

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18466. State Ballot Measure Contributions and Expenditures; Online Reports.

(a) When Reporting Applies. The disclosure requirements of Government Code Section 84204.5 apply to a committee formed pursuant to Government Code Section 82013(a) that has online filing obligations under Government Code Section 84605, when the committee does any of the following:

(1) Makes contributions totaling five thousand dollars (\$5,000) or more to a committee primarily formed, as defined in Government Code Section 82047.5, to support or oppose the qualification or passage of a single state ballot measure.

(2) Makes contributions totaling five thousand dollars (\$5,000) or more to a state general purpose committee, as defined in Government Code Section 82027.5, and either:

(A) The donor knows the contributions are to support or oppose the qualification or passage of a single state ballot measure; or

(B) The receiving committee has reported contributions or expenditures exceeding \$100,000 in the past twelve months to support or oppose the qualification or passage of a single state ballot measure, the election for the measure has not yet been held, and the receiving committee's reports showing the more than \$100,000 in contributions or expenditures in the past twelve months are available online on the Secretary of State's database as of the applicable reporting deadline under Government Code Section 84204.5. However, if the donor knows the contributions are not to support or oppose the qualification or passage of a state ballot measure, no report is required under this paragraph (a)(2).

(3) Makes independent expenditures totaling five thousand dollars (\$5,000) or more to support or oppose the qualification or passage of a single state ballot measure.

(b) Reporting Threshold for Committees Supporting Multiple State Measures on the Same Ballot. When a committee makes contributions totaling five thousand dollars (\$5,000) or more to a committee supporting or opposing multiple state measures on the same ballot, and a report is required under paragraphs (a)(1) or (a)(2), the donor committee shall file a report, unless before the deadline for filing the report under Government Code Section 84204.5 the donor has received a written notice from the committee receiving the contribution stating how the money will be apportioned and demonstrating that five thousand dollars (\$5,000) or more will not be spent on a single state measure.

(c) Exceptions. The disclosure required by Government Code Section 84204.5 does not apply in the following circumstances:

(1) As excepted by Government Code Section 84204.5(b) or (c).

(2) When a committee primarily formed to support or oppose a state ballot measure makes a contribution to another committee primarily formed to support or oppose the same state ballot measure or another measure on the same ballot.

Note: Authority cited: Section 83112, Government Code. Reference: Section 84204.5, Government Code.

HISTORY

1. New section filed 9-20-2007; operative 10-20-2007. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992

(FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2007, No. 38).

2. Editorial correction of subsection (c)(1) (Register 2007, No. 48).