FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

July 30, 2009

Matt Brown

REDACTED

Re: **Advisory Letter**
FPPC File No. 090552

Dear Mr. Brown:

The Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (the Act) found in Government Code Section 81000, and following. It has come to the attention of the FPPC that you appear to be involved with two committees: the San Bernardino County Young Republicans as well as your candidate committee for the San Bernardino Republican Central Committee.

Section 85201 allows candidates to have only one campaign bank account and only one controlled committee for each specific election. The FPPC's Campaign Disclosure Manual 2 for Local Candidates states on page 1-1 that "candidates running for one office while holding another must establish a separate campaign bank account for each office -- but not more than one bank account per office per election." Because of the requirements in Section 85201 that each candidate have only one bank account per election and that any campaign bank account controlled by a candidate must be tied to an election, the FPPC has consistently advised that candidates may not control a committee that is not tied to an election, i.e., a general purpose committee, and may not have more than one bank account for any one election.

Section 82016 describes two ways in which a general purpose committee may be a candidate controlled committee.

First, the candidate might exert significant influence on the actions or decisions of the committee. Where a candidate is a voting member of a committee's leadership, such as the board of directors, the candidate is presumed to be a controlling candidate because the candidate probably exercises significant influence on the actions or decisions of the committee. (*Leidigh* Advice Letter, I-92-547; *Ferguson* Advice Letter, No. A-86-044.)

Second, if the candidate and the general purpose committee act jointly in making expenditures, their coordinating in making these expenditures may result in the candidate controlling the general purpose committee. Additionally, developing or implementing

strategy with the committee would constitute control. (*Leidigh* Advice Letter, *supra*; *Madden* Advice letter, No. A-85-197.)

If you are controlling the San Bernardino County Young Republicans, a general purpose committee, and directing that contributions be made from the San Bernardino County Young Republicans to your candidate's committee, you may have violated Section 85201.

After review of the filings for both committees, we have decided to close this matter without commencing further investigation. The FPPC publishes forms and manuals to facilitate compliance with the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Toll-Free Advice Line at 1-866-275-3772. Please also visit our website at www.fppc.gov.

If you have questions regarding this matter, please contact me at (916) 322-8241.

Sincerely,

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Adrianne Korchmaros
Political Reform Consultant
Enforcement Division

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