

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

§ 18427.1. Notification to Contributors of Filing Obligations.

(a) A candidate or committee that receives contributions cumulating \$5,000 or more in a calendar year from any person shall, within two weeks of receiving such contributions, provide notice to the contributor that the contributor may be required to file campaign reports. A candidate or committee that receives contributions cumulating \$10,000 or more from any person during any period in which late contribution reports are required to be filed pursuant to Section 84203 shall within one week of receiving such contribution, provide notice to the contributor that the contributor may be required to file campaign reports.

(b) The notice shall contain the following language or substantially similar language:

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.

Nonprofit Groups: If your organization is a nonprofit organization, 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 Section 84222 and Regulation 18422 to determine your filing requirements. For additional information visit www.fppc.ca.gov and review the available campaign materials.

24-Hour Reports: Major donors, nonprofits and other multipurpose organizations that trigger reporting obligations must also file a 24-hour contribution report if they make

contributions totaling \$1,000 or more to a single candidate, any of the candidate's controlled committees, or to a committee primarily formed to support or oppose a candidate or ballot measure during the 90 days prior to the election, or on the date of the election, in which the candidate or ballot measure is being voted on. The 24-hour reports are also required if they make contributions totaling \$1,000 or more to state or county political party committees during the 90 days prior to a state election, or on the date of the election, including state special elections.

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.

Failure to file campaign statements may result in late filing penalties (\$10/day) and fines (up to \$5,000/violation). 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.

(c) Candidates and treasurers shall maintain a record of all notices sent pursuant to this section, containing the date of each notice and the name and address of the person to whom each notice is sent.

(d) Notice to a contributor is not required if:

(1) A notice has previously been sent to the contributor pursuant to this section in the same calendar year; or

(2) The contributor has been issued a recipient committee identification number by the Secretary of State.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 84105 and 84222, Government Code.

HISTORY

1. New section filed 1-8-86; effective thirtieth day thereafter (Register 86, No. 2).
2. Amendment of subsections (a) and (b) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
3. Amendment of subsections (b) and (d)(1)-(2) and repealer of subsection (d)(3) filed 4-20-2000; operative 4-20-2000 pursuant to Government Code section 11343.4(d) (Register 2000, No. 16).
4. Editorial correction of subsection (b) (Register 2001, No. 11).
5. Change without regulatory effect amending subsection (b) filed 6-26-2001 pursuant to section 100, title 1, California Code of Regulations (Register 2001, No. 26).
6. Amendment of subsection (b) filed 1-14-2004; operative 1-14-2004 pursuant to Government Code section 11343.4 (Register 2004, No. 3).
7. Amendment of subsection (b) filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).
8. Amendment of subsection (b) filed 4-28-2011; operative 4-28-2011. 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 2011, No. 17).

9. Amendment of subsection (b) filed 6-24-2013; operative 6-24-2013. Submitted to OAL for filing and printing 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 2013, No. 26).

10. Amendment of section heading, section and Note filed 8-7-2014; operative 8-29-2014 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations. Submitted to OAL for filing and printing only 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 2014, No. 32).

11. Change without regulatory effect amending subsection (b) filed 3-22-2016; operative 4-21-2016 pursuant to 2 CCR 18312(e). 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 2016, No. 13).