



California Fair Political Practices Commission

May 2, 1986

Bob Mulholland
1355 East 10th Street
Chico, CA 95928

Re: FPPC Advice No. I-85-108

Dear Mr. Mulholland:

This is in response to your letter of April 2, 1986, which requests general information regarding the campaign disclosure provisions of the Political Reform Act (Government Code Sections 81000-91015).

As noted in your letter, the Commission's 1985 Guide for Candidates and Treasurers states that candidates are not required to file a Statement of Organization (Form 410) unless they choose to create a committee. This is because the campaign disclosure provisions of the Act (Sections 84100-84309) apply to candidates, regardless of whether or not a candidate has a committee, as well as to committees.

Government Code Section 84101 requires all recipient committees to file a Statement of Organization. A person or group of persons which receives \$500 in contributions during a calendar year is a recipient "committee" pursuant to Section 82013(a). However, persons who meet the definition of "candidate" in Section 82007 are already required to file campaign disclosure reports and are not included in the definition of recipient "committee" for purposes of filing the Statement of Organization.

Generally, most candidates create committees and file a Statement of Organization. Some candidates, however, personally take care of all of the campaign recordkeeping and reporting obligations imposed by the law and do not use a committee name on campaign statements or other printed materials. Such candidates are not required to file a Statement of Organization and do not receive an identification number from the Secretary of State.

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With respect to termination, Government Code Section 82007 states in part that "an individual who becomes a candidate shall retain that status until such time as that status is terminated pursuant to Section 84214." Section 84214 specifies that the Commission shall adopt regulations specifying how candidates and committees may terminate. FPPC regulation 2 Cal. Adm Code Section 18404 (copy enclosed) states that a candidate must file a Statement of Termination in order to terminate his or her status as a candidate. Prior to 1986, however, candidates who received no contributions and made no expenditures were not required to file campaign disclosure statements and many candidates merely stopped filing reports when all contributions and expenditures had been reported. Beginning January 1, 1986, all candidates must file semi-annual campaign disclosure statements whether or not they have received contributions or made expenditures during the six-month period covered by the report. Therefore, a candidate who wishes to terminate his or her disclosure obligations must now file a Statement of Termination (Form 415).

I hope this information is helpful. Please contact me at (916) 322-5662 if you have further questions.

Sincerely,

Carla Wardlow

Carla Wardlow
Political Reform Consultant

CW:kt

Enclosure
