

Notice
Fair Political Practices Commission
Interested Persons Meeting
January 20, 2017, 10:00 a.m.
428 J Street, 8th Floor Hearing Room
Sacramento, CA 95814

Fair Political Practices Commission staff will hold an Interested Persons meeting on January 20, 2017 at 10:00 a.m. to solicit public input regarding the regulatory proposals listed below. The proposals are scheduled to be considered for adoption at the February 16, 2017 Commission meeting.

Add Regulation 18216.5 Controlled Committee

Section 82016 of the Political Reform Act has long defined the term “controlled committee.” Although the Commission has issued advice letters describing various situations where it considers a committee to be controlled, or not controlled, for purposes of Section 82016, it has never adopted a regulation implementing the statutory definition.

Section 82016 describes two ways in which a committee may become a controlled committee: 1) where a candidate, his or her agent, or his or her controlled committee acts jointly with the committee in connection with the making of expenditures; and 2) where a candidate, his or her agent, or any other committee he or she controls, has a significant influence on the actions or decisions of the committee.

The Commission has issued numerous advice letters over the years providing direction as to whether a committee is controlled for purposes of Section 82016. The vast majority of the letters address the second method, described above, for becoming a controlled committee – whether various activities by a candidate will result in the determination that the candidate has exercised “significant influence” on the actions or decisions of a committee such that the candidate is considered to control the committee. The advice has identified specified situations that, by themselves, will result in the determination that a committee is either controlled or not controlled by a candidate.

Accordingly, the new regulation would implement the provisions of Section 82016, codifying longstanding Commission advice specifying certain situations that will result in a candidate controlling, or not controlling, a committee pursuant to Section 82016.

ADDITIONAL INFORMATION

- Proposed language for Regulation 18216.5 is attached for review, and can also be found at <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notices.html>

- You may participate in this interested persons meeting in person (at the Commission's offices).

You may also listen to and participate in this interested persons meeting by teleconference by calling; (877) 411-9748 access code 723284. To prevent excessive background noise, please be sure to push the mute button on your phone when you are not talking.

- Finally, the Commission invites written comments addressing these topics. Address comments regarding Regulations 18216.5 to Senior Commission Counsel Jack Woodside or Zak Norton at (916) 322-5660.

For questions about this meeting, you may contact Cesar R. Cuevas at (916) 322-5660.