political party committee may make unlimited contributions to the “election committee” designated for a state candidate. The party must make the contributions from the committee/account described above that is subject to the contribution limit. A political party committee may not make a contribution to an election committee after the election unless the committee has net debt.

**State Officeholder Committees:** A political party committee may not make a contribution that exceeds the limit imposed on state officeholder committees.

**Local Committees:** A political party committee may make a contribution to a local committee. Check the local ordinance, if any, for contribution restrictions.

**Chapter 6. Contribution Restrictions.**

A political party committee is subject to the restrictions outlined in Chapter 6. Although a political party committee is not limited in the amount of contributions it may make on behalf of a state candidate, Government Code Section 85704 prohibits a person from making a contribution to the party committee on the condition or with the agreement that it will be contributed to any particular candidate without disclosing the contributor as the true source of the contribution and the
party as an intermediary. Treasurers should establish clear accounting methods and internal guidelines to ensure proper reporting of all payments.

Chapter 7. Use of Campaign Funds.

A political party committee may use campaign funds for a political, legislative or governmental purpose, as outlined in Chapter 7. A common question is whether a political party committee may provide office space to candidates, which is permissible. The service is a nonmonetary contribution that must be reported by both the party committee and the candidate.

Chapter 8. Communications.

A political party committee is subject to the same rules regarding communications as other general purpose committees, with the exception of member communications. The reporting requirements for a political party related to member communications are discussed in detail in Chapter 8.

Chapter 9. Advertisement Disclaimers.

A political party committee is subject to the same advertisement disclaimer requirements as other general purpose committees.

Chapter 10. 24-Hour Contribution Reports (Form 497).

At certain times, the Act requires a political party committee to file 24-hour reports disclosing money received and spent in elections. The report, Form 497, is filed with the Secretary of State. No paper copies of this report are required and no copies are required to be filed with other filing officers.

Each political party committee should have a copy of the filing schedules created specifically for political party committees. A political party committee must file reports in connection with any state election, including a state special election. A political party committee must file a Form 497 within 24 hours of the following payments:
• Contributions that total in the aggregate $1,000 or more received by a state or county political party committee within 90 days before any state election.

• Contributions that total in the aggregate $1,000 or more made to a candidate, officeholder, or ballot measure committee within 90 days before the election.

• Contributions that total in the aggregate $1,000 or more made to a candidate in a CalPERS or CalSTRS election within 90 days before the election.

A political party committee must file a Form 497 within 10 business days for the following payments:

• Contributions that total $5,000 or more made to support or oppose a single state ballot measure. This report must also disclose donors who have not previously been reported on a campaign statement. This report is only required if the political party committee must file its reports electronically with the Secretary of State.

A political party committee must complete the Form 497 as provided in the form instructions.

Chapter 11. Independent Expenditures.

A political party committee that makes an independent expenditure of $1,000 or more must file the reports summarized in Chapter 11. A political party committee must also file the reports for member communications.


A political party committee must have a treasurer or assistant treasurer review and sign the Form 460. A political party committee is subject to the same reporting rules as other general purpose committees, as well as the additional rules described below.
**Member Communications:** Report payments for member communications on Schedule E or F, as appropriate. A committee does not report the payments on Schedule D. A member communication may be paid by either the all purpose account or the restricted use account. (See Chapter 5.)

A political party committee is subject to the contribution and expenditure reporting requirements as outlined in FPPC Regulation 18530.3. The rules are summarized below, but political party committees should review the entire regulation.

**Federal Levin Funds.** A political party committee must report Levin Funds that are used for the purpose of supporting or defeating any state or local candidate or ballot measure.

**FEC Committees.** A political party committee must report expenditures made for the purpose of supporting or defeating any state or local candidate or ballot measure on the Form 460 and include a description of the account(s) from which the expenditure was made. The report is not required to itemize donations that were made to the FEC committee.

**Chapter 13. When and Where to File the Form 460.**

All political party committees are state committees and file the Form 460 with the Secretary of State.

A political party committee must file pre-election statements in connection with any state election, including a state special election, if the committee receives contributions of $1,000 or more or makes contributions or independent expenditures of $500 or more during the applicable reporting period. This includes state elections held in both even and odd-numbered years.
AUTHORITY

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

**Government Code Sections**

- 82027.5 General Purpose Committee.
- 85205 Political Party Committee.
- 85301 Limits on Contributions from Persons.
- 88303 Limits on Contributions to Committees and Political Parties.
- 85312 Communications to Members of an Organization.
- 85704 Prohibition on Earmarking.

**Title 2 Regulation**

- 18530.3 Reporting of Specified Contributions and Expenditures by Political Party Committees.