

# State of California

A-84-279



## Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • 1100 K STREET BUILDING, SACRAMENTO, 95814  
107 SOUTH BROADWAY • • • SUITE 7007 • • • LOS ANGELES, 90012

November 5, 1984

Mrs. JoAnn Yo, City Clerk  
CITY OF SEAL BEACH  
211 8th Street  
Seal Beach, California 90740

Dear Mrs. Yo:

Pursuant to your request, this letter is to verify my advice to you and Mr. Greg Stepanicich, the City Attorney concerning the filing obligations of committees within the jurisdiction of the City of Seal Beach.

The issue in question concerns committees supporting or opposing the qualification of a local initiative. What filing obligations are incurred and when must campaign statements be filed if the petitions were filed prior to the final deadline set for filing the petitions.

Government Code Section 84200(d) requires committees formed or existing primarily to support or oppose the qualification of a measure shall file campaign statements not later than 35 days after the deadline for filing petitions or the date of notification that the measure has either qualified or failed to qualify, whichever is earlier (emphasis added). Since the petitions were filed prior to the deadline, the 35 days begins from the date that the committee was notified of the initiative's qualification and not 35 days from the deadline which is a later date.

In order to have a filing obligation in connection with this initiative effort, a group, organization or person must first qualify as a committee as defined in Government Code 82013. Therefore, if a group, organization or person does not qualify as a committee, that is, does not receive contributions totaling five hundred dollars or more in a calendar year; does not made independent expenditures totaling five hundred dollars or more in a calendar year; or does not make contributions totaling five thousand dollars or more in a calendar year to or at the behest of candidates and committees, then no obligation to file campaign reports is incurred.

The second issue concerns the filing obligations of Bixby Ranch. You stated that Bixby Ranch is a qualified major donor committee under Government Code Section 82013(c) and files campaign statements as such with the Secretary of State, the counties of Los Angeles, San Francisco and the county of domicile (Government Code Section 84215(a)). Bixby Ranch is utilizing its own funds to made independent expenditures in excess of \$500 in support of Proposition A, a Seal Beach measure.

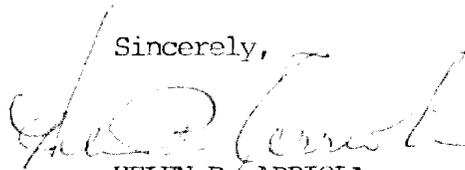
Mrs. JoAnn Yo, City Clerk  
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November 5, 1984  
Page Two

You asked whether or not a copy of their major donor statement should be filed with your office as the filing official for Proposition A?

I stated that the major donor reports filed by Bixby Ranch were not required to be filed with your office because the Political Reform Act does not require the Bixby Ranch to file their major donor reports with your office. However, Government Code Section 84208 specifically states that, "in addition (emphasis added) to any campaign statements required by Section 84200, if a committee has made independent expenditures totaling five hundred dollars (\$500) or more in a calendar year to support or oppose a candidate, a measure or qualification of a measure, it shall file independent expenditure reports at the times and in the places where it would be required to file campaign statements under Sections 84200 and 84215, as if it were formed or existing primarily to support or oppose such (again, emphasis added) candidate or measure or qualification of such measure. No independent expenditure report need be filed to cover a period for which there has been no activity to report. Therefore, Bixby Ranch is required to file a Form 465, a Supplemental Independent Expenditure Report, with your office. I have enclosed a few forms and copies of the Political Reform Act for your information.

I hope that this information has been helpful and if I can be of any further assistance, please do not hesitate to contact our office.

Sincerely,



HELEN P. ARRIOLA  
Political Reform Consultant II

HFA:cv

cc: Greg Stepanicich, City Attorney  
Enclosures

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