The Fair Political Practices Commission

In the wake of the Watergate scandal, California voters passed Proposition 9 in 1974, known today as the Political Reform Act (the Act).

The FPPC was created to:

- Administer and enforce the Act, which includes laws related to campaign finance, conflicts of interest, and lobbying activity
- Inform and assist candidates and public officials in complying with these laws
What We’ll Cover Today

- Filing Officer Duties
- Committee Types
- Filing Schedules
- Campaign Statements
- Statement Logs
- Reviewing Statements
- Public Access
- Retention
- Non-Filers
- After the Election
- FPPC Website

Filing Officer Duties

- Supply current forms & manuals
- Receive & review campaign statements
- Maintain a statement log & determine if filers have filed the required statements
- Request & accept amendments
- Notify non-filers & assess or waive late fines
- Refer non-filers to Enforcement
- Provide public access
Recipient Committee Types

**Candidate Controlled Committees** receive contributions to support the candidate’s election.

**General Purpose Committees** receive contributions to support or oppose multiple candidates and/or ballot measures.

**Primarily Formed**
- **Ballot Measure Committees** receive contributions to support or oppose one or more ballot measures being voted on in the same election.
- **Candidate Committees** receive contributions to support or oppose a candidate or a group of local candidates being voted on in the same election but are not controlled by a candidate.

Non-Recipient Committee Types

**Major Donor Committees** are donors (e.g., individuals or businesses) that contribute $10,000 or more in a calendar year to candidates and committees.

**Independent Expenditure Committees**, without coordinating with the affected candidate or measure committee, make expenditures totaling $1,000 or more in a calendar year for communications that expressly advocate support or opposition of the candidate or measure.
### Commonly Used Forms

<table>
<thead>
<tr>
<th>Form</th>
<th>Candidate Committee</th>
<th>Non-Qualified Candidate Committee</th>
<th>General Purpose Committee</th>
<th>Primarily Formed Committee</th>
<th>Major Donor Committee</th>
<th>Independent Expenditure Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>501</td>
<td>•</td>
<td>•</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>470</td>
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<td>410</td>
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<td>461</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>462 &amp; 496</td>
<td>•</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

### Candidate Committees

- **460 Campaign Statement**
  - Raising or Spending $\geq 2,000$ (Qualified)
  - Raising or Spending $< 2,000$ (Non-Qualified)

- **497 24-Hour Contribution Report**
- **501 Candidate Intention Statement**
- **410 Statement of Organization**
- **700 Statement of Economic Interest**
- **470 Short Form/Supplement**
General Purpose & Primarily Formed Committees

- **410** Statement of Organization
- **460** Campaign Statement
- **462 & 496** Ind. Expenditure Reports
- **497** 24-Hour Contribution Report
- **425 & 450** Campaign Statement – Short Forms

Independent Expenditure & Major Donor Committees

- **496 & 462** Ind. Expenditure Reports
- **461** Campaign Statement
- **497** 24-Hour Contribution Report
## Filing Schedule

**Fair Political Practices Commission**

**Filing Schedule for Candidates and Controlled Committees for Local Office Being Voted on November 8, 2016**

<table>
<thead>
<tr>
<th>Deadline</th>
<th>Period</th>
<th>Form</th>
<th>Notes</th>
</tr>
</thead>
</table>
| Aug 1, 2016       | Semi-Annual     | 466  | • All committees must file Form 466.  
|                   |                 |      | • The July 31 deadline falls on a Sunday, so the deadline is extended to the next business day. |
|                   | Within 24 Hours | 467  | • File if a contribution of $1,000 or more in the aggregate is received from a single source.  
|                   | Contribution    |      | • File if a contribution of $1,000 or more in the aggregate is made to another candidate or ballot measure being voted on the November 8 ballot or to a political party committee.  
|                   | Reports         |      | • The recipient of a non-monetary contribution of $1,000 or more must file a Form 467 within 48 hours from the time the contribution is received.  
|                   |                 |      | • File by personal delivery, e-mail, guaranteed overnight delivery, fax, or online, if available. |
| Sep 29, 2016      | Semi-Annual     | 460  | • Each candidate listed on the ballot must file either Form 460 or Form 470 (see below). |
|                   | 1st Pre-Election| 460  | • All committees must file this report.  
|                   |                 | 470  | • Paper copies must be filed by personal delivery or guaranteed overnight delivery only. |
| Oct 27, 2016      | Semi-Annual     | 460  | • All committees must file this report.  
|                   | 2nd Pre-Election| 460  | • Paper copies must be filed by personal delivery or guaranteed overnight delivery only. |
| Jan 31, 2017      | Semi-Annual     | 460  | • All committees must file unless the committee filed termination forms 410 and 460 before December 31, 2016. |

- Local Ordinance: Always check on whether additional local rules apply.
- * Period Covered: The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- Filing Deadlines: Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to 24-hour independent expenditure reports (Form 496) and the deadline for the Form 497 that is due the weekend before the election. Such reports must be filed within 24 hours regardless of the day of the week. Statements filed after the deadline are subject to a $10 per day late fine.
- Method of Delivery: All paper filings are filed by personal delivery or first class mail unless otherwise noted. A paper copy of a report may not be required if a local agency website online filing is used by a local ordinance.

## Filing Schedule Requests

Filing officers may request filing schedules for special elections. Send a request to advice@fppc.ca.gov and we will create a schedule for your election.

Requests must include:
- Jurisdiction’s name
- Date of the election
- Date the election was called
- Purpose (i.e., ballot measure, candidate)
A filing officer’s log is used to determine if the required statements have been filed.

The log should include:

- Name and address of the candidate or committee
- Office held or being sought, and/or ballot measure number
- Committee ID number
- Type of statement
- Reporting period
- Filing deadline
- Date filed

Note: Logs are public record and must be accessible to the public.

Sample Log

<table>
<thead>
<tr>
<th>Name</th>
<th>Form No.</th>
<th>Period Covered</th>
<th>Deadline</th>
<th>Filed</th>
<th>1st</th>
<th>2nd</th>
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<tbody>
<tr>
<td>Bernhardt, Bryan</td>
<td>501 *</td>
<td>N/A</td>
<td>N/A</td>
<td>12/12--</td>
<td></td>
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<tr>
<td></td>
<td>410 *</td>
<td>N/A</td>
<td>N/A</td>
<td>08/06--</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>460 (Semi)</td>
<td>02/01/-- - 06/30/--</td>
<td>07/31/--</td>
<td>08/03--</td>
<td>08/01--</td>
<td></td>
</tr>
<tr>
<td></td>
<td>460 (Pre)</td>
<td>09/01/-- - 09/30/--</td>
<td>10/05/--</td>
<td>10/05--</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>460 (Pre)</td>
<td>10/01/-- - 10/30/--</td>
<td>10/25/--</td>
<td>10/24--</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>460 (Semi)</td>
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<td>03/31/--</td>
<td>01/15--</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Billings, Joel</td>
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<td>N/A</td>
<td>N/A</td>
<td>11/30--</td>
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<tr>
<td></td>
<td>410 *</td>
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<td>10/25/--</td>
<td>10/20--</td>
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<tr>
<td></td>
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<td>10/21/-- - 12/31/--</td>
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<td>01/01--</td>
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</tr>
<tr>
<td>Boris, Peter</td>
<td>501 *</td>
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</tr>
<tr>
<td></td>
<td>410 *</td>
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<tr>
<td></td>
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<td>07/31/--</td>
<td>7/31--</td>
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<td>10/05/--</td>
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<td>460 (Pre)</td>
<td>10/01/-- - 10/20/--</td>
<td>10/25/--</td>
<td>10/25--</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>460 (Semi)</td>
<td>10/21/-- - 12/31/--</td>
<td>01/31/--</td>
<td>01/31--</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Sample Log does not include all recommended fields due to presentation limitations
Candidates must file Form 700 by the Declaration of Candidacy filing deadline.

Filing officers will forward 87200 filers’ statements to the FPPC, including:

- Mayors and City Council Members
- Board of Supervisors
- District Attorneys
- Statewide Officers
- Senate and Assembly Members
- Judges

Note: A candidate Form 700 is not required of incumbents who have filed assuming office or annual statements within 60 days of filing their Declaration of Candidacy.

Form 501
Candidate Intention Statement

Form 501 is filed by all candidates planning to run for office in an upcoming election.

- Must be filed before raising or spending any funds – including personal funds
- Not required if candidate will not receive contributions or spend personal funds (other than for filing or ballot statement fees)
Form 470
Campaign Statement Short Form

Form 470 is filed by candidates with no open committee who do not anticipate raising or spending $2,000 or more during the calendar year.

Must be filed by either
• First pre-election deadline
• July 31st

Form 470
Supplement

Candidates who raise or spend $2,000 or more after filing Form 470 must file Form 470 Supplement within 48 hours.

Filed with
• Secretary of State
• Local elections office
• Each of the candidate’s opponents
Recipient committees file Form 410 to register the committee and receive a committee ID number.

Must be filed within
- 10 days of qualifying
- 24 hours if qualifying within 16 days of the election

Filing location
- Original with Secretary of State
- Copy with local elections official

Committee ID Number

Upon receipt of the Form 410, the Secretary of State will assign a committee ID number. It will be available on their website www.cal-access.sos.ca.gov
Forms 496 & 497 – 24 Hour Reports

**Period begins 90 days before election and includes date of election**

**Form 496 - Independent Expenditures**
- No weekend or holiday exceptions
- Filed with filing officer of affected candidate or measure committee

**Form 497 - Contributions**
- Deadline extended to next business day when it falls on weekends and state holidays – except for reports due the weekend before the election
- Filed with committee’s regular filing officer

**Method of Delivery**
- Email, fax, personal delivery, guaranteed overnight service, or online, if available

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**Independent Expenditure or Contribution?**

A payment made by a third party for a communication that expressly advocates support or opposition of a candidate or ballot measure must be reported as either:

- **Independent expenditure**: If the communication was not made at the behest of (or in coordination with) the candidate or measure committee.
  
  *Example*: A committee invites all candidates to complete a questionnaire and then independently sends a mailing endorsing certain candidates.

- **Contribution**: If the communication was made at the behest of (or in coordination with) the candidate or measure committee.
  
  *Example*: A committee asks the candidates to pose for a mailer and asks the candidate’s agent when the mailer should be sent and which neighborhood it should be sent to.
Form 460 – Campaign Statement

Form 460 is the main campaign report used to disclose the committee’s activity during a specified period.

Form 460 is used to file the following statements:
- Pre-Election
- Quarterly and Semi-Annual
- Special Odd-Year Report
- Termination
- Amendment to a previously filed Form 460

Form 460 – Campaign Statement (continued)

Who must file it?
- Candidate Controlled Committees
- Primarily Formed Ballot Measure Committees
- Primarily Formed Candidate Committees
- General Purpose Committees

When is it filed?
At least semi-annually – by January 31 and July 31. Other deadlines vary depending on the type of committee. Consult applicable filing schedules for deadlines.

Note: Form 460 is not required for non-qualifying candidates (candidates who raise or spend less than $2,000).
Reviewing the Form 460

- Review all original statements filed with your office
- Use the Form 460 Amendment Request Form as a reviewing tool
- Filing officers are not required to seek or obtain information to verify entries, conduct investigations, or check math
Form 460 – Summary Page

Campaign Disclosure Statement
Summary Page

JANE G. SMITH for City Council 20XX

Contributions Received

1. Monetary Contributions: $1,500
2. Loans Received: $2,000
3. Subtotal Cash Contributions: $3,500
4. Nonmonetary Contributions: $500
5. Total Contributions Received: $4,000

Expenditures Made

1. Payments Made: $2,000
2. Loans Made: $1,000
3. Subtotal Expenditures: $3,000
4. Total Expenditures: $3,000

Current Cash Statement

1. Beginning Cash Balance: $5,000
2. Receipts Made: $5,000
3. Payments Made: $2,000
4. Ending Cash Balance: $8,000

Cash Equivalents and Outstanding Debts

1. Cash Equivalents: $0
2. Outstanding Debts: $0

Form 460 – Schedule A

Schedule A
Monetary Contributions Received

JANE G. SMITH for City Council 20XX

Contributions Received

4/12 - Jane Smith 123 Main St., CA 90210
   Amount: $500

5/17 - ABC Corporation
   Amount: $500

6/9 - John Smith
   Amount: $500

Schedule A Summary

1. Amount received this period = monetary contributions
2. Amount received this period = nonmonetary contributions
3. Total amount received this period = $1,500

Form 460 – Schedule A
Form 460 - Donor Information

Committees must disclose the name and street address for contributors of $100 or more. If the contributor is an individual, they must also disclose their occupation and employer.

Correct
- Manager, Harvey’s Hardware Store
- Self-Employed, Jeanette’s Boutique
- Lawyer, Ortiz & Smith
- Retired
- Consultant, A Better Business Agency
- Self-Employed, No Separate Business Name
- Homemaker or Student
- Private Investor: stocks & bonds

Incorrect
- Manager
- Owner
- Next Door Neighbor
- Friend
- Consultant, ABBA (no acronyms)
- Philanthropist
- Business Person
- Entrepreneur
- Investor

Committees must disclose the name and street address for contributors of $100 or more. If the contributor is an individual, they must also disclose their occupation and employer.
### Form 460 – Schedule C

#### Schedule C
Nonincorporated Contributions Received

<table>
<thead>
<tr>
<th>Code</th>
<th>Amount (in dollars)</th>
<th>Description</th>
<th>Number of Contributors</th>
<th>Amount (in dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/22</td>
<td>1234</td>
<td>Outdoor Catering</td>
<td>2</td>
<td>1234</td>
</tr>
<tr>
<td>5/12</td>
<td>250</td>
<td>Oblig. List</td>
<td>1</td>
<td>250</td>
</tr>
<tr>
<td>6/12</td>
<td>500</td>
<td>TV fundraiser</td>
<td>1</td>
<td>500</td>
</tr>
</tbody>
</table>

Subtotal: $1,985

#### Schedule C Summary
1. Amount received this period – nonincorporated contributions:
   
2. Amount received this period – nonincorporated contributions of less than $500:
   
3. Total nonincorporated contributions received this period:
   
(Assume Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 6.)

TOTAL: $1,985

### Form 460 – Schedule E

#### Schedule E
Payments Made

<table>
<thead>
<tr>
<th>Code</th>
<th>Amount (in dollars)</th>
</tr>
</thead>
<tbody>
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<td>DPF</td>
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</tr>
<tr>
<td>CTB</td>
<td>215</td>
</tr>
</tbody>
</table>

Subtotal: $583

#### Schedule E Summary
1. Noncessation payments made this period (Include all Schedule E subtotals):
   
2. Unpaid payments made this period of $500 or less:
   
3. Total paid this period on each (Enter amount from Schedule E, Part 1, Column E):
   
4. Total payments made this period (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 9."

TOTAL: $583
Public Access

Filing officers must ensure filed campaign statements are available to the public during regular business hours.

Filing officers may not

- Set conditions on public access
- Require information or identification from requesters
- Charge more than 10 cents per page for copies
- Redact any portion of the filed campaign statement prior to issuance

*Note: You may charge a $5 fee per request for statements more than five years old.*

Form Retention

Statements must be retained

- **Indefinitely** for mayors, city council members, and county supervisors
- **Ten years** for all statements filed electronically
- **Seven years** for other candidates and committees (i.e., school board, water district) that file original statements with you
- **Five years** for original campaign statements for defeated, non-incumbent candidates
- **Four years** for all “copies” of campaign statements you receive

*Note: Statements may be transferred to a space-saving device after 2 years.*
Managing Non-Filers

Filing officers are required to notify non-filers of their reporting obligations.

Notify non-filers by
• Telephone
• Email
• Written notice

Refer non-filers to the FPPC if the statement is not filed after sending your second written notice.

Assessing Late Fines

• No extensions of filing deadlines
• Develop a written policy for fining and implement consistently
• Fine starts the day after deadline, not the day after the candidate or committee is notified
• $10 per day for each day late (you may NOT assess more)
• Amount of fine assessed may not exceed the amount of the committee’s receipts or expenditures during the reporting period, or $100, whichever is greater
• Form 470 filers may not be fined more than $100
• Deposit fines into agency’s general fund
Post Election
Candidates

**Successful**
Form 460 Filer
- Continues filing 460 semi-annually until committee is terminated
Form 470 Filer
- Must file 470 by July 31 each year (not required if salary is less than $200 per month)

**Defeated**
Form 460 Filer
- Continues filing 460 semi-annually until committee is terminated
Form 470 Filer
- No further statements are required

Post Election
Primarily Formed & General Purpose Committees

- Continue filing at least semi-annually until the committee is terminated
- Committees should check the applicable filing schedule to determine if their activity triggers additional filing requirements
  
  For these committees, leftover funds do not become surplus after the election.
Post Election
Committee Termination

The following criteria must be met in order to terminate a committee:

- No remaining funds
- Not receiving or planning to receive contributions
- Not making or planning to make expenditures
- Termination Forms 410 and 460 must be filed

There is no timeframe for terminating a local committee, but committees must continue to file campaign reports and pay the $50 annual fee until the committee terminates.

Campaign Statements
Electronic Filing

Local agencies may adopt an ordinance approving the use of an E-filing system if specific criteria are met, including:

- Complies with Secretary of State file format standards
- Meets specific data integrity & safeguard standards
- Allows free public access to E-filed statements
- Online statements do not include contributor addresses or bank account information

Filing officers are still required to provide un-redacted hard copies upon request.
Thank You for Watching!

Sign up for Twitter—get automatic updates
www.fppc.ca.gov

END OF PRESENTATION