



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

August 13, 2009

Ross Currie, President

✓ o/b/o Pismo Beach Chamber of Commerce

REDACTED

Advisory Letter

Re: FPPC Case No. 06/836; Pismo Beach Chamber of Commerce

Dear Mr. Currie:

The Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (the Act)¹ found in Government Code section 81000, and following. The Enforcement Division received a complaint against the Pismo Beach Chamber of Commerce (Chamber of Commerce), alleging that the Chamber of Commerce may have violated the mass mailing provisions of the Act. Specifically, the complaint alleged that the Chamber of Commerce produced publications supporting Pismo Beach Measure CC-06, where the sender identification was illegible. The Enforcement Division has decided to close this case with an advisory letter.

Please be advised, Section 84305, subdivision (a) requires candidates and committees to properly identify themselves when sending a mass mailing, stating in pertinent part:

“...no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing, and on at least one of the inserts included within each piece of mail in the mass mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be used in lieu of the street address, if the organization’s address is a matter of public record with the Secretary of State.”

Section 82041.5 defines a “mass mailing” as over two hundred substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

request, letter or other inquiry. Regulation 18435, subdivision (a) clarifies this section, and further defines a mass mailing as over two hundred substantially similar pieces of mail sent in a calendar month. Regulation 18435, subdivision (b) defines the term "sender," as used in section 84305, as the candidate or committee who pays for the largest portion of the expenditures attributable to the designing, printing, or posting of the mailing.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (916) 322-5660, Monday through Friday, between 9:00 a.m. and 4:00 p.m. Please also visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact us at (916) 322-5660.

Sincerely,

REDACTED

Bridgette Longero
Commission Counsel
Enforcement Division