Political Reform Act

2002

Fair Political Practices Commission

The Commissioners
of the
California Fair Political Practices Commission*

Commission Chair Karen Getman, before appointment in March 1999, was special counsel with the San Francisco firm of Rogers, Joseph, O'Donnell & Quinn, where she practiced political and election law and business litigation. From 1989 to 1996 she was with Remcho, Johansen & Purcell, specializing in political law and constitutional litigation. Ms. Getman earned her bachelor of arts degree from Yale University and graduated cum laude from the Harvard Law School, where she was editor-in-chief of the Harvard Women's Law Journal. Ms. Getman was the recipient of a Revson Women's Law and Public Policy Fellowship, and represented pro bono the Congressional Caucus on Women's Issues while an associate at the Washington, D.C. firm of Wilmer, Cutler & Pickering. A Democrat, Ms. Getman was appointed Chairman by Governor Gray Davis. (Term expires 1-31-03.)

Commissioner Sheridan Downey, III, is a former bankruptcy attorney in Oakland and was a law professor at the University of Santa Clara School of Law, teaching courses in debtor/creditor relations, real property, commercial law and legal research and writing. He was a partner in the Oakland firm of Caldecott, Peck and Phillips and of counsel to the firm of Bell, Rosenberg and Hughes. He served three terms on the Alameda County Democratic Central Committee and was a member of the California State Bar Committee on Debtor-Creditor Relations, lecturing frequently to legal aid societies in Northern California. Since 1990, he has been a full time numismatist, dealing in early United States coins, and is a member of the Professional Numismatists Guild. Educated in the Oakland public schools, he received a B.A. in psychology from Stanford University and a law degree from the University of California, Boalt Hall School of Law, where he was a member of the Law Review. He is the grandson of former United States Senator Sheridan Downey (D-Calif., 1938-1950). A Democrat, he was appointed by Attorney General Bill Lockyer. (Term expires 1-31-05.)

Commissioner Gordana Swanson was elected to four terms on the Rolling Hills City Council from 1976-1994 and served three times as that city's mayor. She served three years as director of development for the Toberman Settlement House, a non-profit human services organization. She also was president of the Southern California Rapid Transit District, and served as a director of the American Public Transit Foundation and the South Bay Juvenile Diversion Project. Active in numerous community and women's organizations, she was the founding president of the National Women's Political Caucus for the South Bay and served on the board of directors of the California Elected Women's Association for Education and Research (CEWAER). She attended De Paul University in Chicago, Illinois. A Republican, she was appointed by Governor Gray Davis. (Term expires 1-31-03.)

Commissioner Thomas S. Knox is a partner with the Sacramento law firm of Knox, Lemmon & Anapolsky, LLP. He is active in community organizations and has served as president of the Family Services Agency of Greater Sacramento, the McGeorge Law School Alumni Association, the Point West Rotary Club and the Active 20-30 Club of Sacramento. He is a member of the Sacramento County Bar Association and the State Bar of California. He received a B.A. from the University of Pennsylvania and a law degree from McGeorge School of Law in Sacramento, where he was associate editor of the Pacific Law Journal. He is licensed to practice in the U.S. District Courts for the Northern, Eastern and Central Districts of California, the 9th U.S. Circuit Court of Appeals and the U.S. Supreme Court. Prior to attending law school, he served in Vietnam as a First Lieutenant in the U.S. Marine Corps, receiving the Bronze Star. A Republican, he was appointed by Secretary of State Bill Jones. (Term expires 1-31-05.)

*As of the date this booklet went to publication, the State Controller had not yet named her appointee for the 2001-2005 term.

POLITICAL REFORM ACT — 2002
Introduction

This 2002 version of the Political Reform Act (the "Act") is not an official publication of the Government Code. It has been produced for use by the public and staff of the Fair Political Practices Commission. The boldface title before each Government Code section and the histories following some sections have been added for clarity and are not part of the Act.

Proposition 34, which was passed by the voters on November 7, 2000, added new campaign finance provisions and made some changes to the disclosure and enforcement provisions of the Act. Proposition 34 took effect on January 1, 2001. However, section 83 of the measure defers to November 6, 2002, applicability of portions of Chapter 5 (commencing with section 85100) of Title 9, to candidates for statewide elective office. Uncodified sections 83-86 of Proposition 34 appear in Appendix I.

Commission regulations implementing the Act are contained in the California Code of Regulations, Title 2, Division 6 (sections 18109-18997). Commission regulations, opinions, and enforcement decisions are published by Continuing Education of the Bar. References to applicable regulations, opinions, and enforcement decisions follow each statute. These references were accurate on the date of publication, but changes may have occurred since then. Thus, the references are provided for convenience only and should not be relied upon. Opinion summaries appear in Appendix II. Enforcement decision summaries appear in Appendix III. In addition, Commission opinions and advice letters are available on Westlaw and Lexis-Nexis.

If you need more detailed information or have questions about the Political Reform Act, please call the Fair Political Practices Commission at 1-866-275-3772. The Commission is located at 428 J Street, Ste. 620, Sacramento, CA 95814. Web site: http://www.fppc.ca.gov.

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Chapter 1. General. § 81000 - 81016

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§ 81000. Title.

This title shall be known and may be cited as the "Political Reform Act of 1974."

§ 81001. Findings and Declarations.

The people find and declare as follows:

(a) State and local government should serve the needs and respond to the wishes of all citizens equally, without regard to their wealth;

(b) Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them;

(c) Costs of conducting election campaigns have increased greatly in recent years, and candidates have been forced to finance their campaigns by seeking large contributions from lobbyists and organizations who thereby gain disproportionate influence over governmental decisions;

(d) The influence of large campaign contributors is increased because existing laws for disclosure of campaign receipts and expenditures have proved to be inadequate;

(e) Lobbyists often make their contributions to incumbents who cannot be effectively challenged because of election laws and abusive practices which give the incumbent an unfair advantage;

(f) The wealthy individuals and organizations which make large campaign contributions frequently extend their influence by employing lobbyists and spending large amounts to influence legislative and administrative actions;

(g) The influence of large campaign contributors in ballot measure elections is increased because the ballot pamphlet mailed to the voters by the state is difficult to read and almost impossible for a layman to understand; and

(h) Previous laws regulating political practices have suffered from inadequate enforcement by state and local authorities.

§ 81002. Purposes of Title.

The people enact this title to accomplish the following purposes:

(a) Receipts and expenditures in election campaigns should be fully and truthfully disclosed in order that the voters may be fully informed and improper practices may be inhibited.

(b) The activities of lobbyists should be regulated and their finances disclosed in order that improper influences will not be directed at public officials.

(c) Assets and income of public officials which may be materially affected by their official actions should be disclosed and in appropriate circumstances the officials should be disqualified from acting in order that conflicts of interest may be avoided.

(d) The state ballot pamphlet should be converted into a useful document so that voters will not be entirely dependent on paid advertising for information regarding state measures.

(e) Laws and practices unfairly favoring incumbents should be abolished in order that elections may be conducted more fairly.

(f) Adequate enforcement mechanisms should be provided to public officials and private citizens in order that this title will be vigorously enforced.

History: Amended by Stats. 1980, Ch. 289.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18708

§ 81003. Construction of Title.

This title should be liberally construed to accomplish its purposes.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18708

§ 81004. Reports and Statements; Perjury; Verification.

(a) All reports and statements filed under this title shall be signed under penalty of perjury and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his knowledge it is true and complete.

(b) A report or statement filed by a committee which qualifies under subdivision (a) of Section 82013 shall be signed and verified by the treasurer, and a report or statement filed by any other person shall be signed and verified by the filer. If the filer is an entity other than an individual, the report or statement shall be signed and verified by a responsible officer of the entity or by an attorney or a certified public accountant acting as agent for the entity. Every person who signs and verifies any report or statement required to be filed under this title which contains material matter which he knows to be false is guilty of perjury.

History: Amended by Stats. 1985, Ch. 775.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18426.1
2 Cal. Code of Regs. Section 18427
2 Cal. Code of Regs. Section 18539.2

Opinions: In re Layton (1975) 1 FPPC Ops. 113
In re Augustine (1975) 1 FPPC Ops. 69

Enforcement Decisions: Don Jelinek, et al. 96/525 (1997)
Kevin P. Eckard, et al. 92/115 (1995)
Wilson Riles, Jr., et al. 90/813 (1995)
Leo Bazile, et al. 90/813 (1995)
Kenneth Orduna; et al. 88/364 (1991)
Joseph Montoya 88/410 (1991)
Larry Ward, et al. 87/458 (1990)
Andrew Fitzmorris/G. Bergeron/C.Bergeron 83/14 (1986)
Retailers Good Gov't Council/James Degnan 81/10 (1981)
Demo State Central - No. Div./Betty Smith 80/75 (1981)
Santa Clara No on Prop. 13 Comm. 80/13 (1981)
Seaside Citizens for Progress/James Manning 79/87 (1980)
Oscar Klee/Betty Franklin 79/58 (1980)

§ 81004.5. Reports and Statements; Amendments.

Any report or statement filed pursuant to this title may be amended by the filer at any time. Amending an incorrect or incomplete report or statement may be considered as evidence of good faith.

History: Added by Stats. 1976, Ch. 1161.

§ 81005. Campaign Reports and Statements; Where to File. [Repealed]

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1976, Ch. 415, effective July 10, 1976; amended by Stats. 1977, Ch. 1193; repealed by Stats. 1980, Ch. 289. (Reenacted as amended and renumbered Section 84215.)

§ 81005.1. Lobbying Reports and Statements; Where to File. [Repealed]

History: Added by Stats. 1977, Ch. 1193; repealed by Stats. 1979, Ch. 592. (Reenacted as amended and renumbered Section 86111.)

§ 81005.2. Statements of Economic Interests; Where to File. [Repealed]

History: Added by Stats. 1977, Ch. 1193; repealed by Stats. 1979, Ch. 674. (Reenacted as amended and renumbered Section 87500.)

§ 81006. Filing Fees Prohibition.

Except as provided in this title, no fee or charge shall be collected by any officer for the filing of any report or statement or for the forms upon which reports or statements are to be prepared.

History: Amended by Stats. 1985, Ch. 1183, effective September 29, 1985.

§ 81007. Mailing of Report or Statement.

When a report or statement or copies thereof required to be filed with any officer under this title have been sent by first-class mail or by any other guaranteed overnight delivery service addressed to the officer, it shall for purposes of any deadline be deemed to have been received by him or her on the date of the deposit in the mail or of receipt by that delivery service. It shall be presumed until the contrary is established that any date stamped by the post office on the envelope or contained on the delivery service receipt containing the report or statement is the date it was deposited in the mail or received by the delivery service. Mail which is not received by the filing officer shall be presumed not to have been sent unless the filer possesses a post office or delivery service receipt establishing the date of deposit and the name and address of the addressee.

History: Amended by Stats. 1976, Ch. 1106; amended by Stats. 1994, Ch. 638.

§ 81007.5. Faxing of Report or Statement.

(a) Any report or statement or copies thereof required to be filed with any official under Chapter 4 (commencing with Section 84100) or Chapter 7 (commencing with Section 87100) may be faxed by the applicable deadline, provided that the required originals or paper copies are sent by first-class mail or by any other personal delivery or guaranteed overnight delivery service within 24 hours of the applicable deadline and provided that the total number of pages of each report or statement faxed is no more than 30 pages.

(b) A faxed report or statement shall not be deemed filed if the faxed report or statement is not a true and correct copy of the original or copy of the report or statement personally delivered or sent by first-class mail or guaranteed overnight delivery service pursuant to subdivision (a).

(c) A filing officer who receives a faxed report or statement shall make the report or statement available to the public in the same manner as provided in Section 81008. If the faxed report or statement is requested prior to the receipt of the original or copy of the report or statement by the filing officer, the filing officer shall inform the requester that the faxed report or statement will not be considered a filed report or statement if the requirements of subdivision (b) have not been met by the filer.

History: Added by Stats. 1994, Ch. 638; amended by Stats. 1997, Ch. 394.

§ 81008. Public Records; Inspection; Reproduction; Time; Charges.

(a) Every report and statement filed pursuant to this title is a public record open for public inspection and reproduction during regular business hours, commencing as soon as practicable, but in any event not later than the second business day following the day on which it was received. No conditions whatsoever shall be imposed upon persons desiring to inspect or reproduce reports and statements filed under this title, nor shall any information or identification be required from such persons. Copies shall be provided at a charge not to exceed ten cents ($0.10) per page. In addition, the filing officer may charge a retrieval fee not to exceed five dollars ($5) per request for copies of reports and statements which are five or more years old. A request for more than one report or statement or report and statement at the same time shall be considered a single request.

(b) Campaign statements shall be open for public inspection and reproduction from 9:00 a.m. to 5:00 p.m. on the Saturday preceding an election held on the first Tuesday after the first Monday in June or November in even-numbered years in the offices of Secretary of State, Registrar-Recorder of Los Angeles County, Registrar of Voters of San Diego County and Registrar of Voters of the City and County of San Francisco.

History: Amended by Stats. 1979, Ch. 531; amended by Stats. 1988, Ch. 1208.

References at the time of publication (see page 3):

Enforcement
Decisions: Douglas Kim 83/10 (1984)

§ 81009. Preservation of Reports and Statements.

(a) Statements of organization, registration statements, and original campaign statements of persons holding elective state office, candidates for any such office, committees supporting any such officeholder or candidate, and committees supporting or opposing statewide measures, shall be retained by filing officers indefinitely.

(b) Original campaign statements of mayors, city council members, county supervisors, candidates for any of these offices, and committees supporting any officeholder or candidate shall be retained indefinitely, except that original campaign statements of candidates not elected to these offices and of committees supporting candidates not elected to these offices shall be retained by filing officers for a period of not less than five years.

(c) Original campaign statements of all other persons shall be retained by filing officers for a period of not less than seven years.

(d) Original statements of economic interests of persons holding statewide elective office shall be retained by filing officers indefinitely.

(e) Original reports and statements not specified above in this section shall be retained by filing officers for a period of not less than seven years.

(f) Copies of reports or statements shall be retained by the officer with whom they are filed for a period of not less than four years, provided, however, that a filing officer is not required to retain more than one copy of a report or statement.

(g) After an original report or statement or a copy has been on file for at least two years, the officer with whom it is filed may comply with this section by retaining a copy on microfilm or other space-saving materials available for public inspection instead of the original report or statement or copy. Upon request, the officer shall provide copies of such statements pursuant to Section 81008.

History: Amended by Stats. 1976, Ch. 1106; amended by Stats. 1979, Ch. 531; amended by Stats. 1984, Ch. 390, effective July 11, 1984; amended by Stats. 1985; Ch. 1183, effective September 29, 1985.

§ 81009.5. Local Ordinances.

(a) Any local government agency which has enacted, enacts, amends, or repeals an ordinance or other provision of law affecting campaign contributions and expenditures shall file a copy of the action with the Commission.

(b) Notwithstanding Section 81013, no local government agency shall enact any ordinance imposing filing requirements additional to or different from those set forth in Chapter 4 (commencing with Section 84100) for elections held in its jurisdiction unless the additional or different filing requirements apply only to the candidates seeking election in that jurisdiction, their controlled committees or committees formed or existing primarily to support or oppose their candidacies, and to committees formed or existing primarily to support or oppose a candidate or to support or oppose the qualification of, or passage of, a local ballot measure which is being voted on only in that jurisdiction, and to city or county general purpose committees active only in that city or county, respectively.

History: Added by Stats. 1979, Ch. 531; amended by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 542; amended by Stats. 1991, Ch. 674.

References at the time of publication (see page 3):

Opinions: In re Olson (2001) 15 FPPC Ops. 13

§ 81010. Duties of the Filing Officer.

With respect to reports and statements filed with him pursuant to this title, the filing officer shall:

(a) Supply the necessary forms and manuals prescribed by the Commission;

(b) Determine whether required documents have been filed and, if so, whether they conform on their face with the requirements of this title;

(c) Notify promptly all persons and known committees who have failed to file a report or statement in the form and at the time required by this title;

(d) Report apparent violations of this title to the appropriate agencies; and

(e) Compile and maintain a current list of all reports and statements filed with this office.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18110
2 Cal. Code of Regs. Section 18115
2 Cal. Code of Regs. Section 18363

Opinions: In re Rundstrom (1975) 1 FPPC Ops. 188
In re Layton (1975) 1 FPPC Ops. 113

Enforcement Decisions: Morris Kyle 84/351 (1986)

§ 81011. Valuation of Goods, Services and Facilities; Fair Market Value. [Repealed]

History: Repealed by Stats. 1985, Ch. 775.

§ 81011.5. Information on Statewide Petitions.

Any provision of law to the contrary notwithstanding, the election precinct of a person signing a statewide petition shall not be required to appear on the petition when it is filed with the county clerk, nor any additional information regarding a signer other than the information required to be written by the signer.

History: Added by Stats. 1977, Ch. 1095; (Identical to former Section 85203, repealed by Stats. 1977, Ch. 1095).

§ 81012. Amendment or Repeal of Title.

This title may be amended or repealed by the procedures set forth in this section. If any portion of subdivision (a) is declared invalid, then subdivision (b) shall be the exclusive means of amending or repealing this title.

(a) This title may be amended to further its purposes by statute, passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring and signed by the Governor, if at least 12 days prior to passage in each house the bill in its final form has been delivered to the Commission for distribution to the news media and to every person

who has requested the Commission to send copies of such bills to him or her.

(b) This title may be amended or repealed by a statute that becomes effective only when approved by the electors.

History: Amended by Stats. 1976, Ch. 883, effective September 13, 1976; amended by Stats. 1985, Ch. 1200.

§ 81013. Imposition of Additional Requirements.

Nothing in this title prevents the Legislature or any other state or local agency from imposing additional requirements on any person if the requirements do not prevent the person from complying with this title. If any act of the Legislature conflicts with the provisions of this title, this title shall prevail.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18312

Opinions: In re Alperin (1977) 3 FPPC Ops. 77
In re Miller (1976) 2 FPPC Ops. 91

§ 81014. Regulations.

Whenever any reference is made in this title to a federal or state statute and that statute has been or is subsequently repealed or amended, the Commission may promulgate regulations to carry out the intent of this title as nearly as possible.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18312

§ 81015. Severability.

If any provision of this title, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this title to the extent it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this end the provisions of this title are severable.

§ 81016. Effective Date.

Chapter 8 of this title shall go into effect immediately. The Director of Finance shall make sufficient funds available to the Secretary of State out of the emergency fund or any other fund of the state for the immediate implementation of Chapter 8. The remainder of this title shall go into effect on January 7, 1975. Wherever reference is made in this title to the effective date of this title, the date referred to is January 7, 1975.

Chapter 2. Definitions.
§ 82000 - 82055

§ 82000. Interpretation of This Title.
§ 82001. Adjusting an Amount for Cost of Living Changes.
§ 82002. Administrative Action.
§ 82003. Agency.
§ 82004. Agency Official.
§ 82005. Business Entity.
§ 82006. Campaign Statement.
§ 82007. Candidate.
§ 82008. City.
§ 82009. Civil Service Employee.
§ 82009.5. Clerk.
§ 82010. Closing Date.
§ 82011. Code Reviewing Body.
§ 82012. Commission.
§ 82013. Committee.
§ 82014. Conflict of Interest Code.
§ 82015. Contribution.
§ 82016. Controlled Committee.
§ 82017. County.
§ 82018. Cumulative Amount.
§ 82019. Designated Employee.
§ 82020. Elected Officer.
§ 82021. Elected State Officer.
§ 82022. Election.
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§ 82025. Expenditure.
§ 82025.5. Fair Market Value.
§ 82026. Filer.
§ 82027. Filing Officer.
§ 82027.5. General Purpose Committee.
§ 82028. Gift.
§ 82029. Immediate Family.
§ 82030. Income.
§ 82030.5. Income; Earned.
§ 82031. Independent Expenditure.
§ 82031.5. Independent Expenditure. [Repealed]
§ 82032. Influencing Legislative or Administrative Action.
§ 82033. Interest in Real Property.
§ 82034. Investment.
§ 82035. Jurisdiction.
§ 82036. Late Contribution.
§ 82036.5. Late Independent Expenditure.
§ 82037. Legislative Action.
§ 82038. Legislative Official.
§ 82038.5. Lobbying Firm.
§ 82039. Lobbyist.
§ 82039.5. Lobbyist Employer.

§ 82040. Lobbyist's Account. [Repealed]
§ 82041. Local Government Agency.
§ 82041.5. Mass Mailing.
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§ 82051. State Measure.
§ 82052. Statewide Candidate.
§ 82052.5. Statewide Election.
§ 82053. Statewide Elective Office.
§ 82054. Statewide Petition.
§ 82055. Voting Age Population. [Repealed]

§ 82000. Interpretation of This Title.

Unless the contrary is stated or clearly appears from the context, the definitions set forth in this chapter shall govern the interpretation of this title.

§ 82001. Adjusting an Amount for Cost of Living Changes.

"Adjusting an amount for cost-of-living changes" means adjusting the amount received the previous year by an amount determined at the beginning of each fiscal year by the Director of Finance corresponding to amounts authorized from the salary and price increase items as set forth in the Budget Act and other cost-of-living adjustments on the same basis as those applied routinely to other state agencies.

History: Amended by Stats. 1978, Ch. 199, effective June 6, 1978.

§ 82002. Administrative Action.

(a) "Administrative action" means the proposal, drafting, development, consideration, amendment, enactment, or defeat by any state agency of any rule, regulation, or other action in any ratemaking proceeding or any quasi-legislative proceeding, which shall include any proceeding governed by Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(b) "Ratemaking proceeding" means, for the purposes of a proceeding before the Public Utilities Commission, any proceeding in which it is reasonably foreseeable that a rate will be established, including, but not limited to, general rate cases, performance-based ratemaking, and other ratesetting mechanisms.

(c) "Quasi-legislative proceeding" means, for purposes of a proceeding before the Public Utilities Commission, any proceeding that involves consideration of the establishment of a policy that will apply generally to a group or class of persons including, but not limited to, rulemakings and investigations that may establish rules affecting an entire industry.

History: Amended by Stats. 1991, Ch. 491; amended by Stats. 2001, Ch. 921.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18202

Opinions: In re Evans (1978) 4 FPPC Ops. 84
In re Leonard (1976) 2 FPPC Ops. 54
In re Nida (1976) 2 FPPC Ops. 1
In re Carson (1975) 1 FPPC Ops. 46

§ 82003. Agency.

"Agency" means any state agency or local government agency.

§ 82004. Agency Official.

"Agency official" means any member, officer, employee or consultant of any state agency who as part of his official responsibilities participates in any administrative action in other than a purely clerical, secretarial or ministerial capacity.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18249

Opinions: In re Morrissey (1976) 2 FPPC Ops. 120
In re Morrissey (1976) 2 FPPC Ops. 84
In re Wallace (1975) 1 FPPC Ops. 118

§ 82005. Business Entity.

"Business entity" means any organization or enterprise operated for profit, including but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.

§ 82006. Campaign Statement.

"Campaign statement" means an itemized report which is prepared on a form prescribed by the Commission and which provides the information required by Chapter 4 of this title.

References at the time of publication (see page 3):

Opinions: In re Layton (1975) 1 FPPC Ops. 113

§ 82007. Candidate.

"Candidate" means an individual who is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials, for nomination for or election to any elective office, or who receives a contribution or makes an expenditure or gives his or her consent for any other person to receive a contribution or make an expenditure with a view to bringing about his or her nomination or election to any elective office, whether or not the specific elective office for which he or she will seek nomination or election is known at the time the contribution is received or the expenditure is made and whether or not he or she has announced his or her candidacy or filed a declaration of candidacy at such time. "Candidate" also includes any officeholder who is the subject of a recall election. An individual who becomes a candidate shall retain his or her status as a candidate until such time as that status is terminated pursuant to Section 84214. "Candidate" does not include any person within the meaning of Section 301(b) of the Federal Election Campaign Act of 1971.

History: Amended by Stats. 1980, Ch. 289.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18404

Opinions: In re Johnson (1989) 12 FPPC Ops. 1
In re Lui (1987) 10 FPPC Ops. 10
In re Juvinall, Stull, Meyers, Republican Central Committee of Orange County, Tuteur (1976) 2 FPPC Ops. 110

§ 82008. City.

"City" means a general law or a chartered city.

§ 82009. Civil Service Employee.

"Civil service employee" means any state employee who is covered by the state civil service system or any employee of a local government agency who is covered by a similar personnel system.

§ 82009.5. Clerk.

"Clerk" refers to the city or county clerk unless the city council or board of supervisors has designated any other agency to perform the specified function.

§ 82010. Closing Date.

"Closing date" means the date through which any report or statement filed under this title is required to be complete.

§ 82011. Code Reviewing Body.

(a) The Commission, with respect to the conflict-of-interest code of a state agency other than an agency in the judicial branch of government, or any local government agency with jurisdiction in more than one county.

(b) The board of supervisors, with respect to the conflict-of-interest code of any county agency other than the board of supervisors, or any agency of the judicial branch of government, and of any local government agency, other than a city agency, with jurisdiction wholly within the county.

(c) The city council, with respect to the conflict-of-interest code of any city agency other than the city council.

(d) The Attorney General, with respect to the conflict-of-interest code of the Commission.

(e) The Chief Justice or his or her designee, with respect to the conflict-of-interest code of the members of the Judicial Council, Commission on Judicial Performance, and Board of Governors of the State Bar of California.

(f) The Board of Governors of the State Bar of California with respect to the conflict-of-interest code of the State Bar of California.

(g) The Chief Justice of California, the administrative presiding judges of the courts of appeal, and the presiding judges of superior and municipal courts, or their designees, with respect to the conflict-of-interest code of any agency of the judicial branch of government subject to the immediate administrative supervision of that court.

(h) The Judicial Council of California, with respect to the conflict-of-interest code of any state agency within the judicial branch of government not included under subdivisions (e), (f), and (g).

History: Amended by Stats. 1980, Ch. 779; amended by Stats. 1984, Ch. 727, operative July 1, 1985; amended by Stats. 1985; Ch. 775; amended by Stats. 1995, Ch. 587.

§ 82012. Commission.

"Commission" means the Fair Political Practices Commission.

§ 82013. Committee.

"Committee" means any person or combination of persons who directly or indirectly does any of the following:

(a) Receives contributions totaling one thousand dollars ($1,000) or more in a calendar year.

(b) Makes independent expenditures totaling one thousand dollars ($1,000) or more in a calendar year; or

(c) Makes contributions totaling ten thousand dollars ($10,000) or more in a calendar year to or at the behest of candidates or committees.

A person or combination of persons that becomes a committee shall retain its status as a committee until such time as that status is terminated pursuant to Section 84214.

History: Amended by Stats. 1977, Ch. 1213; amended by Stats. 1980, Ch. 289; amended by Stats. 1984, Ch. 670; amended by Stats. 1987, Ch. 632.

References at the time of publication (see page 3):

Opinions: In re Johnson (1989) 12 FPPC Ops. 1
In re Welsh (1978) 4 FPPC Ops. 78
In re Kahn (1976) 2 FPPC Ops. 151
In re Lumsdon (1976) 2 FPPC Ops. 140
In re Cannon (1976) 2 FPPC Ops. 133
In re Masini (1976) 2 FPPC Ops. 38
In re Fontana (1976) 2 FPPC Ops. 25
In re Christiansen (1975) 1 FPPC Ops. 69
In re Augustine (1975) 1 FPPC Ops. 69

§ 82014. Conflict of Interest Code.

"Conflict of Interest Code" means a set of rules and regulations adopted by an agency pursuant to Chapter 7 of this title.

§ 82015. Contribution.

(a) "Contribution" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment except to the extent that full and adequate consideration is received, unless it is clear from the surrounding circumstances that it is not made for political purposes.

(b) (1) A payment made at the behest of a committee as defined in subdivision (a) of Section 82013 is a contribution to the committee unless full and adequate consideration is received from the committee for making the payment.

(2) A payment made at the behest of a candidate is a contribution to the candidate unless the criteria in either subparagraph (A) or (B) are satisfied:

(A) Full and adequate consideration is received from the candidate.

(B) It is clear from the surrounding circumstances that the payment was made for purposes unrelated to his or her candidacy for elective office. The following types of payments are presumed to be for purposes unrelated to a candidate's candidacy for elective office:

(i) A payment made principally for personal purposes, in which case it may be considered a gift under the provisions of Section 82028. Payments that are otherwise subject to the limits of Section 86203 are presumed to be principally for personal purposes.

(ii) A payment made by a state, local, or federal governmental agency or by a nonprofit organization that is exempt from taxation under Section 501(c) (3) of the Internal Revenue Code.

(iii) A payment not covered by clause (i), made principally for legislative, governmental, or charitable purposes, in which case it is neither a gift nor a contribution. However, payments of this type that are made at the behest of a candidate who is an elected officer shall be reported within 30 days following the date on which the payment or payments equal or exceed five thousand dollars ($5,000) in the aggregate from the same source in the same calendar year in which they are made. The report shall be filed by the elected officer with the elected officer's agency and shall be a public record subject to inspection and copying pursuant to the provisions of subdivision (a) of Section 81008. The report shall contain the following information: name of payor, address of payor, amount of the payment, date or dates the payment or payments were made, the name and address of the payee, a brief description of the goods or services provided or purchased, if any, and a description of the specific purpose or event for which the payment or payments were made. Once the five thousand dollars ($5,000) aggregate threshold from a single source has been reached for a calendar year, all payments for the calendar year made by that source must be disclosed within 30 days after the date the threshold was reached or the payment was made, whichever occurs later. Within 30 days after receipt of the report, state agencies shall forward a copy of these reports to the Fair Political Practices Commission, and local agencies shall forward a copy of these reports to the officer with whom elected officers of that agency file their campaign statements.

(C) For purposes of subparagraph (B), a payment is made for purposes related to a candidate's candidacy for elective office if all or a portion of the payment is used for election-related activities. For purposes of this subparagraph, "election-related activities" shall include, but are not limited to, the following:

(i) Communications that contain express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

(ii) Communications that contain reference to the candidate's candidacy for elective office, the candidate's election campaign, or the candidate's or his or her opponent's qualifications for elective office.

(iii) Solicitation of contributions to the candidate or to third persons for use in support of the candidate or in opposition to his or her opponent.

(iv) Arranging, coordinating, developing, writing, distributing, preparing, or planning of any communication or activity described in clauses (i), (ii), or (iii), above.

(v) Recruiting or coordinating camp aign activities of campaign volunteers on behalf of the candidate.

(vi) Preparing campaign budgets.

(vii) Preparing campaign finance disclosure statements.

(viii) Communications directed to voters or potential voters as part of activities encouraging or assisting persons to vote if the communication contains express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

(D) A contribution made at the behest of a candidate for a different candidate or to a committee not controlled by the behesting candidate is not a contribution to the behesting candidate.

(c) The term "contribution" includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events; the candidate's own money or property used on behalf of his or her candidacy other than personal funds of the candidate used to pay either a filing fee for a declaration of candidacy or a candidate statement prepared pursuant to Section 13307 of the Elections Code; the granting of discounts or rebates not extended to the public generally or the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; the payment of compensation by any person for the personal services or expenses of any other person if the services are rendered or expenses incurred on behalf of a candidate or committee without payment of full and adequate consideration.

(d) The term "contribution" further includes any transfer of anything of value received by a committee from another committee, unless full and adequate consideration is received.

(e) The term "contribution" does not include amounts received pursuant to an enforceable promise to the extent those amounts have been previously reported as a contribution. However, the fact that those amounts have been received shall be indicated in the appropriate campaign statement.

(f) The term "contribution" does not include a payment made by an occupant of a home or office for costs related to any meeting or fundraising event held in the occupant's home or office if the costs for the meeting or fundraising event are five hundred dollars ($500) or less.

(g) Notwithstanding the foregoing definition of "contribution," the term does not include volunteer personal services or payments made by an individual for his or her own travel expenses if the payments are made voluntarily without any understanding or agreement that they shall be, directly or indirectly, repaid to him or her.

History: Amended by Stats. 1980, Ch. 289; amended by Stats. 1997, Ch. 450, effective September 24, 1997.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18215
2 Cal. Code of Regs. Section 18216
2 Cal. Code of Regs. Section 18225.7
2 Cal. Code of Regs. Section 18421.1
2 Cal. Code of Regs. Section 18423
2 Cal. Code of Regs. Section 18428
2 Cal. Code of Regs. Section 18540
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.4

Opinions: In re Montoya (1989) 12 FPPC Ops. 7
In re Johnson (1989) 12 FPPC Ops. 1
In re Bell (1988) 11 FPPC Ops. 1
In re Nielsen (1979) 5 FPPC Ops. 18
In re Buchanan (1979) 5 FPPC Ops. 14
In re Reinhardt (1977) 3 FPPC Ops. 83
In re Cannon (1976) 2 FPPC Ops. 133
In re Willmarth (1976) 2 FPPC Ops. 130
In re Adams (1976) 2 FPPC Ops. 127
In re Dixon (1976) 2 FPPC Ops. 70
In re McCormick (1976) 2 FPPC Ops. 42
In re Burciaga (1976) 2 FPPC Ops. 17
In re Hayes (1975) 1 FPPC Ops. 210
In re Christiansen (1975) 1 FPPC Ops. 170
In re Cory (1975) 1 FPPC Ops. 137

§ 82016. Controlled Committee.

(a) "Controlled committee" means a committee that is controlled directly or indirectly by a candidate or state measure proponent or that acts jointly with a candidate, controlled committee, or state measure proponent in connection with the making of expenditures. A candidate or state measure proponent controls a committee if he or she, his or her agent, or any other committee he or she controls has a significant influence on the actions or decisions of the committee.

(b) Notwithstanding subdivision (a), a political party committee, as defined in Section 85205, is not a controlled committee.

History: Amended by Stats. 1983, Ch. 898; amended by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18217
2 Cal. Code of Regs. Section 18521

§ 82017. County.

"County" includes a city and county.

§ 82018. Cumulative Amount.

(a) Except as provided in subdivisions (b), (c), and (d), "cumulative amount" means the amount of contributions received or expenditures made in the calendar year.

(b) For a filer required to file a campaign statement or independent expenditure report in one year in connection with an election to be held in another year, the period over which the cumulative amount is calculated shall end on the closing date of the first semiannual statement filed after the election.

(c) For a filer required to file a campaign statement in connection with the qualification of a measure which extends into two calendar years, the period over which the cumulative amount is calculated shall end on December 31 of the second calendar year.

(d) For a person filing a campaign statement with a period modified by the provisions of this section, the next period over which the cumulative amount is calculated shall begin on the day after the closing date of the statement.

History: Amended by Stats. 1976, Ch. 1106; repealed and reenacted as amended by Stats. 1980, Ch. 289; amended by Stats. 1985, Ch. 1456; amended by Stats. 1992, Ch. 405; amended by Stats. 1993, Ch. 769.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4

§ 82019. Designated Employee.

"Designated employee" means any officer, employee, member, or consultant of any agency whose position with the agency;

(a) Is exempt from the state civil service system by virtue of subdivision (a), (c), (d), (e), (f), (g), or (m) of Section 4 of Article VII of the Constitution, unless the position is elective or solely secretarial, clerical, or manual;

(b) Is elective, other than an elective state office;

(c) Is designated in a Conflict of Interest Code because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest;

(d) Is involved as a state employee at other than a clerical or ministerial level in the functions of negotiating or signing any contract awarded through competitive bidding, in making decisions in conjunction with the competitive bidding process, or in negotiating, signing, or making decisions on contracts executed pursuant to Section 10122 of the Public Contract Code.

"Designated employee" does not include an elected state officer, any unsalaried member of any board or commission which serves a solely advisory function, any public official specified in Section 87200, and also does not include any unsalaried member of a nonregulatory committee, section, commission, or other such entity of the State Bar of California.

History: Amended by Stats. 1979, Ch. 674; amended by Stats. 1983, Ch. 1108; amended by Stats. 1984, Ch. 727, operative July 1, 1985; amended by Stats. 1985, Ch. 611.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18701

§ 82020. Elected Officer.

"Elected officer" means any person who holds an elective office or has been elected to an elective office but has not yet taken office. A person who is appointed to fill a vacant elective office is an elected officer.

§ 82021. Elected State Officer.

"Elected state officer" means any person who holds an elective state office or has been elected to an elective state office but has not yet taken office. A person who is appointed to fill a vacant elective state office is an elected state officer.

§ 82022. Election.

"Election" means any primary, general, special or recall election held in this state. The primary and general or special elections are separate elections for purposes of this title.

§ 82023. Elective Office.

"Elective office" means any state, regional, county, municipal, district or judicial office which is filled at an election. "Elective office" also includes membership on a county central committee of a qualified political party, and members elected to the Board of Administration of the Public Employees' Retirement System.

History: Amended by Stats. 1998, Ch. 923.

§ 82024. Elective State Office.

"Elective state office" means the office of Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, Member of the Legislature, member elected to the Board of Administration of the Public Employees'

Retirement System, and member of the State Board of Equalization.

History: Amended by Stats. 1991, Ch. 674; amended by Stats. 1998, Ch. 923.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18723

§ 82025. Expenditure.

"Expenditure" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for political purposes. "Expenditure" does not include a candidate's use of his or her own money to pay for either a filing fee for a declaration of candidacy or a candidate statement prepared pursuant to Section 13307 of the Elections Code. An expenditure is made on the date the payment is made or on the date consideration, if any, is received, whichever is earlier.

History: Amended by Stats. 1997, Ch. 394.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18225
2 Cal. Code of Regs. Section 18225.4
2 Cal. Code of Regs. Section 18421.1
2 Cal. Code of Regs. Section 18421.6
2 Cal. Code of Regs. Section 18423

Opinions: In re Lui (1987) 10 FPPC Ops. 10
In re Buchanan (1979) 5 FPPC Ops. 14
In re Welsh (1978) 4 FPPC Ops. 78
In re Cannon (1976) 2 FPPC Ops. 133
In re Juvinall, Stull, Meyers, Republican Central Committee of Orange County, Tuteur (1976) 2 FPPC Ops. 110
In re Sobieski (1976) 2 FPPC Ops. 73
In re Hayes (1975) 1 FPPC Ops. 210
In re Christiansen (1975) 1 FPPC Ops. 170
In re Kelly, Masini (1975) 1 FPPC Ops. 162

§ 82025.5. Fair Market Value.

"Fair market value" means the estimated fair market value of goods, services, facilities or anything of value other than money. Whenever the amount of goods, services, facilities, or anything of value other than money is required to be reported under this title, the amount reported shall be the fair market value, and a description of the goods, services, facilities, or other thing of value shall be appended to the report or statement. "Full and adequate consideration" as used in this title means fair market value.

History: Added by Stats. 1985, Ch. 775.

References at the time of publication (see page 3):

Opinions: In re Hopkins (1977) 3 FPPC Ops. 107
In re Stone (1977) 3 FPPC Ops. 52
In re Thomas (1977) 3 FPPC Ops. 30
In re Cory (1975) 1 FPPC Ops. 153

Enforcement Decisions: Oliver Speraw, et al. 80/14 (1980)

§ 82026. Filer.

"Filer" means the person filing or required to file any statement or report under this title.

§ 82027. Filing Officer.

"Filing officer" means the office or officer with whom any statement or report is required to be filed under this title. If copies of a statement or report are required to be filed with more than one office or officer, the one first named is the filing officer, and the copy filed with him shall be signed in the original and shall be deemed the original copy.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18227

§ 82027.5. General Purpose Committee.

(a) "General purpose committee" means all committees pursuant to subdivisions (b) or (c) of Section 82013, and any committee pursuant to subdivision (a) of Section 82013 which is formed or exists primarily to support or oppose more than one candidate or ballot measure, except as provided in Section 82047.5.

(b) A "state general purpose committee" is a committee to support or oppose candidates or measures voted on in a state election, or in more than one county.

(c) A "county general purpose committee" is a committee to support or oppose candidates or measures voted on in only one county, or in more than one jurisdiction within one county.

(d) A "city general purpose committee" is a committee to support or oppose candidates or measures voted on in only one city.

History: Added by Stats. 1985, Ch. 1456.

§ 82028. Gift.

(a) "Gift" means, except as provided in subdivision (b), any payment that confers a personal benefit on the recipient, to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public without regard to official status. Any person, other than a defendant in a criminal action, who claims that a payment is not a gift by reason of receipt of consideration has the burden of proving that the consideration received is of equal or greater value.

(b) The term "gift" does not include:

(1) Informational material such as books, reports, pamphlets, calendars, or periodicals. No payment for travel or reimbursement for any expenses shall be deemed "informational material."

(2) Gifts which are not used and which, within 30 days after receipt, are either returned to the donor or delivered to a nonprofit entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code without being claimed as a charitable contribution for tax purposes.

(3) Gifts from an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin or the spouse of any such person; provided that a gift from any such person shall be considered a gift if the donor is acting as an agent or intermediary for any person not covered by this paragraph.

(4) Campaign contributions required to be reported under Chapter 4 of this title.

(5) Any devise or inheritance.

(6) Personalized plaques and trophies with an individual value of less than two hundred fifty dollars ($250).

History: Amended by Stats. 1978, Ch. 641; amended by Stats. 1986, Ch. 654; amended by Stats. 1997, Ch. 450, effective September 24, 1997.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18727.5
2 Cal. Code of Regs. Section 18932.4
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18941
2 Cal. Code of Regs. Section 18941.1
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18942.1
2 Cal. Code of Regs. Section 18943
2 Cal. Code of Regs. Section 18944
2 Cal. Code of Regs. Section 18944.1
2 Cal. Code of Regs. Section 18944.2
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18945.4
2 Cal. Code of Regs. Section 18946-18946.5
2 Cal. Code of Regs. Section 18950-18950.4

Opinions: In re Hopkins (1977) 3 FPPC Ops. 107
In re Stone (1977) 3 FPPC Ops. 52
In re Gutierrez (1977) 3 FPPC Ops. 44
In re Thomas (1977) 3 FPPC Ops. 30
In re Nida (1977) 3 FPPC Ops. 1
In re Torres (1976) 2 FPPC Ops. 31
In re Brown (1975) 1 FPPC Ops. 677
In re Hayes (1975) 1 FPPC Ops. 210
In re Russel (1975) 1 FPPC Ops. 191
In re Cory (1975) 1 FPPC Ops. 153
In re Cory (1975) 1 FPPC Ops. 137
In re Cory (1976) 1 FPPC Ops. 48
In re Spellman (1975) 1 FPPC Ops. 16
In re Lunardi (1975) 1 FPPC Ops. 9

§ 82029. Immediate Family.

"Immediate family" means the spouse and dependent children.

History: Amended by Stats. 1980, Ch. 1000.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18234

§ 82030. Income.

(a) "Income" means, except as provided in subdivision (b), a payment received, including but not limited to any salary, wage, advance, dividend, interest, rent, proceeds from any sale, gift, including any gift of food or beverage, loan, forgiveness or payment of indebtedness received by the filer, reimbursement for expenses, per diem, or contribution to an insurance or pension program paid by any person other than an employer, and including any community property interest in the income of a spouse. Income also includes an outstanding loan. Income of an individual also includes a pro rata share of any income of any business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially, a 10-percent interest or greater. "Income," other than a gift, does not include income received from any source outside the jurisdiction and not doing business within the jurisdiction, not planning to do business within the jurisdiction, or not having done business within the jurisdiction during the two years prior to the time any statement or other action is required under this title.

(b) "Income" also does not include:

(1) Campaign contributions required to be reported under Chapter 4 (commencing with Section 84100).

(2) Salary and reimbursement for expenses or per diem received from a state, local, or federal government agency and reimbursement for travel expenses and per diem received from a bona fide nonprofit entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(3) Any devise or inheritance.

(4) Interest, dividends, or premiums on a time or demand deposit in a financial institution, shares in a credit union or any insurance policy, payments received under any insurance policy, or any bond or other debt instrument issued by any government or government agency.

(5) Dividends, interest, or any other return on a security which is registered with the Securities and Exchange Commission of the United States government or a commodity future registered with the Commodity Futures Trading Commission of the United

States government, except proceeds from the sale of these securities and commodities futures.

(6) Redemption of a mutual fund.

(7) Alimony or child support payments.

(8) Any loan or loans from a commercial lending institution which are made in the lender's regular course of business on terms available to members of the public without regard to official status if:

(A) The loan is secured by the principal residence of filer; or

(B) The balance owed does not exceed ten thousand dollars ($10,000).

(9) Any loan from or payments received on a loan made to an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, uncle, aunt, or first cousin, or the spouse of any such person, provided that a loan or loan payment received from any such person shall be considered income if he or she is acting as an agent or intermediary for any person not covered by this paragraph.

(10) Any indebtedness created as part of a retail installment or credit card transaction if made in the lender's regular course of business on terms available to members of the public without regard to official status, so long as the balance owed to the creditor does not exceed ten thousand dollars ($10,000).

(11) Payments received under a defined benefit pension plan qualified under Internal Revenue Code Section 401(a).

(12) Proceeds from the sale of securities registered with the Securities and Exchange Commission of the United States government or from the sale of commodities futures registered with the Commodity Futures Trading Commission of the United States government if the filer sells the securities or the commodities futures on a stock or commodities exchange and does not know or have reason to know the identity of the purchaser.

History: Amended by Stats. 1976, Ch. 1161; amended by Stats. 1977, Ch. 230, effective July 7, 1977; amended by Stats. 1977, Ch. 344, effective August 20, 1977; amended by Stats. 1978, Ch. 641; amended by Stats. 1979, Ch. 686; amended by Stats. 1980, Ch. 183; amended by Stats. 1984, Ch. 931; amended by Stats. 1987, Ch. 936; amended by Stats. 1997, Ch. 455, effective September 24, 1997.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18230
2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18234
2 Cal. Code of Regs. Section 18235
2 Cal. Code of Regs. Section 18727.5
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18944.2
2 Cal. Code of Regs. Section 18946.5
2 Cal. Code of Regs. Section 18950.3

Opinions: In re Elmore (1978) 4 FPPC Ops. 8
In re Carey (1977) 3 FPPC Ops. 99
In re Moore (1977) 3 FPPC Ops. 33
In re Hayes (1975) 1 FPPC Ops. 210
In re Brown (1975) 1 FPPC Ops. 67

§ 82030.5. Income; Earned.

(a) For purposes of this title, "earned income" means, except as provided in subdivision (b), income from wages, salaries, professional fees, and other amounts received or promised to be received as compensation for personal services rendered.

(b) Income which is not "earned income" includes, but is not limited to, the following:

(1) Any income derived from stocks, bonds, property, or other investments, or from retail or wholesale sales.

(2) Any amount paid by, or on behalf of, an elected state officer to a tax-qualified pension, profit sharing, or stock bonus plan and received by the elected state officer from the plan.

(3) The community property interest in the income of a spouse.

History: Added by Stats. 1990, Ch. 1075.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18932

§ 82031. Independent Expenditure.

"Independent expenditure" means an expenditure made by any person in connection with a communication which expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage or defeat of a clearly identified measure, or taken as a whole and in context, unambiguously urges a particular result in an election but which is not made to or at the behest of the affected candidate or committee.

History: Formerly titled "Independent Committee." Repealed by Stats. 1979, Ch. 779. Added by Stats. 1980, Ch. 289. (Formerly Section 82031.5.)

§ 82031.5. Independent Expenditure. [Repealed]

History: Added by Stats. 1979, Ch. 779; repealed by Stats. 1980, Ch. 289. (Reenacted as amended and renumbered Section 82031.)

§ 82032. Influencing Legislative or Administrative Action.

"Influencing legislative or administrative action" means promoting, supporting, influencing, modifying, opposing or delaying any legislative or administrative action by any means, including but not limited to the provision or use of information, statistics, studies or analyses.

References at the time of publication (see page 3):

Opinions: In re Evans (1978) 4 FPPC Ops. 54
In re Leonard (1976) 2 FPPC Ops. 54
In re Nida (1976) 2 FPPC Ops. 1

§ 82033. Interest in Real Property.

"Interest in real property" includes any leasehold, beneficial or ownership interest or an option to acquire such an interest in real property located in the jurisdiction owned directly, indirectly or beneficially by the public official, or other filer, or his or her immediate family if the fair market value of the interest is two thousand dollars ($2,000) or more. Interests in real property of an individual includes a pro rata share of interests in real property of any business entity or trust in which the individual or immediate family owns, directly, indirectly or beneficially, a 10-percent interest or greater.

History: Amended by Stats. 1978, Ch. 607; amended by Stats. 1980, Ch. 1000; amended by Stats. 1984, Ch. 931; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18233
2 Cal. Code of Regs. Section 18234
2 Cal. Code of Regs. Section 18235
2 Cal. Code of Regs. Section 18702.3
2 Cal. Code of Regs. Section 18702.4
2 Cal. Code of Regs. Section 18729

Opinions: In re Overstreet (1981) 6 FPPC Ops. 12

§ 82034. Investment.

"Investment" means any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership or other ownership interest owned directly, indirectly or beneficially by the public official, or other filer, or his or her immediate family, if the business entity or any parent, subsidiary or otherwise related business entity has an interest in real property in the jurisdiction, or does business or plans to do business in the jurisdiction, or has done business within the jurisdiction at any time during the two years prior to the time any statement or other action is required under this title. No asset shall be deemed an investment unless its fair market value equals or exceeds two thousand dollars ($2,000). The term "investment" does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, interest in a diversified mutual fund registered with the Securities and Exchange Commission under the Investment Company Act of 1940 or a common trust fund which is created pursuant to Section 1564 of the Financial Code, or any bond or other debt instrument issued by any government or government agency. Investments of an individual includes a pro rata share of investments of any business entity, mutual fund, or trust in which the individual or immediate family owns, directly, indirectly or beneficially, a 10-percent interest or greater. The term "parent, subsidiary or otherwise related business entity" shall be specifically defined by regulations of the Commission.

History: Amended by Stats. 1978, Ch. 607; amended by Stats. 1980, Ch. 1000; amended by Stats. 1984, Ch. 931; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18230
2 Cal. Code of Regs. Section 18234
2 Cal. Code of Regs. Section 18235

Opinions: In re Nord (1983) 8 FPPC Ops. 6
In re Baty (1979) 5 FPPC Ops. 10
In re Elmore (1978) 4 FPPC Ops. 8

§ 82035. Jurisdiction.

"Jurisdiction" means the state with respect to a state agency and, with respect to a local government agency, the region, county, city, district or other geographical area in which it has jurisdiction. Real property shall be deemed to be "within the jurisdiction" with respect to a local government agency if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

History: Amended by Stats. 1975, Ch. 499, effective September 5, 1975; amended by Stats. 1993, Ch. 769.

§ 82036. Late Contribution.

"Late contribution" means any contribution including a loan which totals in the aggregate one thousand dollars ($1,000) or more that is made to or received by a candidate, a controlled committee, or a committee formed or existing primarily to support or oppose a candidate or measure before the date of the election at which the candidate or measure is to be voted on but after the closing date of the last campaign statement required to be filed before the election.

History: Amended by Stats. 1977, Ch. 344, effective August 20, 1977; repealed and reenacted as amended by Stats. 1980, Ch. 289.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116
2 Cal. Code of Regs. Section 18425

§ 82036.5. Late Independent Expenditure.

"Late independent expenditure" means any independent expenditure which totals in the aggregate one thousand dollars ($1,000) or more and is made for

or against any specific candidate or measure involved in an election before the date of the election but after the closing date of the last campaign statement required to be filed prior to the election by a candidate or committee participating in such election.

History: Added by Stats. 1980, Ch. 289.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116

§ 82037. Legislative Action.

"Legislative action" means the drafting, introduction, consideration, modification, enactment or defeat of any bill, resolution, amendment, report, nomination or other matter by the Legislature or by either house or any committee, subcommittee, joint or select committee thereof, or by a member or employee of the Legislature acting in his official capacity. "Legislative action" also means the action of the Governor in approving or vetoing any bill.

References at the time of publication (see page 3):

Opinions: In re Cohen (1975) 1 FPPC Ops. 10

§ 82038. Legislative Official.

"Legislative official" means any employee or consultant of the Legislature whose duties are not solely secretarial, clerical or manual.

References at the time of publication (see page 3):

Opinions: In re Morrissey (1976) 2 FPPC Ops. 120

§ 82038.5. Lobbying Firm.

(a) "Lobbying firm" means any business entity, including an individual contract lobbyist, which meets either of the following criteria:

(1) The business entity receives or becomes entitled to receive any compensation, other than reimbursement for reasonable travel expenses, for the purpose of influencing legislative or administrative action on behalf of any other person, and any partner, owner, officer, or employee of the business entity is a lobbyist.

(2) The business entity receives or becomes entitled to receive any compensation, other than reimbursement for reasonable travel expenses, to communicate directly with any elective state official, agency official, or legislative official for the purpose of influencing legislative or administrative action on behalf of any other person, if a substantial or regular portion of the activities for which the business entity receives compensation is for the purpose of influencing legislative or administrative action.

(b) No business entity is a lobbying firm by reason of activities described in Section 86300.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985; amended by Stats. 1986, Ch. 905.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18238.5
2 Cal. Code of Regs. Section 18614

§ 82039. Lobbyist.

(a) "Lobbyist" means any individual who receives two thousand dollars ($2,000) or more in economic consideration in a calendar month, other than reimbursement for reasonable travel expenses, or whose principal duties as an employee are, to communicate directly or through his or her agents with any elective state official, agency official, or legislative official for the purpose of influencing legislative or administrative action. An individual is not a lobbyist by reason of activities described in Section 86300.

(b) For the purposes of subdivision (a), a proceeding before the Public Utilities Commission constitutes "administrative action" if it meets any of the definitions set forth in subdivision (b) or (c) of Section 82002. However, a communication made for the purpose of influencing this type of Public Utilities Commission proceeding is not within subdivision (a) if the communication is made at a public hearing, public workshop or other public forum that is part of the proceeding, or if the communication is included in the official record of the proceeding.

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1984, Ch. 161; amended by Proposition 208 of the November 1996 Statewide General Election; amended by Stats. 2001, Ch. 921.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18239
2 Cal. Code of Regs. Section 18601

Opinions: In re Evans (1978) 4 FPPC Ops. 54
In re Morrissey (1976) 2 FPPC Ops. 84
In re Leonard (1976) 2 FPPC Ops. 54
In re Zenz (1975) 1 FPPC Ops. 195
In re Hardie (1975) 1 FPPC Ops. 140
In re Stern (1975) 1 FPPC Ops. 59
In re McCarthy (1975) 1 FPPC Ops. 50
In re Carson (1975) 1 FPPC Ops. 46
In re California Labor Federation (1975) 1 FPPC Ops. 28
In re Cohen (1975) 1 FPPC Ops. 10

Enforcement Decisions: John Stoos 85/252 (1986)

§ 82039.5. Lobbyist Employer.

"Lobbyist employer" means any person, other than a lobbying firm, who:

(a) Employs one or more lobbyists for economic consideration, other than reimbursement for reasonable travel expenses, for the purpose of influencing legislative or administrative action, or

(b) Contracts for the services of a lobbying firm for economic consideration, other than reimbursement for reasonable travel expense, for the purpose of influencing legislative or administrative action.

History: Added by Stats. 1985, Ch. 1183, Effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18239.5
2 Cal. Code of Regs. Section 18614

§ 82040. Lobbyist's Account. [Repealed]

History: Repealed by Stats. 1985, Ch. 1183, effective September 29, 1985.

§ 82041. Local Government Agency.

"Local government agency" means a county, city or district of any kind including school district, or any other local or regional political subdivision, or any department, division, bureau, office, board, commission or other agency of the foregoing.

History: Amended by Stats. 1984, Ch. 727, effective July 1, 1985.

References at the time of publication (see page 3):

Opinions: In re Rotman (1987) 10 FPPC Ops. 1
In re Leach (1978) 4 FPPC Ops. 48
In re Siegel (1977) 3 FPPC Ops. 62
In re Witt (1975) 1 FPPC Ops. 1

§ 82041.5. Mass Mailing.

"Mass mailing" means 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 request, letter or other inquiry.

History: Amended by Proposition 73 on the June 1988 statewide primary ballot, effective June 8, 1988; amended by Stats. 1988, Ch. 1027.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18435
2 Cal. Code of Regs. Section 18901

Opinions: In re Welsh (1978) 4 FPPC Ops. 78
In re Juvinall, Stull, Meyers, Republican Central Committee of Orange County, Tuteur (1976) 2 FPPC Ops. 110
In re Sobieski (1976) 2 FPPC Ops. 73
In re Valdez (1976) 2 FPPC Ops. 21

§ 82042. Mayor.

"Mayor" of a city includes mayor of a city and county.

§ 82043. Measure.

"Measure" means any constitutional amendment or other proposition which is submitted to a popular vote at an election by action of a legislative body, or which is submitted or is intended to be submitted to a popular vote at an election by initiative, referendum or recall procedure whether or not it qualifies for the ballot.

References at the time of publication (see page 3):

Opinions: In re Fontana (1976) 2 FPPC Ops. 25

§ 82044. Payment.

"Payment" means a payment, distribution, transfer, loan, advance, deposit, gift or other rendering of money, property, services or anything else of value, whether tangible or intangible.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18944.2

Opinions: In re Johnson (1989) 12 FPPC Ops. 1
In re Gutierrez (1977) 3 FPPC Ops. 44
In re McCormick (1976) 2 FPPC Ops. 42
In re Burciaga (1976) 2 FPPC Ops. 17
In re Cory (1975) 1 FPPC Ops. 137

§ 82045. Payment to Influence Legislative or Administrative Action.

"Payment to influence legislative or administrative action" means any of the following types of payment:

(a) Direct or indirect payment to a lobbyist whether for salary, fee, compensation for expenses, or any other purpose, by a person employing or contracting for the services of the lobbyist separately or jointly with other persons;

(b) Payment in support or assistance of a lobbyist or his activities, including but not limited to the direct payment of expenses incurred at the request or suggestion of the lobbyist;

(c) Payment which directly or indirectly benefits any elective state official, legislative official or agency official or a member of the immediate family of any such official;

(d) Payment, including compensation, payment or reimbursement for the services, time or expenses of an employee, for or in connection with direct communication with any elective state official, legislative official or agency official;

(e) Payment for or in connection with soliciting or urging other persons to enter into direct communication with any elective state official, legislative official or agency official.

References at the time of publication (see page 3):

Opinions: In re Kovall (1978) 4 FPPC Ops. 95

In re Nida (1977) 3 FPPC Ops. 1
In re Morrissey (1976) 2 FPPC Ops. 84
In re Naylor (1976) 2 FPPC Ops. 65
In re Leonard (1976) 2 FPPC Ops. 54
In re Gillies (1975) 1 FPPC Ops. 165
In re Morrissey (1975) 1 FPPC Ops. 130

§ 82046. Period Covered.

(a) "Period covered" by a statement or report required to be filed by this title, other than a campaign statement, means, unless a different period is specified, the period beginning with the day after the closing date of the most recent statement or report which was required to be filed, and ending with the closing date of the statement or report in question. If the person filing the statement or report has not previously filed a statement or report of the same type, the period covered begins on the day on which the first reportable transaction occurred. Nothing in this chapter shall be interpreted to exempt any person from disclosing transactions which occurred prior to the effective date of this title according to the laws then in effect.

(b) "Period covered" by a campaign statement required to be filed by this title means, unless a different period is specified, the period beginning the day after the closing date of the most recent campaign statement which was required to be filed and ending with the closing date of the statement in question. If a person has not previously filed a campaign statement, the period covered begins on January 1.

History: Amended by Stats. 1976, Ch. 1106; amended by Stats. 1980, Ch. 289.

References at the time of publication (see page 3):

Opinions: In re Welsh (1978) 4 FPPC Ops. 78
In re Juvinall, Stull, Meyers, Republican Central Committee of Orange County, Tuteur (1976) 2 FPPC Ops. 110
In re Sobieski (1976) 2 FPPC Ops. 73
In re Valdez (1976) 2 FPPC Ops. 21

§ 82047. Person.

"Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, and any other organization or group of persons acting in concert.

History: Amended by Stats. 1994, Ch. 1010.

References at the time of publication (see page 3):

Opinions: In re Lumsdon (1976) 2 FPPC Ops. 140
In re Witt (1975) 1 FPPC Ops. 1

§ 82047.5. Primarily Formed Committee.

"Primarily formed committee" means a committee pursuant to subdivision (a) of Section 82013 which is formed or exists primarily to support or oppose any of the following:

(a) A single candidate.

(b) A single measure.

(c) A group of specific candidates being voted upon in the same city, county, or multicounty election.

(d) Two or more measures being voted upon in the same city, county, multicounty, or state election.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 1990, Ch. 626; amended by Stats. 1991, Ch. 191; amended by Stats. 1995, Ch. 295.

§ 82047.6. Proponent of a State Ballot Measure.

"Proponent of a state ballot measure" means "proponent" as defined in Section 9002 of the Elections Code.

History: Added by Stats. 1988, Ch. 704; amended by Stats. 1994, Ch. 923.

§ 82048. Public Official.

"Public official" means every member, officer, employee or consultant of a state or local government agency, but does not include judges and court commissioners in the judicial branch of government. "Public official" also does not include members of the Board of Governors and designated employees of the State Bar of California, members of the Judicial Council, and members of the Commission on Judicial Performance, provided that they are subject to the provisions of Article 2.5 (commencing with Section 6035) of Chapter 4 of Division 3 of the Business and Professions Code as provided in Section 6038 of that article.

History: Amended by Stats. 1984, Ch. 727, operative July 1, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18701

Opinions: In re Rotman (1987) 10 FPPC Ops. 1
In re Maloney (1977) 3 FPPC Ops. 69
In re Siegel (1977) 3 FPPC Ops. 62

§ 82048.3. Slate Mailer.

"Slate mailer" means a mass mailing which supports or opposes a total of four or more candidates or ballot measures.

History: Added by Stats. 1987, Ch. 905.

§ 82048.4. Slate Mailer Organization.

(a) "Slate mailer organization" means, except as provided in subdivision (b), any person who, directly or indirectly, does all of the following:

(1) Is involved in the production of one or more slate mailers and exercises control over the selection of

the candidates and measures to be supported or opposed in the slate mailers.

(2) Receives or is promised payments totaling five hundred dollars ($500) or more in a calendar year for the production of one or more slate mailers.

(b) Notwithstanding subdivision (a), a slate mailer organization shall not include any of the following:

(1) A candidate or officeholder or a candidate's or officeholder's controlled committee.

(2) An official committee of any political party.

(3) A legislative caucus committee.

(4) A committee primarily formed to support or oppose a candidate, officeholder, or ballot measure.

(c) The production and distribution of slate mailers by a slate mailer organization shall not be considered making contributions or expenditures for purposes of subdivision (b) or (c) of Section 82013. If a slate mailer organization makes contributions or expenditures other than by producing or distributing slate mailers, and it reports those contributions and expenditures pursuant to Sections 84218 and 84219, no additional campaign reports shall be required of the slate mailer organization pursuant to Section 84200 or 84200.5.

History: Added by Stats. 1987, Ch. 905; renumbered by Stats. 1988, Ch. 160.

§ 82048.5. Special District.

"Special district" means any agency of the state established for the local performance of governmental or proprietary functions within limited boundaries. "Special district" includes a county service area, a maintenance district or area, an improvement district or zone, an air pollution control district, or a redevelopment agency. "Special district" shall not include a city, county, city and county, or school district.

History: Added by Stats. 1994, Ch. 36.

§ 82048.7. Sponsored Committee.

(a) "Sponsored committee" means a committee, other than a candidate controlled committee, which has one or more sponsors. Any person, except a candidate or other individual, may sponsor a committee.

(b) A person sponsors a committee if any of the following apply:

(1) The committee receives 80 percent or more of its contributions from the person or its members, officers, employees, or shareholders.

(2) The person collects contributions for the committee by use of payroll deductions or dues from its members, officers, or employees.

(3) The person alone or in combination with other organizations, provides all or nearly all of the administrative services for the committee.

(4) The person, alone or in combination with other organizations, sets the policies for soliciting contributions or making expenditures of committee funds.

History: Added by Stats. 1985, Ch. 498; amended by Stats. 1988, Ch. 1155; amended by Stats. 1991, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18419
2 Cal. Code of Regs. Section 18421.1

§ 82049. State Agency.

"State agency" means every state office, department, division, bureau, board and commission, and the Legislature.

History: Amended by Stats. 1984, Ch. 727, operative July 1, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18249

§ 82050. State Candidate.

"State candidate" means a candidate who seeks nomination or election to any elective state office.

§ 82051. State Measure.

"State measure" means any measure which is submitted or is intended to be submitted to the voters of the state.

§ 82052. Statewide Candidate.

"Statewide candidate" means a candidate who seeks election to any statewide elective office.

§ 82052.5. Statewide Election.

"Statewide election" means an election for statewide elective office.

§ 82053. Statewide Elective Office.

"Statewide elective office" means the office of Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction and member of the State Board of Equalization.

History: Amended by Stats. 1991, Ch. 674; amended by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 82054. Statewide Petition.

"Statewide petition" means a petition to qualify a proposed state measure.

§ 82055. Voting Age Population. [Repealed]

History: Repealed by Stats. 1979, Ch. 779.

Chapter 3. Fair Political Practices Commission. § 83100 - 83124

§ 83100. Establishment; Membership.
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§ 83123. Local Enforcement.
§ 83124. Cost of Living Adjustment.

§ 83100. Establishment; Membership.

There is hereby established in state government the Fair Political Practices Commission. The Commission shall have five members, including the chairman. No more than three members of the Commission shall be members of the same political party.

§ 83101. Appointment by Governor.

The chairman and one additional member of the Commission shall be appointed by the Governor. The Governor's appointees shall not be members of the same political party.

§ 83102. Appointment by Attorney General, Secretary of State and Controller.

(a) The Attorney General, the Secretary of State and the Controller shall each appoint one member of the Commission.

(b) If the Attorney General, the Secretary of State and the Controller are all members of the same political party, the chairman of the state central committee of any other political party with a registration of more than five hundred thousand may submit to the Controller a list of not less than five persons who are qualified and willing to be members of the Commission. The list shall be submitted not less than ten days after the effective date of this chapter for the Controller's initial appointment, and not later than January 2 immediately prior to any subsequent appointment by the Controller. If the Controller receives one or more lists pursuant to this section, his appointment shall be made from one of such lists.

§ 83103. Terms of Office.

Members and the chairman of the Commission shall serve four-year terms beginning on February 1 and ending on January 31 or as soon thereafter as their successors are qualified, except that the initial appointees under Section 83102 shall serve six-year terms. No member or chairman who has been appointed at the beginning of a term is eligible for reappointment.

History: Amended by Stats. of 1987, Ch. 624.

§ 83104. Vacancies; Quorum.

Vacancies on the Commission shall be filled, within thirty days, by appointment of the same official who appointed the prior holder of the position. The provisions of Section 83102 (b) are not applicable to the filling of vacancies. Appointments to fill

vacancies shall be for the unexpired term of the member or chairman whom the appointee succeeds. A vacancy or vacancies shall not impair the right of the remaining members to exercise all of the powers of the board. Three members shall constitute a quorum.

§ 83105. Qualifications; Removal.

Each member of the Commission shall be an elector. No member of the Commission, during his or her tenure, shall hold, any other public office, serve as an officer of any political party or partisan organization, participate in or contribute to an election campaign, or employ or be employed as a lobbyist nor, during his or her term of appointment, seek election to any other public office. Members of the Commission may be removed by the Governor, with concurrence of the Senate, for substantial neglect of duty, gross misconduct in office, inability to discharge the powers and duties of office or violation of this section, after written notice and opportunity for a reply.

History: Amended by Stats. 1986, Ch. 620.

§ 83106. Compensation; Expenses.

The chairman of the Commission shall be compensated at the same rate as the president of the Public Utilities Commission. Each remaining member shall be compensated at the rate of one hundred dollars ($100) for each day on which he engages in official duties. The members and chairman of the Commission shall be reimbursed for expenses incurred in performance of their official duties.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18307

§ 83107. Executive Officer; Staff; Staff Compensation.

The Commission shall appoint an executive director who shall act in accordance with Commission policies and regulations and with applicable law. The Commission shall appoint and discharge officers, counsel and employees, consistent with applicable civil service laws, and shall fix the compensation of employees and prescribe their duties.

§ 83108. Delegation of Authority.

The Commission may delegate authority to the chairman or the executive director to act in the name of the Commission between meetings of the Commission.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18110
2 Cal. Code of Regs. Section 18319
2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18361.5
2 Cal. Code of Regs. Section 18363

§ 83109. Civil Service Classification.

For purposes of Section 18801 of the Government Code, no non-clerical position under the Commission shall be included in the same class in the civil service classification plan with any position of any other department or agency.

§ 83110. Offices; Public Meetings.

The principal office of the Commission shall be in Sacramento but it may establish offices, meet, and exercise its powers at any other place in the state. Meetings of the Commission shall be public except that the Commission may provide otherwise for discussions of personnel and litigation.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18310
2 Cal. Code of Regs. Section 18327

§ 83111. Administration and Implementation of Title.

The Commission has primary responsibility for the impartial, effective administration and implementation of this title.

§ 83111.5. Actions to Implement Title.

The Commission shall take no action to implement this title that would abridge constitutional guarantees of freedom of speech, that would deny any person of life, liberty, or property without due process of law, or that would deny any person the equal protection of the laws.

History: Added by Stats. 1999, Ch. 225, effective August 24, 1999.

§ 83112. Rules and Regulations.

The Commission may adopt, amend and rescind rules and regulations to carry out the purposes and provisions of this title, and to govern procedures of the Commission. These rules and regulations shall be adopted in accordance with the Administrative Procedure Act (Government Code, Title 2, Division 3, Part 1, Chapter 4.5, Sections 11371 et seq.) and shall be consistent with this title and other applicable law.

History: Fair Political Practices Commission v. Office of Administrative Law and Linda Stockdale Brewer, Sacramento County Superior Court, Case No. 512795 (affirmed by Court of Appeal, Third District (April 27, 1992), Case No. C010924).

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18312
2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18539.2

§ 83113. Additional Duties.

The Commission shall, in addition to its other duties, do all of the following:

(a) Prescribe forms for reports, statements, notices and other documents required by this title.

(b) Prepare and publish manuals and instructions setting forth methods of bookkeeping and preservation of records to facilitate compliance with and enforcement of this title, and explaining the duties of persons and committees under this title.

(c) Provide assistance to agencies and public officials in administering the provisions of this title.

(d) Maintain a central file of local campaign contribution and expenditure ordinances forwarded to it by local government agencies.

(e) Annually publish a booklet not later than March 1 that sets forth the provisions of this title and includes other information the Commission deems pertinent to the interpretation and enforcement of this title. The Commission shall provide a reasonable number of copies of the booklet at no charge for the use of governmental agencies and subdivisions thereof that request copies of the booklet.

The Commission may charge a fee, not to exceed the prorated cost of producing the booklet, for providing copies of the booklet to other persons and organizations.

History: Amended by Stats. 1979, Ch. 531; amended by Stats. 1999, Ch. 855.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18313
2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18329

§ 83114. Requests For and Issuances of Opinions; Advice.

(a) Any person may request the Commission to issue an opinion with respect to his duties under this title. The Commission shall, within 14 days, either issue the opinion or advise the person who made the request whether an opinion will be issued. No person who acts in good faith on an opinion issued to him by the Commission shall be subject to criminal or civil penalties for so acting, provided that the material facts are as stated in the opinion request. The Commission's opinions shall be public records and may from time to time be published.

(b) Any person may request the Commission to provide written advice with respect to the person's duties under this title. Such advice shall be provided within 21 working days of the request, provided that the time may be extended for good cause. It shall be a complete defense in any enforcement proceeding initiated by the Commission, and evidence of good faith conduct in any other civil or criminal proceeding, if the requester, at least 21 working days prior to the alleged violation, requested written advice from the Commission in good faith, disclosed truthfully all the material facts, and committed the acts complained of either in reliance on the advice or because of the failure of the Commission to provide advice within 21 days of the request or such later extended time.

History: Amended by Stats. 1976, Ch. 1080.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18320
2 Cal. Code of Regs. Section 18321
2 Cal. Code of Regs. Section 18322
2 Cal. Code of Regs. Section 18324
2 Cal. Code of Regs. Section 18326
2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18329

§ 83115. Investigations; Notice.

Upon the sworn complaint of any person or on its own initiative, the Commission shall investigate possible violations of this title relating to any agency, official, election, lobbyist or legislative or administrative action. Within 14 days after receipt of a complaint under this section, the Commission shall notify in writing the person who made the complaint of the action, if any, the Commission has taken or plans to take on the complaint, together with the reasons for such action or nonaction. If no decision has been made within 14 days, the person who made the complaint shall be notified of the reasons for the delay and shall subsequently receive notification as provided above.

History: Amended by Stats. 1985, Ch. 775.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18360
2 Cal. Code of Regs. Section 18361
2 Cal. Code of Regs. Section 18362

§ 83115.5. Findings of Probable Cause; Requirements.

No finding of probable cause to believe this title has been violated shall be made by the Commission unless, at least 21 days prior to the Commission's consideration of the alleged violation, the person alleged to have violated this title is notified of the violation by service of process or registered mail with

return receipt requested, provided with a summary of the evidence, and informed of his right to be present in person and represented by counsel at any proceeding of the Commission held for the purpose of considering whether probable cause exists for believing the person violated this title. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private unless the alleged violator files with the Commission a written request that the proceeding be public.

History: Added by Stats. 1976, Ch. 1080.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18361
2 Cal. Code of Regs. Section 18362

§ 83116. Violation of Title.

When the commission determines there is probable cause for believing this title has been violated, it may hold a hearing to determine if a violation has occurred. Notice shall be given and the hearing conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, Government Code). The commission shall have all the powers granted by that chapter. When the commission determines on the basis of the hearing that a violation has occurred, it shall issue an order that may require the violator to do all or any of the following:

(a) Cease and desist violation of this title.

(b) File any reports, statements, or other documents or information required by this title.

(c) Pay a monetary penalty of up to five thousand dollars ($5,000) per violation to the General Fund of the state. When the Commission determines that no violation has occurred, it shall publish a declaration so stating.

History: Amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18316.5
2 Cal. Code of Regs. Section 18327
2 Cal. Code of Regs. Section 18361
2 Cal. Code of Regs. Section 18361.5
2 Cal. Code of Regs. Section 18362

§ 83116.3. Administrative Law Judge; Rejection.

Whenever the Commission rejects the decision of an administrative law judge made pursuant to Section 11517, the Commission shall state the reasons in writing for rejecting the decision.

History: Added by Stats. 1999, Ch. 297.

§ 83116.5. Liability for Violations; Administrative.

Any person who violates any provision of this title, who purposely or negligently causes any other person to violate any provision of this title, or who aids and abets any other person in the violation of any provision of this title, shall be liable under the provisions of this chapter. However, this section shall apply only to persons who have filing or reporting obligations under this title, or who are compensated for services involving the planning, organizing, or directing any activity regulated or required by this title, and a violation of this section shall not constitute an additional violation under Chapter 11 (commencing with Section 91000).

History: Added by Stats. 1984, Ch. 670; amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18316.5

Enforcement Decisions:
Charles Calderon, Calderon for Senate '98, Calderon for Attorney General, Phillip Pace 2000/61 (2001)
Gary Paul 98/40 (1999)
State Bar of California 97/125 (1998)
Mark Thompson 92/71 (1997)
So. CA Advance Team 95/464 (1997)
Joseph C. Berry 91/18 (1996)
Oak Creek Realty, Inc., et al. 94/22 (1995)
Californians Against Corruption, et al. 93/336 (1995)
California Republican Party, et al. 93/250 (1994)
Friends Committee on Legislation of CA, et al. 92/349 (1994)
Gilbert Archuletta 93/486 (1994)
San Franciscans for Common Sense, et al. 90/928 (1993)
John Furstak 90/80 (1992)
Poway Unified School District/Robert Reeves 89/430 (1991)
Conway Collis 90/391 (1991)
Miller/Roos & Company 90/401 (1991)

§ 83117. Authority of Commission.

The Commission may:

(a) Accept grants, contributions and appropriations;

(b) Contract for any services which cannot satisfactorily be performed by its employees;

(c) Employ legal counsel. Upon request of the Commission, the Attorney General shall provide legal

advice and representation without charge to the Commission.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18327

§ 83117.5. Receipt of Gift.

It shall be unlawful for a member of the Commission to receive a gift of ten dollars ($10) or more per month.

"Gift" as used in this section means a gift made directly or indirectly by a state candidate, an elected state officer, a legislative official, an agency official, or a lobbyist or by any person listed in Section 87200.

History: Added by Stats. 1975, Ch. 797, effective September 16, 1975.

§ 83117.6. Financial Disclosure Statement: First Filing by Commission Members. [Repealed]

History: Added by Stats. 1975, Ch. 797, effective September 16, 1975; repealed by Stats. 1978, Ch. 566.

§ 83118. Subpoena Powers.

The Commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the Commission's duties or exercise of its powers.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18110
2 Cal. Code of Regs. Section 18363

§ 83119. Self-Incrimination.

The Commission may refuse to excuse any person from testifying, or from producing books, records, correspondence, documents or other evidence in obedience to the subpoena of the Commission notwithstanding an objection that the testimony or evidence required of him may tend to incriminate him. No individual shall be prosecuted in any manner or subjected to any penalty or forfeiture whatever for or on account of any transaction, act, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that the individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. No immunity shall be granted to any witness under this section unless the Commission has notified the Attorney General of its intention to grant immunity to the witness at least thirty days in advance, or unless the Attorney General waives this requirement.

§ 83120. Judicial Review.

An interested person may seek judicial review of any action of the Commission.

§ 83121. Judicial Advancement of Action.

If judicial review is sought of any action of the Commission relating to a pending election, the matter shall be advanced on the docket of the court and put ahead of other actions. The court may, consistent with due process of law, shorten deadlines and take other steps necessary to permit a timely decision.

§ 83122. Fair Political Practices Commission; Appropriation.

There is hereby appropriated from the General Fund of the state to the Fair Political Practices Commission the sum of five hundred thousand dollars ($500,000) during the fiscal year of 1974-1975, and the sum of one million dollars ($1,000,000), adjusted for cost-of-living changes, during each fiscal year thereafter, for expenditure to support the operations of the Commission pursuant to this title. The expenditure of funds under this appropriation shall be subject to the normal administrative review given to other state appropriations. The Legislature shall appropriate such additional amounts to the Commission and other agencies as may be necessary to carry out the provisions of this title.

The Department of Finance, in preparing the state budget and the Budget Bill submitted to the Legislature, shall include an item for the support of the Political Reform Act of 1974, which item shall indicate all of the following: (1) the amounts to be appropriated to other agencies to carry out their duties under this title, which amounts shall be in augmentation of the support items of such agencies; (2) the additional amounts required to be appropriated by the Legislature to the Commission to carry out the purposes of this title, as provided for in this section; and (3) in parentheses, for informational purposes, the continuing appropriation during each fiscal year of one million dollars ($1,000,000) adjusted for cost-of-living changes made to the Commission by this section.

The definition of "expenditure" in Section 82025 is not applicable to this section.

History: Amended by Stats. 1976, Ch. 1075, effective September 21, 1976.

§ 83123. Local Enforcement.

The Commission shall establish a division of local enforcement to administer, interpret, and enforce, in accordance with the findings, declarations, purposes,

and provisions of this title, those provisions relating to local government agencies as defined in Section 82041.

History: Added by Stats. 1984, Ch. 1681, effective September 30, 1984.

§ 83124. Cost of Living Adjustment.

The commission shall adjust the contribution limitations and voluntary expenditure limitations provisions in Sections 85301, 85302, 85303, and 85400 in January of every odd-numbered year to reflect any increase or decrease in the Consumer Price Index. Those adjustments shall be rounded to the nearest one hundred dollars ($100) for limitations on contributions and one thousand dollars ($1,000) for limitations on expenditures.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Chapter 4. Campaign Disclosure. § 84100 - 84511

Article 1. Organization of Committees. § 84100 - 84108
2. Filing of Campaign Statements. § 84200 - 84225
3. Prohibitions. § 84300 - 84309
4. Exemptions. § 84400
5. Advertisements. § 84501 - 84511

Article 1. Organization of Committees. § 84100 - 84108

§ 84100. Treasurer.
§ 84101. Statement of Organization; Filing.
§ 84102. Statement of Organization; Contents.
§ 84103. Statement of Organization; Amendment.
§ 84104. Recordkeeping.
§ 84105. Notification of Contributors.
§ 84106. Sponsored Committee; Identification.
§ 84107. Ballot Measure Committee; Identification.
§ 84108. Slate Mailer Organization; Statement of Organization.

§ 84100. Treasurer.

Every committee shall have a treasurer. No expenditure shall be made by or on behalf of a committee without the authorization of the treasurer or that of his or her designated agents. No contribution or expenditure shall be accepted or made by or on behalf of a committee at a time when there is a vacancy in the office of treasurer.

History: Repealed and reenacted as amended by Stats. 1979, Ch. 779.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18404
2 Cal. Code of Regs. Section 18426.1
2 Cal. Code of Regs. Section 18427

Opinions: In re Augustine (1975) 1 FPPC Ops. 69

Enforcement Decisions: Santa Clara No on Prop. 13 Comm. 80/13 (1981)

§ 84101. Statement of Organization; Filing.

(a) A committee that is a committee by virtue of subdivision (a) of Section 82013 shall file with the Secretary of State a statement of organization within 10 days after it has qualified as a committee. The committee shall file the original of the statement of organization with the Secretary of State and shall also file a copy of the statement of organization with the local filing officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215. The original and copy of the statement of organization shall be filed within 10 days after the committee has qualified as a committee. The Secretary of State shall assign a number to each committee that files a statement of organization and shall notify the committee of the number. The Secretary of State shall send a copy of statements filed pursuant to this section to the clerk of each county which he or she deems appropriate. A county clerk who receives a copy of a statement of organization from the Secretary of State pursuant to this section shall send a copy of the statement to the clerk of each city in the county that he or she deems appropriate.

(b) In addition to filing the statement of organization as required by subdivision (a), if a committee qualifies as a committee under subdivision (a) of Section 82013 before the date of an election in connection with which the committee is required to file preelection statements, but after the closing date of the last campaign statement required to be filed before the election pursuant to Section 84200.7 or 84200.8, the committee shall file, by telegram or personal delivery within 24 hours of qualifying as a committee, the information required to be reported in the statement of organization. The information required by this subdivision shall be filed with the filing officer with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215.

(c) If an independent expenditure committee qualifies as a committee pursuant to subdivision (a) of Section 82013 during the time period described in Section 82036.5 and makes independent expenditures of one thousand dollars ($1,000) or more to support or oppose a candidate or candidates for office, the committee shall file by facsimile transmission, online transmission, telegram or personal delivery within 24 hours of qualifying as a committee, the information required to be reported in the statement of organization.

The information required by this section shall be filed with the filing officer with whom the committee is required to file the original of its campaign reports pursuant to Section 84215, and to file at all locations required for the candidate or candidates supported or opposed by the independent expenditures. The filings required by this section are in addition to filings that may be required by Sections 84203.5 and 84204.

(d) For purposes of this section, in calculating whether one thousand dollars ($1,000) in contributions has been received, payments for a filing fee or for a statement of qualifications to appear in a sample ballot shall not be included if these payments have been made from the candidate's personal funds.

History: Amended by Stats. 1978, Ch. 551; amended by Stats. 1979, Ch. 531; amended by Stats. 1986, Ch. 544; amended by Stats. 1992, Ch. 405; amended by Stats. 2001, Ch. 901.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18404
2 Cal. Code of Regs. Section 18503
2 Cal. Code of Regs. Section 18521

Enforcement Decisions: Sports Mall Task Force and Gordon Reynolds, Treasurer 96/671 (1998)
Donald Barnett 96/612 (1998)
Richard Katz, et al. 96/285 (1997)
Irvine Police Assn., et al. 93/115 (1996)
Howard Kwon for Better ABC, et al. 93/400 (1994)
Luis Hernandez, et al. 89/404 (1993)
Kenneth Orduna, et al. 88/364 (1991)
California Physicians for a Logical AIDS Response 88/454 (1991)
Comm. to Ban Gillnets/Kenneth Kukuda 87/117 (1988)
Joint Industry Council/Cook/Ochinero/Weiss 86/252 (1987)
Helen Stein 84/132 (1985)
Santa Clara No on Prop. 13 Comm. 80/13 (1981)
Seaside Citizens League/James Manning 79/87 (1980)

§ 84102. Statement of Organization; Contents.

The statement of organization required by Section 84101 shall include:

(a) The name, street address, and telephone number, if any, of the committee. In the case of a sponsored committee, the name of the committee shall include the name of its sponsor. Whenever a committee has more than one sponsor, and the sponsors are members of an industry or other identifiable group, a term identifying that industry or group shall be included in the name of the committee.

(b) In the case of a sponsored committee, the name, street address, and telephone number of each sponsor.

(c) The full name, street address, and telephone number, if any, of the treasurer and other principal officers.

(d) The full name and office sought by any candidate and the title and ballot number, if any, of any measure, which the committee supports or opposes as its primary activity. A committee which does not support or oppose one or more candidates or ballot measures as its primary activity shall provide a brief description of its political activities, including whether it supports or opposes candidates or measures and whether such candidates or measures have common characteristics such as a political party affiliation.

(e) A statement whether the committee is independent or controlled, and if it is controlled, the name of each candidate, or state measure proponent by which it is controlled, or the name of any controlled committee with which it acts jointly. If a committee is controlled by a candidate for partisan office, the controlled committee shall indicate the political party, if any, with which the candidate is affiliated.

(f) For a committee controlled by a candidate for his or her election, the name and address of the financial institution where the committee has established an account and the account number.

(g) Such other information as shall be required by the rules or regulations of the Commission consistent with the purposes and provisions of this chapter.

History: Amended by Stats. 1977, Ch. 1095; amended by Stats. 1985, Ch. 498; amended by Stats. 1986, Ch. 546; amended by Stats. 1990, Ch. 655; amended by Stats. 1992, Ch. 223; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18402
2 Cal. Code of Regs. Section 18419
2 Cal. Code of Regs. Section 18430
2 Cal. Code of Regs. Section 18503

Opinions: In re Petris (1975) 1 FPPC Ops. 20

Enforcement Decisions: Excellence in Student Achievement PAC 98/265 (2001)

California Victory Fund, et al. 98/289 (1998)
Friends of the Albany Waterfront, et al. 96/262 (1998)
Committee for Responsible Woodside Town Government, et al. 95/552 (1998)
Paul Horcher, et al. 96/190 (1998)
Mark Thompson 92/71 (1997)
Riverside Tomorrow, et al. 88/239 (1991)
March Fong Eu, et al. 89/310 (1990)
Citizens Against More Traffic, et al. 89/221 (1990)

§ 84103. Statement of Organization; Amendment.

(a) Whenever there is a change in any of the information contained in a statement of organization, an amendment shall be filed within 10 days to reflect the change. The committee shall file the original of the amendment with the Secretary of State and shall also file a copy of the amendment with the local filing officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215.

(b) In addition to filing an amendment to a statement of organization as required by subdivision (a), a committee as defined in subdivision (a) of Section 82013 shall, by facsimile transmission, online transmission, telegram, or personal delivery within 24 hours, notify the filing officer with whom it is required to file the originals of its campaign reports pursuant to Section 84215 when the change requiring the amendment occurs before the date of the election in connection with which the committee is required to file a preelection statement, but after the closing date of the last preelection statement required to be filed for the election pursuant to Section 84200.7 or 84200.8, if any of the following information is changed:

(1) The name of the committee.

(2) The name of the treasurer or other principal officers.

(3) The name of any candidate or committee by which the committee is controlled or with which it acts jointly.

The notification shall include the changed information, the date of the change, the name of the person providing the notification, and the committee's name and identification number.

A committee may file a notification online only if the appropriate filing officer is capable of receiving the notification in that manner.

History: Amended by Stats. 1986, Ch. 544; amended by Stats. 1987, Ch. 479; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18503

Enforcement Decisions: Elihu Harris Oakland Citizens for Accountable Government, and Friends of Elihu Harris 96/708 (2001)
Anna Sparks 84/256 (1986)

§ 84104. Recordkeeping.

It shall be the duty of each candidate, treasurer and elected officer to maintain such detailed accounts, records, bills and receipts that are necessary to prepare campaign statements and to comply with the provisions of this chapter. The detailed accounts, records, bills and receipts that are maintained shall be retained by the filer for a period specified by the Commission; provided, however, that the Commission shall not require retention of records for a period longer than the statute of limitations specified in Section 91011 or two years after the adoption of an audit report pursuant to Chapter 10 (commencing with Section 90000) of this title, whichever is less.

History: Added by Stats. 1979, Ch. 779.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18401
2 Cal. Code of Regs. Section 18426.1

Enforcement Decisions: Engineering & Utility Contractors Assn PAC, et al. 99/815 (2001)
Mary Lou Clift, et al. 97/145 (2000)
Sacramento County Deputy Sheriffs' Association PAC 99/90 (2000)
Sare, Dale L., Committee to Elect Dale L. Sare, Superior Court Judge, and John N. Cefalu, Treasurer 99/83 (2000)
Voter Revolt To Cut Insurance Rates, William Westermeyer, Treasurer 98/333 (2000)
Laurence Steffan, et al. 98/330 (1999)
Californians for Health Security, et al. 97/86 (1999)
Rudy G. Favila, et al. 96/366 (1999)
Scott R. Baugh, et al. 99/187 (1999 Civil Suit)
Timothy Peter Smith 95/327 (1998)
Glendon B. Craig 97/368 (1998)
John Sorci, et al. 97/10 (1998)
Margaret Pryor 94/476 (1998)
Charles W. Quackenbush, et al. 94/633 (1997)
Juanita McDonald, et al. 95/211 (1997)
Peter McHugh, et al. 94/533 (1997)
William E. Saracino, Free Market PAC, et al. 95/310 (1997)
Juan Ulloa, et al. 96/77 (1997)
Joe Baca, et al. 96/281 (1997)
Arlo Smith, et al. 93/332 (1996)
Frank M. Jordan, et al. 94/654 (1996)
Californians Against Corruption, et al. 93/336 (1995)
Bonnie Wai, et al. 92/286 (1995)
Kevin P. Eckard, et al. 92/115 (1995)
Luis Hernandez, et al. 89/404 (1993)
Peter Chacon, et al. 91/424 (1993)
Carl L. Hysen, et al. 91/10 (1992)

Carol Ruth Silver, et al. 91/305 (1992)
Kenneth Orduna, et al. 88/364 (1991)
Doug Carter 88/443 (1990)
March Fong Eu, et al. 89/310 (1990)
James B. Dimas, et al. 89/181 (1990)
Thomas Watson, et al. 90/80 (1990)
Lia Belli, et al. 84/298 (1988)
Linda Nelson/Friends of Linda Nelson 84/295 (1987)
A. Ron Rhone/Friends of A. Ron Rhone 84/237 (1987)
Janice Nash 84/237 (1986)
A. John Shimmon/Comm./Melvin Swig 85/18 (1986)
Rep. St. Central Comm. et al. 80/59 (1983)
Industry Manufacturers Council 80/55 (1981)

§ 84105. Notification of Contributors.

A candidate or committee which receives contributions of five thousand dollars ($5,000) or more from any person shall inform the contributor that he or she may be required to file campaign reports. The notification shall occur within two weeks of receipt of the contributions but need not be sent to any contributor who has an identification number assigned by the Secretary of State issued pursuant to Section 84101.

History: Added by Stats. 1984, Ch. 670.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18427.1

Enforcement Decisions:
Joseph Gray Davis, Californians for Gray Davis and Steven Gourley, Treasurer 2000/56 (2001)
Democratic State Central Committee of California and Katherine Moret 010495 (2001)
Californians for Health Security, et al. 97/86 (1999)
Scott R. Baugh, et al. 99/187 (1999 Civil Suit)
Palm Springs Gaming Corporation, et al. 96/149 (1998 Civil Suit)
Contra Costa Community College District 96/520 (1998)
Charles W. Quackenbush, et al. 94/633 (1997)
Citizens for Legal Immigration Reform, et al. 95/281 (1997)
Californians Against Corruption, et al. 93/336 (1995)
Schabarum Fund for California's Future, et al. 91/608 (1993)
Dianne Feinstein, et al. 90/819 (1992)
Pete Wilson, et al. 92/492 (1992)

§ 84106. Sponsored Committee; Identification.

(a) Whenever identification of a sponsored committee is required by this title, the identification shall include the full name of the committee as contained in its statement of organization.

(b) A sponsored committee shall use only one name in its statement of organization.

History: Added by Stats. 1985, Ch. 498; amended by Stats. 1986, Ch. 546.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18419

Enforcement Decisions:
Excellence in Student Achievement PAC 98/265 (2001)
BTR, Inc., et al. 97/524 (2000)
Bell Gardens Bicycle Club, et al. 95/464 (1999 Civil Suit)
California Victory Fund, et al. 98/289 (1998)
Friends of the Albany Waterfront, et al. 96/262 (1998)
Riverside Tomorrow, et al. 88/239 (1991)
Committee for Fair Lawyers Fee. et al. 88/247 (1990)
Los Angeles Public and Coastal Protection Comm. 88/103 (1989)

§ 84107. Ballot Measure Committee; Identification.

Within 30 days of the designation of the numerical order of propositions appearing on the ballot, any committee which is primarily formed to support or oppose a ballot measure, shall, if supporting the measure, include the statement, "a committee for Proposition___," or, if opposing the measure, include the statement, "a committee against Proposition ___," in any reference to the committee required by law.

History: Added by Stats. 1985, Ch. 498; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Enforcement Decisions:
Alliance to Revitalize CA, Com. For Props. 200, 201 and 202, et al. 96/89 (1997)

§ 84108. Slate Mailer Organization; Statement of Organization.

(a) Every slate mailer organization shall comply with the requirements of Sections 84100, 84101, 84103, and 84104.

(b) The statement of organization of a slate mailer organization shall include:

(1) The name, street address, and telephone number of the organization. In the case of an individual or business entity that qualifies as a slate mailer organization, the name of the slate mailer organization shall include the name by which the individual or entity is identified for legal purposes. Whenever identification of a slate mailer organization is required by this title, the identification shall include the full name of the slate mailer organization as contained in its statement of organization.

(2) The full name, street address, and telephone number of the treasurer and other principal officers.

(3) The full name, street address, and telephone number of each person with final decisionmaking authority as to which candidates or measures will be supported or opposed in the organization's slate mailers.

(c) The statement of organization shall be filed with the Secretary of State within 10 days after the slate mailer organization receives or is promised five hundred dollars ($500) or more for producing one or more slate mailers. However, if an entity qualifies as a slate mailer organization before the date of an election in which it is required to file preelection statements, but after the closing date of the last campaign statement required to be filed before the election pursuant to Section 84218, the slate mailer organization shall file with the Secretary of State, by telegram or personal delivery within 24 hours of qualifying as a slate mailer organization, the information required to be reported in the statement of organization.

History: Added by Stats. 1987, Ch. 905; amended by Stats. 1996, Ch. 892.

Article 2. Filing of Campaign Statements. § 84200 - 84225

§ 84200. Semi-Annual Statements.
§ 84200.3. Odd-Year Reports in Connection with a Statewide Direct Primary Election Held in March of an Even-Numbered Year.
§ 84200.4. Time for Filing Reports Required Pursuant to § 84200.3.
§ 84200.5. Preelection Statements.
§ 84200.6. Special Campaign Statements and Reports.
§ 84200.7. Time for Filing Preelection Statements for Elections Held in June or November of an Even-Numbered Year.
§ 84200.8. Time for Filing Preelection Statements for Elections Not Held in June or November of an Even-Numbered Year.
§ 84201. Combination of Statements. [Repealed]
§ 84202. Closing Dates. [Repealed]
§ 84202.3. Campaign Statements; Ballot Measure Committees.
§ 84202.5. Supplemental Preelection Statement.
§ 84202.7. Time for Filing by Committees of Odd-Numbered Year Reports.
§ 84203. Late Contribution; Reports.
§ 84203.3. Late In-Kind Contributions.
§ 84203.5. Supplemental Independent Expenditure Report.
§ 84204. Late Independent Expenditures; Reports.
§ 84204.1. Election Statements; Exemption from Filing; Abbreviated Statements. [Repealed]
§ 84204.2. Preelection Statements; Final. [Repealed]
§ 84205. Combination of Statements.
§ 84206. Candidates Who Receive or Spend Less than $1,000.
§ 84207. Late Independent Expenditures; Reports. [Repealed]
§ 84207.5. Appointments to Office; Filing Requirements. [Repealed]
§ 84208. Independent Expenditures; Reports. [Repealed]
§ 84209. Consolidated Statements.
§ 84210. Special Election Reports. [Repealed]
§ 84211. Contents of Campaign Statement.
§ 84212. Forms; Loans.
§ 84213. Candidate Verification.
§ 84214. Termination.
§ 84215. Campaign Reports and Statements; Where to File.
§ 84216. Loans.
§ 84216.5. Loans Made by a Candidate or Committee.
§ 84217. Federal Office Candidates; Places Filed.
§ 84218. Slate Mailer Organization; Campaign Statements.
§ 84219. Slate Mailer Organization; Semi-Annual Statements; Contents.
§ 84220. Slate Mailer Organization; Late Payments.
§ 84221. Slate Mailer Organization; Termination.
§ 84222. Blank.
§ 84223. Blank.
§ 84224. Blank.
§ 84225. Public Employees' Retirement Board Candidates.

§ 84200. Semi-Annual Statements.

(a) Except as provided in paragraphs (1), (2), and (3), elected officers, candidates, and committees pursuant to subdivision (a) of Section 82013 shall file

semiannual statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.

(1) A candidate who, during the past six months has filed a declaration pursuant to Section 84206 shall not be required to file a semiannual statement for that six-month period.

(2) Elected officers whose salaries are less than two hundred dollars ($200) a month, judges, judicial candidates, and their controlled committees shall not file semiannual statements pursuant to this subdivision for any six-month period in which they have not made or received any contributions or made any expenditures.

(3) A judge who is not listed on the ballot for reelection to, or recall from, any elective office during a calendar year shall not file semiannual statements pursuant to this subdivision for any six-month period in that year if both of the following apply:

(A) The judge has not received any contributions.

(B) The only expenditures made by the judge during the calendar year are contributions from the judge's personal funds to other candidates or committees totaling less than one thousand dollars ($1,000).

(b) All committees pursuant to subdivision (b) or (c) of Section 82013 shall file campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31, if they have made contributions or independent expenditures, including payments to a slate mailer organization, during the six-month period before the closing date of the statements.

History: Amended by Stats. 1977, Ch. 1193; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Time for Filing Campaign Statements in Connection with Elections Held at Times Other Than the State Direct Primary or the State General Election.") Amended by Stats. 1981, Ch. 78; amended by Stats. 1982, Ch. 1069; amended by Stats. 1983, Ch. 898; amended by Stats. 1984, Ch. 1368; repealed and reenacted as amended by Stats. 1985, Ch. 1456; amended by Stats. 1988, Ch. 708; amended by Stats. 1990, Ch. 581; amended by Stats. 1994, Ch. 1129; amended by Stats. 2000, Ch. 130.

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AB&I Foundry 010136 (2001)
American Fidelity Life Insurance 010006 (2001)
Arrowhead General Insurance Agency, Inc. 010008 (2001)
Baron and Budd, P.C. 010236 (2001)
Bay Meadows Operating Company 2000/362 (2001)
Black and Veatch Corporation 010009 (2001)
Bob Hampton 010132 (2001)
Britz Fertilizers, Inc. 010010 (2001)
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Camp, Dresser and McKee, Inc. 010011 (2001)
Candice Hanson 010019 (2001)
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Charles Paul 010032 (2001)
Chronicle Publishing Company 010042 (2001)
Cohen Medical Group 010014 (2001)
Communication Workers of America, District 9 Political Education Committee, William Quirk and Anthony Bixler 99/642 (2001)
D.R. Horton Management Co., Ltd. 010135 (2001)
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Darrell Issa 010022 (2001)
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Delores Zurita, Committee to Elect Delores Zurita and Satra Dee Zurita, Treasurer 2000/143 (2001)
Dennis Weinberg 010048 (2001)
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Edgewood Lane Developers, LP 010322 (2001)
Edwin Heafey 010020 (2001)
Eric and Wendy Schmidt 010234 (2001)
Frank Russo, Frank Russo for Assembly Special Election Committee 2000/375 (2001)
Freedom and Free Enterprise PAC and Thomas P. Kemp, Treasurer 99/415 (2001)
Global Crossing 010017 (2001)
Gloria Scott, Robert Martinez and the Committee to Elect Gloria Scott for Kern High School District Board of Trustees 2000/150 (2001)
Great Western Life Assurance Co. 010043 (2001)
Greater San Diego Chamber of Commerce Foundation 98/265 (2001)
Harris and Associates 010137 (2001)
Home Depot USA, Inc. 010/179 (2001)
James Bostwick 010228 (2001)
Joseph Carcione 010012 (2001)
Kirkpatrick and Boswell 010023 (2001)
Larry Knapp 010024 (2001)
Lawrence Lake 2000/614 (2001)
Lieff, Cabraser, Heimann and Bernstein, LLP 010025 (2001)
Lightspan, Inc. 010126 (2001)
Lori Clem 010138 (2001)
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Magana Cathcart and McCarthy 010230 (2001)
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P M Consulting Corporation 010028 (2001)
Pacific States Industries 010029 (2001)
Packard, Packard and Johnson 010030 (2001)
Palos Verdes Portugese Bend, et al. 010031 (2001)
Peter Formuzis 010229 (2001)
RBF Consulting 010035 (2001)
Raley's 010033 (2001)
Ramona Alves 010005 (2001)
Rancho Vista Development Co. 010034 (2001)
Richard McCune 010027 (2001)
Rob Guzman and Rob Guzman for State Senate 2000/620 (2001)
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Thomas Anderson 010007 (2001)
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Jonathan Grey & Associates 99/369 (2000)
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§ 84200.3. Odd-Year Reports in Connection with a Statewide Direct Primary Election Held in March of an Even-Numbered Year.

(a) In connection with a statewide direct primary held in March of an even-numbered year, and any other election held on the same day as that election, the following candidates and committees shall file campaign statements pursuant to Section 84200.4 for the calendar year prior to the election:

(1) All candidates who have filed or are required to file a statement of intention pursuant to Section 85200 in connection with the election, their controlled committees, and committees primarily formed to support or oppose those candidates.

(2) Committees formed pursuant to subdivision (a) of Section 82013 that are primarily formed to support the qualification, passage, or defeat of a measure being voted upon in the election.

(3) State and county general purpose committees formed pursuant to subdivision (a) of Section 82013, except that a committee covered by this subdivision is not required to file pursuant to subdivision (a) of Section 84200.4 if it has not made contributions or independent expenditures totaling five hundred dollars ($500) or more during the period July 1 through September 30.

(4) City general purpose committees formed pursuant to Section 82013, except that a committee covered by this subdivision is not required to file pursuant to subdivision (a) of Section 84200.4 if it has not made contributions or independent expenditures totaling five hundred dollars ($500) or more during the period July 1 through September 30.

(5) Candidates and committees not covered under paragraphs (1) to (4), inclusive, that make contributions totaling five thousand dollars ($5,000) or more to an elected state officer, a candidate for elective state office, his or her controlled committee, or a committee primarily formed to support or oppose any elected state officer or candidate for elective state office during the period July 1, through September 30 or July 1 through December 31.

(6) Any slate mailer organization that produces a slate mailer supporting or opposing a candidate or measure being voted on in the election if the slate mailer organization receives payments totaling five hundred dollars ($500) or more from any person for the support of or opposition to a candidate or ballot measure in one or more slate mailers, or expends five hundred dollars ($500) or more to produce one or more slate mailers.

(b) A candidate, committee, or slate mailer organization required to file a campaign statement pursuant to this section is not required to file a campaign statement pursuant to Section 84200 or 84218 for the period ending December 31 of the year prior to the statewide direct primary election.

(c) A candidate or committee who has filed a campaign statement pursuant to this section is not required to file additional statements pursuant to Section 84202.3, 84202.5, or 84202.7.

History: Added by Stats. 1999, Ch. 158, effective July 23, 1999; amended by Stats. 1999, Ch. 433, effective September 16, 1999.

§ 84200.4. Time for Filing Reports Required Pursuant to § 84200.3.

In addition to other reports required under this chapter, campaign statements shall be filed as follows in connection with a statewide direct primary election held in March of an even-numbered year or any other election held on that date:

(a) For the period ending September 30 of the year prior to the election, a statement shall be filed no later than October 10 for the period ending September 30.

(b) For the period ending December 31 of the year prior to the election, a statement shall be filed no later than January 10 of the year of the election.

History: Added and repealed by Stats. 1995, Ch. 470. (Formerly titled "Campaign Statements. (March 26, 1996.);" added by Stats. 1999, Ch. 158, effective July 23, 1999.

§ 84200.5. Preelection Statements.

In addition to the campaign statements required by Section 84200, elected officers, candidates, and committees shall file preelection statements as follows:

(a) During an even-numbered year, all candidates for elective state office being voted upon in the statewide direct primary election or the statewide general election, their controlled committees, and committees primarily formed to support or oppose an elected state officer or a state candidate being voted upon, shall file the applicable preelection statements specified in Section 84200.7 or 84200.8. All elected state officers who, during the applicable reporting periods covered by Section 84200.7 or 84200.8, contribute to any committee required to report receipts, expenditures, or contributions pursuant to this title, or make an independent expenditure, shall file the applicable preelection statements specified in Section 84200.7 or 84200.8. However, a candidate who is not being voted upon in the November election, his or her controlled committee, and any committee primarily formed to support or oppose that candidate is not required to file statements in connection with the November election pursuant to subdivision (b) of Section 84200.7, unless, during the reporting periods covered by Section 84200.7, the candidate, his or her controlled committee, or any committee primarily formed to support or oppose that candidate contributes to any committee required to report receipts, expenditures, or contributions pursuant to this title or makes independent expenditures.

(b) During an even-numbered year, all candidates not specified in subdivision (a) who are being voted upon on the first Tuesday after the first Monday in June or November, their controlled committees, and committees primarily formed to support or oppose those candidates or a measure being voted upon on the first Tuesday after the first Monday in June or November of an even-numbered year shall file the preelection statements specified in subdivision (a) of Section 84200.7 in the case of a June election, or subdivision (b) of Section 84200.7 in the case of a November election.

(c) All candidates being voted upon on a date other than the first Tuesday after the first Monday in June or November of an even-numbered year, their controlled committees, and committees primarily formed to support or oppose a candidate or a measure being voted upon on a date other than the first Tuesday after the first Monday in June or November of an even-numbered year shall file the preelection statements specified in Section 84200.8.

(d) In an even-numbered year in which the statewide direct primary election is held on the first Tuesday after the first Monday in June, a state or county general purpose committee formed pursuant to subdivision (a) of Section 82013 shall file the statements specified in Section 84200.7 if it makes contributions or independent expenditures totaling five hundred dollars ($500) or more during the period covered by the preelection statement. A state or county general purpose committee formed pursuant to subdivision (b) or (c) of Section 82013 is not required to file the statements specified in Section 84200.7.

(e) During an even-numbered year in which the direct primary election is held on a date other than the first Tuesday after the first Monday in June, a state or county general purpose committee formed pursuant to subdivision (a) of Section 82013 shall file the statements specified in Section 84200.8 if it makes contributions or independent expenditures totaling five hundred dollars ($500) or more during the period covered by the preelection statement. A state or county general purpose committee formed pursuant to subdivision (b) or (c) of Section 82013 is not required to file the statements specified in Section 84200.8.

(f) City general purpose committees shall file statements as follows:

(1) City general purpose committees in a city which has an election on the first Tuesday after the first Monday in June or November of an even-numbered year shall file the statements specified in subdivision (a) or (b) of Section 84200.7 for the six-month period in which the city election is held, if they make contributions or independent expenditures

totaling five hundred dollars ($500) or more during the period covered by the preelection statement.

(2) City general purpose committees in a city which has an election on a date other than the first Tuesday after the first Monday in June or November of an even-numbered year shall file the preelection statements specified in Section 84200.8 if they make contributions or independent expenditures totaling five hundred dollars ($500) or more during the period covered by the preelection statement.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 542; amended by Stats. 1988, Ch. 1281 effective September 26, 1988; amended by Stats. 1991, Ch. 505; amended by Stats. 1991, Ch. 1077; amended by Stats. 1993, Ch. 769; amended by Stats. 1999, Ch. 158, effective July 23, 1999; amended by Stats. 1999, Ch. 855.

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Support Our Schools and Fredda Miller 97/494 (2001)
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William E. Saracino, Free Market PAC, et al. 95/310 (1997)
Committee for Excellence in Education, Philip Arnold, et al. 95/189 (1997)
Save Our Port Hueneme Police Dept., et al. 94/539 (1996)
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Oliver Speraw 80/14 (1980)

§ 84200.6. Special Campaign Statements and Reports.

In addition to the campaign statements required by Sections 84200 and 84200.5, all candidates and committees shall file the following special statements and reports:

(a) Supplemental preelection statements when required by Section 84202.5.

(b) Late contribution reports when required by Section 84203.

(c) Independent expenditure reports when required by Section 84203.5.

(d) Late independent expenditure reports when required by Section 84204.

History: Added by Stats. 1985, Ch. 1456.

§ 84200.7. Time for Filing Preelection Statements for Elections Held in June or November of an Even-Numbered Year.

(a) Preelection statements for the June election period shall be filed as follows:

(1) For the period ending March 17, a statement to be filed no later than March 22. However, for a special election called after March 17, or for which the period for filing nomination documents, as defined in Section 333 of the Elections Code, ends after March 17, a preelection statement for the period ending 45 days before the election shall be filed no later than 40 days before the election.

(2) For the period ending 17 days before the election, a statement to be filed no later than 12 days before the election. All candidates being voted upon in the June election, their controlled committees, and committees formed primarily to support or oppose a candidate or measure being voted upon in the June election shall file this statement by guaranteed overnight delivery service or by personal delivery.

(b) Preelection statements for the November election period shall be filed as follows:

(1) For the period ending September 30, a statement to be filed no later than October 5.

(2) For the period ending 17 days before the election, a statement to be filed no later than 12 days before the election. All candidates being voted upon in the November election, their controlled committees, and committees formed primarily to support or oppose a candidate or measure being voted upon in the November election shall file this statement by guaranteed overnight delivery service or by personal delivery.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 984; amended by Stats. 1994, Ch. 923.

References at the time of publication (see page 3):

Enforcement Decisions:

California Autobody Repair Political Action Committee; John Sutherland III, Treasurer 010243 (2001)
Eris H. Wagner and Eris Wagner for Superior Court Judge 2000/851 (2001)
Gloria Scott, Robert Martinez and the Committee to Elect Gloria Scott for Kern High School District Board of Trustee 2000/150 (2001)
California Association of Drinking Driver Treatment Programs 99/814 (2000)
California Refuse Removal Council North Political Action Committee 99/816 (2000)
California Republican Assembly Committee Against Tax Increases 96/305 (2000)
Donna Courtright, et al. 98/202 (2000)
International Brotherhood of Electrical Workers Committee 99/347 (2000)
Ken Moser; San Diego County Conservative PAC 97/501 (2000)
Marla Wolkowitz 2000/146 (2000)
Karl E. Gaytan, et al. 99/198 (1999)
No on A in Redondo Beach and K's Not the Way 97/649 (1999)
Rudy G. Favila, et al. (1999)
Friends of Kevin Murray and Kevin Murray 96/132 (1998)
American Federation of State, County & Muni Employees, et al. 96/264 (1998)
Donald Barnett 96/612 (1998)
Vernon Johnson, et al. 95/428 (1998)
William E. Saracino, Free Market PAC, et al. 95/310 (1997)
Committee for Excellence in Education, Philip Arnold, et al. 95/189 (1997)
Irvine Police Assn., et al. 93/115 (1996)
Save Our Port Hueneme Police Dept., et al. 94/539 (1996)
Phyllis L. Petri, et al. 95/353 (1996)
DRIVE - Demo., Rep., Ind. Voter Education, et al. 93/403 (1995)
California Society of Plastic Surgeons PAC 92/374 (1995)
Wilfred Ussery, et al. 92/12 (1994)
Southwestern Regional Council, et al. 92/735 (1993)
Harness Horseman's PAC, et al. 92/405 (1993)
Gil Ferguson, et al. 91/368 (1993)
Leon D. Ralph, et al. 90/572 (1993)
California Podiatry PAC 91/207 (1992)

§ 84200.8. Time for Filing Preelection Statements for Elections Not Held in June or November of an Even-Numbered Year.

Preelection statements shall be filed under this section as follows:

(a) For the period ending 45 days before the election, the statement shall be filed no later than 40 days before the election.

(b) For the period ending 17 days before the election, the statement shall be filed no later than 12

days before the election. All candidates being voted upon in the election in connection with which the statement is filed, their controlled committees, and committees formed primarily to support or oppose a candidate or measure being voted upon in that election shall file this statement by guaranteed overnight delivery service or by personal delivery.

(c) For runoff elections held within 60 days of the qualifying election, an additional preelection statement for the period ending 17 days before the runoff election shall be filed no later than 12 days before the election. All candidates being voted upon in the election in connection with which the statement is filed, their controlled committees, and committees formed primarily to support or oppose a candidate or measure being voted upon in that election shall file this statement by guaranteed overnight delivery service or by personal delivery.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 984.

References at the time of publication (see page 3):

Enforcement Decisions:
California Autobody Repair Political Action Committee; John Sutherland III, Treasurer 010243 (2001)
Drake Kennedy 97/97 (2001)
Joseph E. Ruiz, et al. 99/229 (2001)
Rob Guzman and Rob Guzman for State Senate 2000/620 (2001)
Save Our Canyons, Virginia Bertoni and Diane Caliva 99/803 (2001)
Support Our Schools and Fredda Miller 97/494 (2001)
California Refuse Removal Council North Political Action Committee 99/816 (2000)
International Brotherhood of Electrical Workers Committee 99/347 (2000)
Ken Moser; San Diego County Conservative PAC 97/501 (2000)
Lorraine Cervantes 95/286 (1999)
Yes on C in El Segundo and Carl Jacobson 97/312 (1999)
Citizens for Honest Government; Cecilia B. Hernandez 96/703 (1999)
Fred Cressel, et al. 95/286 (1998)
Committee for Responsible Woodside Town Government, et al. 95/552 (1998)
Cynthia Green-Geter 96/68 (1998)
California Coalition for Immigration Reform, et al. 94/651 (1998)
Dexter Henderson 96/367 (1998)
Al Cobos 97/326 (1998)
Della Rios, et al. 97/327 (1998)
Toni Giaffoglione, et al. 95/80 (1998)
South Pasadenans for Safe Schools, Marilyn Anderson 96/201 (1997)
Gloria Gray, et al. 95/219 (1996)
Robert "Tim" Leslie, et al. 93/250 (1994)
Yes on Measure "A"/Quality Ed. Project, et al. 91/590 (1993)
Luis Hernandez, et al. 89/404 (1993)
Lucy Killea, et al. 91/203 (1992)

§ 84201. Combination of Statements. [Repealed]

History: Added by Stats. 1977, Ch. 1193; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Time for Filing Campaign Statements in Connection with Elections Held on the State Direct Primary or State General Election Dates"); repealed by Stats. 1985, Ch. 1456. Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Contents of Campaign Statements; Reporting Threshold"); repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 84202. Closing Dates. [Repealed]

History: Added by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1976, Ch. 1106; amended and renumbered by Stats. 1977, Ch. 1193. (Formerly Section 84200.5.) Repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Time for Filing Central Committee Candidate Campaign Statements"); Repealed by Stats. 1985, Ch. 1456.

§ 84202.3. Campaign Statements; Ballot Measure Committees.

(a) In addition to the campaign statements required by Section 84200, committees pursuant to subdivision (a) of Section 82013 that are primarily formed to support or oppose the qualification, passage, or defeat of a measure and proponents of a state ballot measure who control a committee formed or existing primarily to support the qualification, passage, or defeat of a state ballot measure, shall file campaign statements on the following dates:

(1) No later than April 30 for the period January 1 through March 31.

(2) No later than October 31 for the period July 1 through September 30.

(b) This section shall not apply to a committee during any semiannual period in which the committee is required to file preelection statements pursuant to subdivision (a), (b), or (c) of Section 84200.5.

(c) This section shall not apply to a committee following the election at which the measure is voted upon unless the committee makes contributions or expenditures to support or oppose the qualification or passage of another ballot measure.

History: Added by Stats. 1991, Ch. 696; amended by Stats. 1993, Ch. 769.

References at the time of publication (see page 3):

Enforcement Decisions:
California Republican Assembly Committee Against Tax Increases 96/305 (2000)

§ 84202.5. Supplemental Preelection Statement.

(a) Any candidate or any committee pursuant to subdivision (a) of Section 82013 which makes contributions totaling ten thousand dollars ($10,000) or more in connection with an election, including a runoff election, shall file a supplemental preelection statement no later than 12 days before the election, for the period ending 17 days before the election. This statement shall be filed with each office with which the candidate or committee filing the statement is required to file its next campaign statement pursuant to Section 84215.

(b) This section shall not apply to candidates or committees during any semiannual period in which the candidate or committee is required to file preelection statements pursuant to Section 84200.5.

(c) If a candidate or committee makes contributions totaling ten thousand dollars ($10,000) or more in connection with an election and all of those contributions are reported pursuant to Section 84200 or 84202.7 on or before the closing date specified in subdivision (a), the candidate or committee shall not be required to file additional statements for that period pursuant to this section.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 984; amended by Stats. 1992, Ch. 89; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18402.5

Enforcement Decisions:
American Federation of State, County & Muni Employees, et al. 96/264 (1998)
California Republican Party, et al. 94/77 (1996)
National Rifle Association, et al. 94/183 (1995)
DRIVE - Demo., Rep., Ind. Voter Education, et al. 93/403 (1995)
CA Republican Party/Victory 1990 93/331 (1994)

§ 84202.7. Time for Filing by Committees of Odd-Numbered Year Reports.

(a) Except as provided in subdivision (b), during an odd-numbered year, any committee by virtue of Section 82013 that makes contributions totaling ten thousand dollars ($10,000) or more to elected state officers, their controlled committees, or committees primarily formed to support or oppose any elected state officer during a period specified below shall file campaign statements on the following dates:

(1) No later than April 30 for the period of January 1 through March 31.

(2) No later than October 31 for the period of July 1 through September 30.

(b) If a committee makes contributions totaling ten thousand dollars ($10,000) or more to elected state officers, their controlled committees, or committees primarily formed to support or oppose any elected state officer during a period specified in subdivision (a), and all of those contributions are reported pursuant to Section 84202.5 on or before the time specified in subdivision (a), the committee shall not be required to file additional statements for that period pursuant to this section.

History: Added by Stats. 1986, Ch. 984; amended by Stats. 1993, Ch. 218; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Enforcement Decisions:
California Refuse Removal Council North Political Action Committee 99/816 (2000)
National Rifle Association, et al. 94/183 (1995)
DRIVE - Demo., Rep., Ind. Voter Education, et al. 93/403 (1995)
California Podiatry PAC 91/207 (1992)

§ 84203. Late Contribution; Reports.

(a) Each candidate or committee that makes or receives a late contribution, as defined in Section 82036, shall report the late contribution to each office with which the candidate or committee is required to file its next campaign statement pursuant to Section 84215. The candidate or committee that makes the late contribution shall report his or her full name and street address and the full name and street address of the person to whom the late contribution has been made, the office sought if the recipient is a candidate, or the ballot measure number or letter if the recipient is a committee primarily formed to support or oppose a ballot measure, and the date and amount of the late contribution. The recipient of the late contribution shall report his or her full name and street address, and the date and amount of the late contribution. The recipient shall also report the full name of the contributor, his or her street address, occupation, and the name of his or her employer, or if self-employed, the name of the business.

(b) A late contribution shall be reported by facsimile transmission, telegram, guaranteed overnight mail through the United States Postal Service, or personal delivery within 24 hours of the time it is made in the case of the candidate or committee that makes the contribution and within 24 hours of the time it is received in the case of the recipient. A late contribution shall be reported on subsequent campaign statements without regard to reports filed pursuant to this section.

(c) A late contribution need not be reported nor shall it be deemed accepted if it is not cashed,

negotiated, or deposited and is returned to the contributor within 24 hours of its receipt.

(d) A report filed pursuant to this section shall be in addition to any other campaign statement required to be filed by this chapter.

History: Amended and renumbered by Stats. 1977, Ch. 1193. (Formerly Section 84201.) (Former Section 84203, titled "Measure; Committee; Time for Filing Campaign Statement," repealed by Stats. 1977, Ch. 1193.) Repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Time for Filing When a Special, General or Runoff Election is Held Less than 60 Days Following the Primary Election.") Repealed and reenacted as amended by Stats. 1985, Ch. 1456. (Formerly titled "Designation of Final Committee Preelection Statement."); amended by Stats. 1992, Ch. 89.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116
2 Cal. Code of Regs. Section 18421.1
2 Cal. Code of Regs. Section 18425

Enforcement Decisions:
California Autobody Repair Political Action Committee; John Sutherland III, Treasurer 010243 (2001)
California League of Conservation Voters, et al. 98/734 (2001)
California Republican Party and Shawn Steel, Treasurer 2000/160 (2001)
Communication Workers of America, District 9 Political Education Committee, William Quirk and Anthony Bixler 99/642 (2001)
Core Partners 2000/451 (2001)
Daniel E. Lungren, et al. 99/819 (2001)
Dario Frommer, et al. 2000/345 (2001)
Delores Zurita, Committee to Elect Delores Zurita and Satra Dee Zurita, Treasurer 2000/143 (2001)
Elihu Harris, Oakland Citizens for Accountable Government and Friends of Elihu Harris 96/708 (2001)
Eris H. Wagner and Eris Wagner for Superior Court Judge 2000/851 (2001)
Frank Russo, Frank Russo for Assembly Special Election Committee 2000/375 (2001)
Freedom and Free Enterprise PAC and Thomas P. Kemp, Treasurer 99/415 (2001)
Gloria Scott, Robert Martinez and the Committee to Elect Gloria Scott for Kern High School District Board of Trustee 2000/150 (2001)
Jane Harman, Jane Harman for Governor, and Robert B. Burke 2000/57 (2001)
Janice C. Leja, et al. 2000/348 (2001)
Joseph Gray Davis, Californians for Gray Davis and Steven Gourley, Treasurer 2000/56 (2001)
LA for Kids 99/820 (2001)
Lawrence Lake 2000/614 (2001)
Lucky Chances, Inc. 2000/362 (2001)
Marvin Kay 2000/434 (2001)
Peter Green, Committee to Re-elect Peter Green 010245 (2001)
Roger B. Klorese 2000/403 (2001)
Support Our Schools and Fredda Miller 97/494 (2001)
Tom Torlakson, Tom Torlakson for Senate, and Michael Pastrick 2000/358 (2001)
Anza Borrego Foundation 2000/507 (2000)
Bank of America CA PAC 2000/505 (2000)
Berding & Weil, LLP 2000/500 (2000)
Bruce Stuart 2000/501 (2000)
BTR, Inc., et al. 97/524 (2000)
California Cement Promotion Council 2000/396 (2000)
California Healthcare Committee on Issues 99/85 (2000)
California Insurance Group 99/506 (2000)
California Republic Association, Member Action Committee 2000/443 (2000)
Central Financial Acceptance Corp. 2000/449 (2000)
Chacon, Maria; Ramiro Morales, et al. 99/246 (2000)
Christine H. Russell 2000/397 (2000)
Cohen Medical Corporation 2000/450 (2000)
Daniel Renberg 2000/452 (2000)
Daniel Rubin 2000/453 (2000)
David and Michelle Kelley 2000/436 (2000)
David Ring 2000/454 (2000)
Donna Courtright, et al. 98/202 (2000)
E. Blake Byrne 2000/458 (2000)
F. Warren Hellman 2000/463 (2000)
George E. McCown 99/420 (2000)
Gordon Holdings LP 2000/469 (2000)
Griffith Company 99/416 (2000)
Harold Asher 2000/471 (2000)
Hewlett Packard 2000/473 (2000)
Horton Barbaro & Reilly 2000/475 (2000)
International Brotherhood of Electrical Workers Committee 99/347 (2000)
James C. Neuhauser 99/412 (2000)
James E. Holman 2000/480 (2000)
Jim Morrissey, et al. 2000/63 (2000)
John & Marcia Goldman 2000/484 (2000)
Kenneth G. Langone 99/417 (2000)
Knight & Associates 2000/467 (2000)
Lopez, Hodes, Restaino, Milman & Skikos 2000/430 (2000)
Maefield Development LLC 2000/432 (2000)
Marc Stern 99/377 (2000)
Mary Lou Clift, et al. 97/145 (2000)
Michael Erickson 98/202 (2000)
National Alliance Insurance Co. 99/504 (2000)
Northwest Pipe Company 2000/442 (2000)
Ocean Mist Farms 99/410 (2000)
Orange Coast Title Company 99/378 (2000)
Pachenga Band of Luiseno Indians 2000/425 (2000)
Padilla & Associates 2000/470 (2000)
Peter C. Foy & Associates 2000/426 (2000)
Peter W. Mullin 99/419 (2000)
Quisenberry & Barbanel LLP 2000/457 (2000)
Republican National Committee – California Account 99/455 (2000)
Richard K. Rainey 98/1 (2000)
R.J. Gordon 2000/398 (2000)
Rob Hurtt 98/1 (2000)
Robert Emami 2000/401 (2000)
Robinson, Calcagnie & Robinson, Inc. 2000/402 (2000)

Sacramento County Deputy Sheriffs' Association PAC 99/90 (2000)
Safeway, Inc. 2000/395 (2000)
Sare, Dale L., Committee to Elect Dale L. Sare, Superior Court Judge, and John N. Cefalu, Treasurer 99/83 (2000)
Silicon Valley Manufacturing 2000/408 (2000)
Stephen B. Gorman, et al 99/82 (2000)
The Oshman Living Trust 2000/415 (2000)
Thomas J. Jordan, II 2000/416 (2000)
Tom Hayden 2000/417 (2000)
UFCW Region 8 State Council, ID #910874 2000/513 (2000)
Val Chamlian 99/505 (2000)
Walkup, Melodia, Kelly & Echeverria 2000/419 (2000)
William M. Shubin, et al. 97/454 (2000)
Zora Charles 2000/422 (2000)
Zurich Commercial 99/507 (2000)
Taxpayers for Better Education PAC; F. Laurence Scott, Jr. 99/92 (1999)
Yes on C in El Segundo and Carl Jacobson 97/312 (1999)
Arb, Inc. 98/501 (1999)
Californians for Health Security, et al. 97/86 (1999)
Joseph Lal 98/497 (1999)
Kathleen Brown, et al. 97/84 (1999)
Kaufman and Broad Home Corporation 98/701 (1999)
Rudy G. Favila, et al. (1999)
Scott R. Baugh, et al. 99/363 (1999)
Scott R. Baugh, et al. 99/187 (1999 Civil Suit)
Thermo Ecotek Corporation 98/727 (1999)
Citizens to Protect our Community, et al. 96/411 (1998)
Democratic State Central Committee of California 98/40 (1998)
Tom Umberg, et al. 96/610 (1998)
David A. Bossen 98/294 (1998)
California Victory Fund, et al. 98/289 (1998)
Friends of Kevin Murray and Kevin Murray 96/132 (1998)
Kent A. Logan 98/296 (1998)
Contra Costa Community College District 96/520 (1998)
C. Michael Kojaian 98/322 (1998)
Republican National State Elections 98/318 (1998)
Duane Roberts 98/291 (1998)
John Upton, et al. 97/367 (1998)
Joseph M. Schell 98/325 (1998)
Committee for Responsible Woodside Town Government, et al. 95/552 (1998)
GEICO Corporation 98/298 (1998)
Windway Capital 98/293 (1998)
L.W. Lane, Jr. 98/297 (1998)
J. Stanley Sanders, et al. 94/711 (1998 Civil Suit)
Lewis W. Coleman 98/319 (1998)
John K. Skeen 98/317 (1998)
Richard Scaife 98/324, 98/346 (1998)
Albert Robles 95/39 (1998)
American Federation of State, County & Muni Employees, et al. 96/264 (1998)
Diablo Valley College Foundation 97/493 (1998)
Donald Barnett 96/612 (1998)
Paul Horcher, et al. 96/190 (1998)
Charles W. Quackenbush, et al. 94/633 (1997)
Juanita McDonald, et al. 95/211 (1997)
Tulare Co. Deputy Sheriff's Assn. PAC 94/536 (1997)
Mark Thompson 92/71 (1997)
Coalition to Achieve Responsible Enforcement and Sarah Skinner, Treasurer 95/196 (1997)
Juan Ulloa, et al. 96/77 (1997)
Joe Baca, et al. 96/281 (1997)
Committee for Excellence in Education, Philip Arnold, et al. 95/189 (1997)
Roger Benitez, et al. 96/282 (1997)
Richard Monteith, et al. 96/75 (1997)
Michael Woo, et al. 96/406 (1997)
Arlo Smith, et al. 93/332 (1996)
Yvonne Brathwaite Burke, et al. 95/182 (1996)
Peter Navarro; Robin Stark 93/456 (1996)
California Republican Party, et al. 94/77 (1996)
Nestle USA, Inc. 95/182 (1996)
Frank M. Jordan, et al. 94/654 (1996)
American Fed. of State, County and Municipal Employees 95/304 (1995)
Residential Builders Association PAC, et al. 94/447 (1995)
Jerold L. Turner, et al. 94/240 (1995)
National Rifle Association, et al. 94/183 (1995)
DRIVE - Demo., Rep., Ind. Voter Education, et al. 93/403 (1995)
Californians Against Corruption, et al. 93/336 (1995)
California Society of Plastic Surgeons PAC 92/374 (1995)
Bonnie Wai, et al. 92/286 (1995)
Robert "Tim" Leslie, et al. 93/250 (1994)
UAW Region 6 Political Action Committee, et al. 92/67 (1994)
Richard Lang, et al, 91/303 (1994)
Lionel J. Wilson, et al. 90/813 (1994)
American Fed. of State, County and Municipal Employees 93/404 (1994)
CA Republican Party/Victory 1990 93/331 (1994)
Yes on Measure "A"/Quality Ed. Project, et. al. 91/590 (1993)
Southwestern Regional Council, et al. 92/735 (1993)
Gil Ferguson, et al. 91/368 (1993)
Schabarum Fund for California's Future, et al. 91/608 (1993)
Leon D. Ralph, et al. 90/572 (1993)
San Franciscans for Common Sense, et al. 90/928 (1993)
Gary G. Miller, et al. 91/331 (1993)
Robert A. Day 92/121 (1993)
Luis Hernandez, et al. 89/404 (1993)
David Knowles, et al. 92/382 (1993)
Evergreen America Corporation 93/45 (1993)
Dianne Feinstein, et al. 90/819 (1992)
Californians Against Unfair Tax Increases, et al. 89/508 (1992)
Pete Wilson, et al. 92/492 (1992)
Lucy Killea, et al. 91/203 (1992)

Richard Kuebler 89/44 (1992)
Political Action for Thoroughbred Horsemen 91/132 (1992)
Taxpayers to Limit Campaign Spending 89/350 (1992)
United Food and Commercial Workers Local 135 89/451 (1992)
Kenneth Orduna, et al. 88/364 (1991)
Tony Trias, et al. 88/489 (1991)
Fieldstone Company 90/259 (1991)
Orco Block Company, Inc. 90/395 (1991)
Stop Dannemeyer/No on 102, Robert Ward 90/530 (1991)
Robert A. Knox, et al. 90/574 (1991)
Coca-Cola Company 91/238 (1991)
Tricia Hunter, et al. 91/332 (1991)
American Telephone and Telegraph Co. 91/341 (1991)
Angela Alioto, et al. 91/9 (1991)
Mike Curb, et al. 89/370 (1990)
California Judges Assn., et al. 89/186 (1990)
March Fong Eu, et al. 89/139 (1990)
William Campbell, et al. 88/210 (1990)
Richard Brann 88/109 (1990)
Edward Vincent 87/127 (1990)
Gil Ferguson, et al. 87/84 (1990)
Paul Carpenter, et al. 87/122 (1989)
Willard Murray /Murray for Assem. /Sanders /UDCC 88/75 (1989)
Eppaminondas Johnson 88/258 (1989)
Trice Harvey/Comm. to Elect Trice Harvey 88/225 (1989)
Patrick Crane 87/444 (1989)
Myra Kopf/Com/David Looman/Patricia Wizeman 86/560 (1989)
No on Prop. 37/Marvin Reynolds 87/24 (1988)
Marvin Davis 87/445 (1988)
Municicorp, Inc. 87/364 (1988)
Drexel, Burnham & Lambert, Inc. 87/358 (1988)
Blackhawk Corp. 87/354 (1988)
Basic American Foods 87/352 (1988)
Horsemen's Benevolent & Protective Assn. 87/24 (1988)
Richard A. Snyder 87/380 (1988)
Sandra Everingham 86/576 (1988)
Louis Laramore 86/576 (1988)
Sam Digati/Sam Digati for Sup. Comm. 86/576 (1988)
Larry Walker/Gary Ayala/Ruben Ayala 86/435 (1988)
Joint Industry Council/Cook/Ochinero/Weiss 86/252 (1987)
John Doolittle, et al. 84/43 (1987)
Linda Nelson/Friends of Linda Nelson 84/295 (1987)
John Hodgson/California Hospital Assn. 86/240 (1987)
Taxpayers Against Crime & Violence, et al. 83/365 (1986)
Nat'l United Farm Workers PAC 82/21 (1983)
Republican State Central Comm. et al. 80/59 (1983)
Cathie Wright, et al. 81/16 (1982)
Doug Carter, et al. 78/121 (1981)
Santa Clara No on Prop. 13 Comm. 80/13 (1981)
Industry Manufacturers Council 80/55 (1981)
Retailers Good Government Council, et al. 81/10 (1981)
Dan O'Keefe, et al. 80/23 (1980)
Renee Simon/Simon Comm/Sterling Clayton 80/15 (1980)
Oliver Speraw/Speraw for State Sen/Murchison 80/14 (1980)
Willis Edwards 79/49 (1980)

§ 84203.3. Late In-Kind Contributions.

(a) Any candidate or committee that makes a late contribution that is an in-kind contribution shall notify the recipient in writing of the value of the in-kind contribution. The notice shall be received by the recipient within 24 hours of the time the contribution is made.

(b) Nothing in this section shall relieve a candidate or committee that makes a late in-kind contribution or the recipient of a late in-kind contribution from the requirement to file late contribution reports pursuant to Section 84203. However, a report filed by the recipient of a late in-kind contribution shall be deemed timely filed if it is received by the filing officer within 48 hours of the time the contribution is received.

History: Added by Stats. 1995, Ch. 77.

References at the time of publication (see page 3):

Enforcement
Decisions: CA Commerce Club 95/506 (1997)

§ 84203.5. Supplemental Independent Expenditure Report.

(a) In addition to any campaign statements required by this article, if a candidate or committee has made independent expenditures totaling one thousand dollars ($1,000) 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 same time, covering the same periods, and in the places where the candidate or committee would be required to file campaign statements under this article, as if it were formed or existing primarily to support or oppose the candidate or measure or qualification of the measure. No independent expenditure report need be filed to cover a period for which there has been no activity to report.

(b) An independent expenditure report shall contain the following information:

(1) The name, street address, and telephone number of the candidate or committee making the expenditure and of the committee's treasurer, and the

number assigned to the committee by the Secretary of State.

(2) If the report is related to a candidate, the full name of the candidate and the office and district for which the candidate seeks nomination or election. If the report is related to a measure or qualification of a measure, the number or letter of the measure, or if none has yet been assigned, a brief description of the subject matter of the measure, and the jurisdiction in which the measure is to be voted on or would be voted on if it qualified.

(3) The total amount of expenditures related to the candidate or measure during the period covered by the report made to persons who have received less than one hundred dollars ($100).

(4) The total amount of expenditures related to the candidate or measure during the period covered by the report made to persons who have received one hundred dollars ($100) or more.

(5) For each person to whom an expenditure of one hundred dollars ($100) or more related to the candidate or measure has been made during the period covered by the report and for each person who has provided consideration for an expenditure of one hundred dollars ($100) or more during the period covered by the report:

(A) His or her full name.

(B) His or her street address.

(C) If the person is a committee, the name of the committee, the number assigned to the committee by the Secretary of State, or if no number has been assigned, the full name and street address of the treasurer of the committee.

(D) The date of the expenditure.

(E) The amount of the expenditure.

(F) A brief description of the consideration for which each expenditure was made and the value of the consideration if less than the total amount of the expenditure.

(G) The cumulative amount of expenditures to such person.

(6) A list of all the filing officers with whom the committee filed its most recent campaign statement.

History: Added by Stats. 1985, Ch. 1456; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Enforcement Decisions:
California League of Conservation Voters, et al. 98/734 (2001)
Sam Cardelucci and National Environmental Waste Corporation 2000/5 (2001)
California Commerce Club, Inc. (1999 Civil Suit)
Democratic State Central Committee of California 98/40 (1998)
Contra Costa Community College District 96/520 (1998)
Committee for Responsible Woodside Town Government, et al. 95/552 (1998)
California Coalition for Immigration Reform, et al. 94/651 (1998)
California Republican Party 96/374 (1998)
County of Sacramento 93/345 (1996)
Irvine Police Assn., et al. 93/115 (1996)
National Rifle Association, et al. 94/183 (1995)
J. Richard Eichman 92/407 (1994)
Western Mobilehome Assn. Pac 92/407 (1994)
United Food and Commercial Workers Local 135 89/451 (1992)
Richard Kuebler 89/44 (1991)

§ 84204. Late Independent Expenditures; Reports.

(a) A committee that makes a late independent expenditure, as defined in Section 82036.5, shall report the late independent expenditure by facsimile transmission, telegram, guaranteed overnight mail through the United States Postal Service, or personal delivery within 24 hours of the time it is made. A late independent expenditure shall be reported on subsequent campaign statements without regard to reports filed pursuant to this section.

(b) A committee that makes a late independent expenditure shall report its full name and street address, as well as the name, office, and district of the candidate if the report is related to a candidate, or if the report is related to a measure, the number or letter of the measure, the jurisdiction in which the measure is to be voted upon, and the amount and the date, as well as a description of goods or services for which the late independent expenditure was made. In addition to the information required by this subdivision, a committee that makes a late independent expenditure shall include with its late independent expenditure report the information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211, covering the period from the day after the closing date of the last campaign report filed to the date of the late independent expenditure, or if the committee has not previously filed a campaign statement, covering the period from the previous January 1 to the date of the late independent expenditure. No information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211, that is required to be reported with a late independent expenditure report by this subdivision, is required to be reported on more than one late independent expenditure report.

(c) A committee that makes a late independent expenditure shall file a late independent expenditure report in the places where it would be required to file campaign statements under this article as if it were formed or existing primarily to support or oppose the candidate or measure for or against which it is making the late independent expenditure.

(d) A report filed pursuant to this section shall be in addition to any other campaign statement required to be filed by this article.

History: Former Section 84204, titled "Support of Both Candidates and Measures; Filing Requirements," repealed by Stats. 1977, Ch. 1193; former Section 84202 amended by Stats. 1976, Ch. 1106; renumbered to 84204 by Stats. 1977, Ch. 1193; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Time for Filing; Committees Supporting or Opposing the Qualification of a Measure and Proponents of State Measures"); repealed and reenacted as amended by Stats. 1985, Ch. 1456. (Formerly titled "Designation of Final Candidate Preelection Statement"); amended by Stats. 1992, Ch. 89; amended by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18116

Enforcement Decisions:
County Alliance for a Responsible Education System, et al. 99/352 (2001)
Drake Kennedy 97/97 (2001)
Sam Cardelucci and National Environmental Waste Corporation 2000/5 (2001)
Santa Clara County United Democratic Campaign, et al. 97/62 (2001)
Committee for Local Awareness and Armen Tashjian 99/711 (2000)
Burbank-Glendale-Pasadena Airport Authority 97/202 (1999)
California Coalition for Immigration Reform, et al. 94/651 (1998)
Sports Mall Task Force and Gordon Reynolds, Treasurer 96/671 (1998)
Committee for Responsible Woodside Town Government, et al. 95/552 (1998)
Orange County Democratic Central Committee 96/301 (1998)
Champs Operating Group, Inc., and Leo Chu 95/437 (1998)
American Federation of State, County & Muni Employees, et al. 96/264 (1998)
California Republican Party 96/374 (1998)
Paul Horcher, et al. 96/190 (1998)
Patrick Johnston, et al. 96/114 (1997)
Mark Thompson 92/71 (1997)
County of Sacramento 93/345 (1996)
Irvine Police Assn., et al. 93/115 (1996)
Residential Builders Association PAC, et al. 94/447 (1995)
National Rifle Association, et al. 94/183 (1995)
Western Mobilehome Assn. PAC 92/407 (1994)
Citizens for Responsible Representation, et al. 92/700 (1994)
Luis Hernandez, et al. 89/404 (1993)
Citizens for a Strong Chula Vista, et al. 90/887 (1992)
Ethics in Government, et al. 91/574 (1992)
Richard Kuebler 89/44 (1992)
San Diego City Fire Fighters 91/493 (1992)
United Food & Commercial Workers Local 135 89/451 (1992)
California League of Conservation Voters, et al. 90/9 (1991)
Leisure Technology 88/573 (1990)

§ 84204.1. Election Statements; Exemption from Filing; Abbreviated Statements. [Repealed]

History: Added by Stats. 1976, Ch. 1106; repealed by Stats. 1980, Ch. 289.

§ 84204.2. Preelection Statements; Final. [Repealed]

History: Added by Stats. 1976, Ch. 1105; amended by Stats. 1978, Ch. 1408, effective October 1, 1978; repealed by Stats. 1980, Ch. 289.

§ 84205. Combination of Statements.

The Commission may by regulation or written advice permit candidates and committees to file campaign statements combining statements and reports required to be filed by this title.

History: Amended by Stats. 1977, Ch. 1193; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Closing Dates"); amended by Stats. 1981, Ch. 78; repealed and reenacted by Stats. 1985, Ch. 1456. (Formerly titled "Candidates Who Receive or Spend Less than $500.")

§ 84206. Candidates Who Receive or Spend Less Than $1,000.

(a) The Commission shall provide by regulation for a short form for filing reports required by this article for candidates or officeholders who receive contributions of less than one thousand dollars ($1,000), and who make expenditures of less than one thousand dollars ($1,000), in a calendar year.

(b) For the purposes of this section, in calculating whether one thousand dollars ($1,000) in expenditures have been made, payments for a filing fee or for a statement of qualification shall not be included if these payments have been made from the candidate's personal funds.

(c) Every candidate or officeholder who has filed a short form pursuant to subdivision (a), and who thereafter receives contributions or makes expenditures totaling one thousand dollars ($1,000) or more in a calendar year, shall send written notification to the Secretary of State, the local filing officer, and each candidate contending for the same office within 48 hours of receiving or expending a total of one thousand dollars ($1,000). The written notification shall revoke the previously filed short form statement.

History: Repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Semi-Annual Campaign Statements"); repealed and reenacted as amended by Stats. 1985, Ch. 1456. (Formerly titled "Late Contributions; Reports"); amended by Stats. 1987, Ch. 632; amended by Stats. 1993, Ch. 391.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18406

Opinions: In re Lui (1987) 10 FPPC Ops. 10

Enforcement Decisions: Dexter Henderson 96/367 (1998)
Lia Belli, et al. 84/298 (1988)
Willis Edwards 79/49 (1980)

§ 84207. Late Independent Expenditures; Reports. [Repealed]

History: Amended by Stats. 1977, Ch. 1193, effective January 1, 1978; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Candidate for Reelection to Judicial Office"); repealed by Stats. 1985, Ch. 1456.

§ 84207.5. Appointments to Office; Filing Requirements. [Repealed]

History: Added by Stats. 1976, Ch. 1106; repealed by Stats. 1980, Ch. 289.

§ 84208. Independent Expenditures; Reports. [Repealed]

History: Added by Stats. 1980, Ch. 289; repealed by Stats. 1985, Ch. 1456.

§ 84209. Consolidated Statements.

A candidate or state measure proponent and any committee or committees which the candidate or a state measure proponent controls may file consolidated campaign statements under this chapter. Such consolidated statements shall be filed in each place each of the committees and the candidate or state measure proponent would be required to file campaign statements if separate statements were filed.

History: Added by Stats. 1980, Ch. 289.

§ 84210. Special Election Reports. [Repealed]

History: Amended by Stats. 1978, Ch. 650; repealed and reenacted as amended by Stats. 1980, Ch. 289; (Formerly titled "Contents of Campaign Statement."); repealed by Stats. 1985, Ch. 1456.

§ 84211. Contents of Campaign Statement.

Each campaign statement required by this article shall contain all of the following information:

(a) The total amount of contributions received during the period covered by the campaign statement and the total cumulative amount of contributions received.

(b) The total amount of expenditures made during the period covered by the campaign statement and the total cumulative amount of expenditures made.

(c) The total amount of contributions received during the period covered by the campaign statement from persons who have given a cumulative amount of one hundred dollars ($100) or more.

(d) The total amount of contributions received during the period covered by the campaign statement from persons who have given a cumulative amount of less than one hundred dollars ($100).

(e) The balance of cash and cash equivalents on hand at the beginning and the end of the period covered by the campaign statement.

(f) If the cumulative amount of contributions (including loans) received from a person is one hundred dollars ($100) or more and a contribution or loan has been received from that person during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) His or her occupation.

(4) The name of his or her employer, or if self-employed, the name of the business.

(5) The date and amount received for each contribution received during the period covered by the campaign statement and if the contribution is a loan, the interest rate for the loan.

(6) The cumulative amount of contributions.

(g) If the cumulative amount of loans received from or made to a person is one hundred dollars ($100) or more, and a loan has been received from or made to a person during the period covered by the campaign statement, or is outstanding during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) His or her occupation.

(4) The name of his or her employer, or if self-employed, the name of the business.

(5) The original date and amount of each loan.

(6) The due date and interest rate of the loan.

(7) The cumulative payment made or received to date at the end of the reporting period.

(8) The balance outstanding at the end of the reporting period.

(9) The cumulative amount of contributions.

(h) For each person, other than the filer, who is directly, indirectly, or contingently liable for repayment

of a loan received or outstanding during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) His or her occupation.

(4) The name of his or her employer, or if self-employed, the name of the business.

(5) The amount of his or her maximum liability outstanding.

(i) The total amount of expenditures made during the period covered by the campaign statement to persons who have received one hundred dollars ($100) or more.

(j) The total amount of expenditures made during the period covered by the campaign statement to persons who have received less than one hundred dollars ($100).

(k) For each person to whom an expenditure of one hundred dollars ($100) or more has been made during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) The amount of each expenditure.

(4) A brief description of the consideration for which each expenditure was made.

(5) In the case of an expenditure which is a contribution to a candidate, elected officer, or committee or an independent expenditure to support or oppose a candidate or measure, in addition to the information required in paragraphs (1) to (4) above, the date of the contribution or independent expenditure, the cumulative amount of contributions made to a candidate, elected officer, or committee, or the cumulative amount of independent expenditures made relative to a candidate or measure; the full name of the candidate, and the office and district for which he or she seeks nomination or election, or the number or letter of the measure; and the jurisdiction in which the measure or candidate is voted upon.

(6) The information required in paragraphs (1) to (4), inclusive, for each person, if different from the payee, who has provided consideration for an expenditure of five hundred dollars ($500) or more during the period covered by the campaign statement.

For purposes of subdivisions (i), (j), and (k) only, the terms “expenditure” or “expenditures” mean any individual payment or accrued expense, unless it is clear from surrounding circumstances that a series of payments or accrued expenses are for a single service or product.

(l) In the case of a controlled committee, an official committee of a political party, or an organization formed or existing primarily for political purposes, the amount and source of any miscellaneous receipt.

(m) If a committee is listed pursuant to subdivision (f), (g), (h), (k), (l), or (q), the number assigned to the committee by the Secretary of State shall be listed, or if no number has been assigned, the full name and street address of the treasurer of the committee.

(n) In a campaign statement filed by a candidate who is a candidate in both a state primary and general election, his or her controlled committee, or a committee primarily formed to support or oppose such a candidate, the total amount of contributions received and the total amount of expenditures made for the period January 1 through June 30 and the total amount of contributions received and expenditures made for the period July 1 through December 31.

(o) The full name, residential or business address, and telephone number of the filer, or in the case of a campaign statement filed by a committee defined by subdivision (a) of Section 82013, the name, street address, and telephone number of the committee and of the committee treasurer. In the case of a committee defined by subdivision (b) or (c) of Section 82013, the name that the filer uses on campaign statements shall be the name by which the filer is identified for other legal purposes or any name by which the filer is commonly known to the public.

(p) If the campaign statement is filed by a candidate, the name, street address, and treasurer of any committee of which he or she has knowledge which has received contributions or made expenditures on behalf of his or her candidacy and whether the committee is controlled by the candidate.

(q) A contribution need not be reported nor shall it be deemed accepted if it is not cashed, negotiated, or deposited and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported.

(r) If a committee primarily formed for the qualification or support of, or opposition to, an initiative or ballot measure is required to report an expenditure to a business entity pursuant to subdivision (k) and 50 percent or more of the business entity is owned by a candidate or person controlling the committee, by an officer or employee of the committee, or by a spouse of any of these individuals, the committee’s campaign statement shall also contain, in addition to the information required by subdivision

(k), that person's name, the relationship of that person to the committee, and a description of that person's ownership interest or position with the business entity.

(s) If a committee primarily formed for the qualification or support of, or opposition to, an initiative or ballot measure is required to report an expenditure to a business entity pursuant to subdivision (k), and a candidate or person controlling the committee, an officer or employee of the committee, or a spouse of any of these individuals is an officer, partner, consultant, or employee of the business entity, the committee's campaign statement shall also contain, in addition to the information required by subdivision (k), that person's name, the relationship of that person to the committee, and a description of that person's ownership interest or position with the business entity.

(t) If the campaign statement is filed by a committee, as defined in subdivision (b) or (c) of Section 82013, information sufficient to identify the nature and interests of the filer, including:

(1) If the filer is an individual, the name and address of the filer's employer, if any, or his or her principal place of business if the filer is self-employed, and a description of the business activity in which the filer or his or her employer is engaged.

(2) If the filer is a business entity, a description of the business activity in which it is engaged.

(3) If the filer is an industry, trade, or professional association, a description of the industry, trade, or profession which it represents, including a specific description of any portion or faction of the industry, trade, or profession which the association exclusively or primarily represents.

(4) If the filer is not an individual, business entity, or industry, trade, or professional association, a statement of the person's nature and purposes, including a description of any industry, trade, profession, or other group with a common economic interest which the person principally represents or from which its membership or financial support is principally derived.

History: Amended by Stats. 1978, Ch. 650; repealed and reenacted as amended by Stats. 1980, Ch. 289; (Formerly titled "Consideration of Cumulative Amount"); amended by Stats. 1982, Ch. 377; amended by Stats. 1985, Ch. 899; amended by Stats. 1988, Ch. 704; amended by Stats. 1989, Ch. 1452; amended by Stats. 1990, Ch. 581; amended by Stats. 1991, Ch. 674; amended by Stats. 1993, Ch. 1140; amended by Stats. 2000, Ch. 161; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421
2 Cal. Code of Regs. Section 18421.1
2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18421.6
2 Cal. Code of Regs. Section 18423
2 Cal. Code of Regs. Section 18428
2 Cal. Code of Regs. Section 18430
2 Cal. Code of Regs. Section 18537

Opinions: In re Nielsen (1979) 5 FPPC Ops. 18
In re Buchanan (1979) 5 FPPC Ops. 14
In re McCormick (1976) 2 FPPC Ops. 42
In re Burciaga (1976) 2 FPPC Ops. 17
In re Hayes (1975) 1 FPPC Ops. 210
In re Cory (1975) 1 FPPC Ops. 137

Enforcement Decisions: CA Republican Assembly Membership Action Committee, et al. 99/427 (2001)
California League of Conservation Voters, et al. 98/734 (2001)
California Pro Business Committee and Ravinder Mehta 010051 (2001)
California Republican Party and Shawn Steel, Treasurer 2000/160 (2001)
Carl Washington, et al. 2000/362 (2001)
Communication Workers of America, District 9 Political Education Committee, William Quirk and Anthony Bixler 99/642 (2001)
Curt Pringle, Friends of Curt Pringle 1998, Betty Presley,and Jeff Flint 99/821 (2001)
Daniel E. Lungren, et al. 99/819 (2001)
Delores Zurita, Committee to Elect Delores Zurita and Satra Dee Zurita, Treasurer 2000/143 (2001)
Democratic State Central Committee of California and Katherine Moret 010495 (2001)
Dennis Sammut and Artichoke Joe's 2000/362 (2001)
Don E. Perata, et al. 2000/156 (2001)
Engineering and Utility Contractors Assn PAC, et al. 99/815 (2001)
Excellence in Student Achievement PAC 98/265 (2001)
Frank Russo, Frank Russo for Assembly Special Election Committee 2000/375 (2001)
Jane Harman, Jane Harman for Governor, and Robert B. Burke 2000/57 (2001)
Joseph Gray Davis, Californians for Gray Davis and Steven Gourley, Treasurer 2000/56 (2001)
LA for Kids 99/820 (2001)
Mirage Resorts, Inc. 2000/362 (2001)
Nationwide Auction Systems 99/641 (2001)
Oaks Card Club 2000/362 (2001)
Richard L. Dickerson, et al. 98/590 (2001)
Support Our Schools and Fredda Miller 97/494 (2001)
Yolo County Republican Central Committee, et al. 99/813 (2001)
BTR, Inc., et al. 97/524 (2000)
Craig Wilson, et al. 98/304 (2000)
Independent PAC Local 188 International Assn. of Firefighters, et al. 97/533 (2000)
John Davis 98/28 (2000)
Mary Lou Clift, et al. 97/145 (2000)
Mercury General Corporation 2000/119 (2000)

Nancy Pollard, et al. 99/227 (2000)
Sacramento County Deputy Sheriffs' Association PAC 99/90 (2000)
Bell Gardens Bicycle Club, et al. 95/464 (1999 Civil Suit)
California Commerce Club, Inc. (1999 Civil Suit)
Californians for Health Security, et al. 97/86 (1999)
Chris Miller, et al. 97/232 (1999)
Gary Paul 98/40 (1999)
Kathleen Brown, et al. 97/84 (1999)
National Rep. Congressional Comm. Non-Fed 98/507 (1999 Civil Suit)
Rudy G. Favila, et al. (1999)
Scott R. Baugh, et al. 99/187 (1999 Civil Suit)
California Pro Life Council, Inc. 97/582 (1998)
Taxpayers Against Frivolous Lawsuits 98/137 (1998)
Dairymen's Cooperative Creamery Assn, et al. 97/370 (1998)
Contra Costa Community College District 96/520 (1998)
Timothy Peter Smith 95/327 (1998)
John Upton, et al. 97/367 (1998)
Women's Political Committee, et al. 97/371 (1998)
Friends of the Albany Waterfront, et al. 96/262 (1998)
Bernard Herschel Thomson, aka Skip Thomson 96/497 (1998)
Committee for Responsible Woodside Town Government, et al. 95/552 (1998)
California Victory Fund, et al. 98/289 (1998)
Palm Springs Gaming Corporation, et al. 96/149 (1998 Civil Suit)
Citizens to Protect our Community, et al. 96/411 (1998)
Granite Construction Company 96/149 (1998 Civil Suit)
Democratic State Central Committee of California 98/40 (1998)
J. Stanley Sanders, et al. 94/711 (1998)
American Federation of State, County & Muni Employees, et al. 96/264 (1998)
Frances Rowe 95/316 (1998)
Glendon B. Craig 97/368 (1998)
Margaret Pryor 94/476 (1998)
Pete Sinclair, et al. 96/146 (1998)
Valerie Pope-Ludlam, et al. 95/74 (1998)
Richard Katz, et al. 96/285 (1997)
Charles W. Quackenbush, et al. 94/633 (1997)
Patrick Johnston, et al. 96/114 (1997)
Juanita McDonald, et al. 95/211 (1997)
CA Commerce Club 95/506 (1997)
Scott Montgomery, et al. 95/192 (1997)
Peter Mc Hugh, et al. 94/533 (1997)
Tom Bordonaro Jr., et al. 96/76 (1997)
Joe Baca, et al. 96/281 (1997)
Roger Benitez, et al. 96/282 (1997)
Richard Monteith, et al. 96/75 (1997)
Keith McDonald, et al. 96/1 (1997)
Barbara Alby, et al. 95/23 (1996)
California Republican Party, et al. 94/77 (1996)
Gerald F. Sevier, et al. 94/184 (1996)
Arlo Smith, et al. 93/332 (1996)
Yvonne Brathwaite Burke, et al. 95/182 (1996)
Frank M. Jordan, et al. 94/654 (1996)
Floyd H. Weaver, et al. 95/183 (1995)
Tom Hsieh, et al. 94/655 (1995)
Residential Builders Association PAC, et al. 94/447 (1995)
Jerold L. Turner, et al. 94/240 (1995)
John Vasconcellos, et al. 94/187 (1995)
Californians Against Corruption, et al. 93/336 1995)
Bonnie Wai, et al. 92/286 (1995)
Kevin P. Eckard, et al. 92/115 (1995)
Wilson Riles, Jr., et al. 90/813 (1995)
Leo Bazile, et al. 90/813 (1995)
California Republican Party, et al. 93/250 (1994)
Robert "Tim" Leslie, et al. 93/250 (1994)
Taxpayers for Common Sense, et al. 92/514 (1994)
UAW Region 6 Political Action Committee, et al. 92/67 (1994)
Angela "Bay" Buchanan, et al. 92/52 (1994)
J. Richard Eichman 92/407 (1994)
No on 128 - The Hayden Initiative, et al. 92/433 (1994)
CA Thoroughbred Breeders, et al. 92/734 (1994)
Richard Lang, et al. 91/303 (1994)
Lionel J. Wilson, et al. 90/813 (1994)
Thomas Hayes, et al. 93/90 (1994)
CA Republican Party/Victory 1990 93/331 (1994)
Taxpayers for Common Sense, et al. 92/514 (1994)
Southwestern Regional Council, et al. 92/735 (1993)
Gil Ferguson, et al. 91/368 (1993)
Leon D. Ralph, et al. 90/572 (1993)
Luis Hernandez, et al. 89/404 (1993)
Gloria McColl, et al. 91/446 (1993)
Peter Chacon, et al. 91/424 (1993)
Ron May, et al. 92/617 (1993)
San Franciscans for Common Sense, et al. 90/928 (1993)
Dianne Feinstein, et al. 90/819 (1992)
Pete Wilson, et al. 92/492 (1992)
Good Driver Initiative, et al. 90/620 (1992)
Californians for Higher Education, et al. 91/575 (1992)
Ethics in Government, et al. 91/574 (1992)
Jim Gonzalez, et al. 91/170 (1992)
No on 106, et al. 90/571 (1992)
Yes on 111 & 108, et al. 91/501 (1992)
Riverside Tomorrow, et al. 88/239 (1991)
Kenneth Orduna, et al. 88/364 (1991)
California League of Conservation Voters, et al. 90/9 (1991)
Thomas Watson, et al. 90/80 (1990)
Bill Huggins, et al. 89/190 (1990)
Norton Younglove 88/529 (1990)
Stephen Webb, et al. 88/152 (1990)
Richard Brann 88/109 (1990)
Larry Ward, et al. 87/458 (1990)
Democratic State Central Comm., et al. 87/213 (1990)
Edward Vincent 87/127 (1990)

Gil Ferguson 87/84 (1990)
Griffin Homes 88/528 (1989)
Dan Shapiro/Friends of Dan Shapiro 87/614 (1989)
Art Torres, et al. 88/188 (1989)
J. David Horspool, et al. 88/148 (1989)
Myra Kopf/Com/David Looman/Patrick Wizeman 86/560 (1989)
Paul H. Snider, Florin Road Toyota 88/259 (1989)
Eppaminondas Johnson 88/258 (1989)
Marshall Scott/Marshall C. Scott Comm 88/151 (1989)
William Bryan, et al. 83/03 (1988)
Lia Belli, et al. 84/298 (1988)
Sandra Everingham 86/576 (1988)
Sam Digati/Sam Digati for Sup. Comm. 86/576 (1988)
Occidental Petroleum Corp. 88/103 (1988)
Blackhawk Corp. 87/354 (1988)
John Doolittle, et al. 84/43 (1987)
Gregoire Calegari 84/300 (1987)
Quentin Kopp/Friends of Quentin Kopp 84/300 (1987)
Linda Nelson/Friends of Linda Nelson 84/295 (1987)
A. Ron Rhone/Friends of A. Ron Rhone 84/237 (1987)
Leon Mezzetti, et al. 86/361 (1987)
John Markstein 85/365 (1986)
A. John Shimmon/Comm./Melvin Swig 85/18 (1986)
Rep. Central Comm. of Colusa County 85/172 (1986)
Anna Sparks, et al. 84/256 (1986)
Janice Nash 84/237 (1986)
Taxpayers Against Crime & Violence, et al. 83/365 (1986)
Andrew Fitzmorris /G. Bergeron /C. Bergeron 83/14 (1986)
Jan Hewitt/Comm. to Reelect Jan Hewitt 83/18 (1984)
Conway Collis, et al. 82/24 (1984)
Richard Polanco/Friends of Richard Polanco 82/22 (1984)
Republican State Central Comm. et al. 80/59 (1983)
Nat'l United Farm Workers PAC 82/21 (1983)
John Schmitz 81/17 (1983)
Morton Allen/Mort Allen for City Council 80/58 (1982)
Cathie Wright, et al. 81/16 (1982)
Demo State Cen. Comm. No. Div./Betty Smith 80/75 (1981)
Santa Clara No on Prop. 13 Comm. 80/13 (1981)
Oscar Klee/ Betty Franklin 79/58 (1980)
Bill Greene, et al. 78/72 (1980)
Quentin Kopp, et al. 79/57 (1980)
Renee Simon, et al. 80/15 (1980)
Willis Edwards, et al. 80/23 (1980)
Oliver Speraw, et al. 80/14 (1980)
Dan O'Keefe 80/23 (1980)

§ 84212. Forms; Loans.

The forms promulgated by the Commission for disclosure of the information required by this chapter shall provide for the reporting of loans and similar transactions in a manner that does not result in substantial overstatement or understatement of total contributions and expenditures.

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Candidates Who Receive and Spend $200 or Less."); amended by Stats. 1985, Ch. 1456.

References at the time of publication (see page 3):

Enforcement Decisions: Willis Edwards 79/49 (1980)

§ 84213. Candidate Verification.

A candidate and state measure proponent shall verify his or her campaign statement and the campaign statement of each committee subject to his or her control. The verification shall be in accordance with the provisions of Section 81004 except that it shall state that to the best of his or her knowledge the treasurer of each controlled committee used all reasonable diligence in the preparation of the committee's statement. This section does not relieve the treasurer of any committee from the obligation to verify each campaign statement filed by the committee pursuant to Section 81004.

History: Former Section 84213, titled "Consolidated Statements; Candidates and Committees," amended by Stats. 1976, Ch. 1106; repealed by Stats. 1980, Ch. 289. Former Section 84209 amended and renumbered Section 84216.5 by Stats. 1979; Section 842165.5 renumbered Section 84213 by Stats. 1980, Ch. 289; amended by Stats. 1983, Ch. 898.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18427
2 Cal. Code of Regs. Section 18430
2 Cal. Code of Regs. Section 18570

Enforcement Decisions:
Margaret Pryor 94/476 (1998)
Toni Giaffoglione, et al. 95/80 (1998)
Tom Hsieh, et al. 94/655 (1995)
Kevin P. Eckard, et al. 92/115 (1995)
Kenneth Orduna, et al. 88/364 (1991)
Thomas Watson, et al. 90/80 (1990)
March Fong Eu, et al. 89/310 (1990)
Bill Huggins, et al. 89/190 (1990)
March Fong Eu, et al. 89/139 (1990)
Norton Younglove, et al. 88/529 (1990)
Larry Ward, et al. 87/458 (1990)
Art Torres, et al. 88/188 (1989)
Dan Shapiro/Friends of Dan Shapiro 87/614 (1989)
Anna Sparks, et al. 84/256 (1986)
Jan Hewitt/Comm. to Reelect Jan Hewitt 83/18 (1984)

Jack O'Connell 83/130 (1984)
Conway Collis, et al. 82/24 (1984)
Bruce Young, et al. 82/01 (1983)
Morton Allen/Mort Allen for City Council 80/58 (1982)
Oscar Klee/Betty Franklin 79/58 (1980)
Willis Edwards 79/49 (1980)

§ 84214. Termination.

Committees and candidates shall terminate their filing obligation pursuant to regulations adopted by the Commission which insure that a committee or candidate will have no activity which must be disclosed pursuant to this chapter subsequent to the termination. Such regulations shall not require the filing of any campaign statements other than those required by this chapter. In no case shall a committee which qualifies solely under subdivision (b) or (c) of Section 82013 be required to file any notice of its termination.

History: Repealed and reenacted as amended by Stats. 1977, Ch. 344, effective August 20, 1977; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Late Contributions; Reports.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18404
2 Cal. Code of Regs. Section 18404.2

Enforcement Decisions: Fred Zepeda, et al. 96/554 (1997)
Irvine Police Assn., et al. 93/115 (1996)

§ 84215. Campaign Reports and Statements; Where to File.

All candidates, elected officers, committees, and proponents of state ballot measures or the qualification of state ballot measures, except as provided in subdivision (e), shall file two copies of the campaign statements required by Section 84200 with the clerk of the county in which they are domiciled. A committee is domiciled at the address listed on its campaign statement unless it is domiciled outside California in which case its domicile shall be deemed to be Los Angeles County for the purpose of this section. In addition, campaign statements shall be filed at the following places:

(a) Statewide elected officers and candidates for these offices other than the Board of Equalization, supreme court justices, their controlled committees, committees formed or existing primarily to support or oppose these candidates, elected officers, supreme court justices, or statewide measures, or the qualification of state ballot measures, and all state general purpose committees and filers not specified in subdivisions (b) to (e), inclusive:

(1) The original and one copy with the Secretary of State.

(2) Two copies with the Registrar-Recorder of Los Angeles County.

(3) Two copies with the Registrar of Voters of the City and County of San Francisco.

(b) Members of the Legislature or Board of Equalization, court of appeal justices, superior court judges, candidates for those offices, their controlled committees, and committees formed or existing primarily to support or oppose these candidates or officeholders:

(1) The original and one copy with the Secretary of State.

(2) Two copies with the clerk of the county with the largest number of registered voters in the districts affected.

(c) Elected officers in jurisdictions other than legislative districts, Board of Equalization districts, or appellate court districts that contain parts of two or more counties, candidates for these offices, their controlled committees, and committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in one of these jurisdictions shall file the original and one copy with the clerk of the county with the largest number of registered voters in the jurisdiction.

(d) County elected officers, municipal court judges, candidates for these offices, their controlled committees, committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in any number of jurisdictions within one county, other than those specified in subdivision (e), and county general purpose committees shall file the original and one copy with the clerk of the county.

(e) City elected officers, candidates for city office, their controlled committees, committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in one city, and city general purpose committees shall file the original and one copy with the clerk of the city. These elected officers, candidates, and committees need not file with the clerk of the county in which they are domiciled.

(f) Notwithstanding the above, a committee, candidate, or elected officer is not required to file more than the original and one copy, or two copies, of a campaign statement with any one county or city clerk or with the Secretary of State.

(g) If a committee is required to file campaign statements required by Section 84200 or 84200.5 in places designated in subdivisions (d) and (e), it shall

continue to file these statements in those places, in addition to any other places required by this title, until the end of the calendar year.

History: Added by Stats. 1978, Ch. 1408, effective October 1, 1978; repealed and reenacted as amended by Stats. 1980, Ch. 289. (Formerly titled "Combination of Pre-election and Semiannual Statements"); amended by Stats. 1982, Ch. 1060; amended by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 490; amended by Stats. 1990, Ch. 581; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18227

Enforcement Decisions: Robert Prenter and the Committee to Elect Robert Prenter for Assembly 96/304 (2001)

§ 84216. Loans.

(a) Notwithstanding Section 82015, a loan received by a candidate or committee is a contribution unless the loan is received from a commercial lending institution in the ordinary course of business, or it is clear from the surrounding circumstances that it is not made for political purposes.

(b) A loan, whether or not there is a written contract for the loan, shall be reported as provided in Section 84211 when any of the following apply:

(1) The loan is a contribution.

(2) The loan is received by a committee.

(3) The loan is received by a candidate and is used for political purposes.

History: Added by Stats. 1977, Ch. 1119; amended by Stats. 1980, Ch. 289; amended by Stats. 1982, Ch. 29; repealed and reenacted as amended by Stats. 1985, Ch. 899; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Enforcement Decisions: Consumer Attorneys Issues PAC, et al. 98/737 (2001)
Independent PAC Local 188 International Assn. of Firefighters, et al. 97/533 (2000)
National Rep. Congressional Comm. Non-Fed 98/507 (1999 Civil Suit)
Tom Bordonaro, Jr., et al. 96/76 (1997)
Peter Navarro; Robin Stark 93/456 (1996)
Arlo Smith, et al. 93/332 (1996)
Kevin P. Eckard, et al. 92/115 (1995)
Leo Bazile, et al. 90/813 (1995)
Bill Huggins, et al. 89/190 (1990)
Dan Shapiro/Friends of Dan Shapiro 87/614 (1989)
Cathie Wright/Wright Comm./Thomasina Criger 81/16 (1982)

§ 84216.5. Loans Made by a Candidate or Committee.

A loan of campaign funds, whether or not there is a written contract for the loan, made by a candidate or committee shall be reported as provided in Section 84211.

History: Former Section 84216.5 renumbered 84213 by Stats. 1980, Ch. 289; new section added by Stats. 1985, Ch. 899; amended by Stats. 2000, Ch. 853.

§ 84217. Federal Office Candidates; Places Filed.

When the Secretary of State receives any campaign statement filed pursuant to the Federal Election Campaign Act, (2 U.S.C.A. Section 431 et seq.) the Secretary of State shall send a copy of the statement to the following officers:

(a) Statements of candidates for President, Vice President or United States Senator and committees supporting such candidates - one copy with the Registrar-Recorder of Los Angeles County and one copy with the Registrar of Voters of the City and County of San Francisco;

(b) Statements of candidates for United States Representative in Congress and committees supporting such candidates - one copy with the clerk of the county which contains the largest percentage of the registered voters in the election district which the candidate or any of the candidates seek nomination or election and one copy with the clerk of the county within which the candidate resides or in which the committee is domiciled, provided that if the committee is not domiciled in California the statement shall be sent to the Registrar-Recorder of Los Angeles County. No more than one copy of each statement need be filed with the clerk of any county.

History: Amended by Stats. 1977, Ch. 1095; amended and renumbered Section 84226 by Stats. 1979, Ch. 779. (Formerly Section 84208); amended and renumbered by Stats. 1980, Ch. 289. (Formerly Section 84226.)

References at the time of publication (see page 3):

Opinions: In re Dennis-Strathmeyer (1976) 2 FPPC Ops. 61

§ 84218. Slate Mailer Organization; Campaign Statements.

(a) A slate mailer organization shall file semiannual campaign statements for each period in which it has received payments totaling five hundred dollars ($500) or more from any person for the support of or opposition to candidates or ballot measures in a slate mailer, or in which it has expended five hundred dollars ($500) or more to produce one or more slate mailers. The semiannual statements shall be filed no later than July 31 for the period ending June 30, and no later than January 31, for the period ending December 31.

(b) In addition to the semiannual statements required by subdivision (a), slate mailer organizations shall file preelection statements as follows:

(1) Any slate mailer organization which produces a slate mailer supporting or opposing candidates or measures being voted on in an election held upon the first Tuesday after the first Monday in June or November of an even-numbered year shall file the statements specified in Section 84200.7 if, during the period covered by the preelection statement, the slate mailer organization receives payments totaling five hundred dollars ($500) or more from any person for the support of or opposition to candidates or ballot measures in one or more slate mailers, or expends five hundred dollars ($500) or more to produce one or more slate mailers.

(2) Any slate mailer organization which produces a slate mailer supporting or opposing candidates or measures being voted on in an election held on a date other than the first Tuesday after the first Monday in June or November of an even-numbered year shall file the statements specified in Section 84200.8 if, during the period covered by the preelection statement, the slate mailer organization receives payments totaling five hundred dollars ($500) or more from any person for the support of or opposition to candidates or ballot measures in one or more slate mailers, or expends five hundred dollars ($500) or more to produce one or more slate mailers.

(c) A slate mailer organization shall file two copies of its campaign reports with the clerk of the county in which it is domiciled. A slate mailer organization is domiciled at the address listed on its statement of organization unless it is domiciled outside California, in which case its domicile shall be deemed to be Los Angeles County for purposes of this section.

In addition, slate mailer organizations shall file campaign reports as follows:

(1) A slate mailer organization which produces one or more slate mailers supporting or opposing candidates or measures voted on in a state election, or in more than one county, shall file campaign reports in the same manner as state general purpose committees pursuant to subdivision (a) of Section 84215.

(2) A slate mailer organization which produces one or more slate mailers supporting or opposing candidates or measures voted on in only one county, or in more than one jurisdiction within one county, shall file campaign reports in the same manner as county general purpose committees pursuant to subdivision (d) of Section 84215.

(3) A slate mailer organization which produces one or more slate mailers supporting or opposing candidates or measures voted on in only one city shall file campaign reports in the same manner as city general purpose committees pursuant to subdivision (e) of Section 84215.

(4) Notwithstanding the above, no slate mailer organization shall be required to file more than the original and one copy, or two copies, of a campaign report with any one county or city clerk or with the Secretary of State.

History: Added by Stats. 1987, Ch. 905.

References at the time of publication (see page 3):

Enforcement Decisions: United Democratic Campaign Committee, et al. 94/685 (1998)
California Democratic Voter Checklist, et al. 92/687 (1996)
United Democratic Campaign Comm., et al. 88/400 (1992)

§ 84219. Slate Mailer Organization; Semi-Annual Statements; Contents.

Whenever a slate mailer organization is required to file campaign reports pursuant to Section 84218, the campaign report shall include the following information:

(a) The total amount of receipts during the period covered by the campaign statement and the total cumulative amount of receipts. For purposes of this section only, "receipts" means payments received by a slate mailer organization for production and distribution of slate mailers.

(b) The total amount of disbursements made during the period covered by the campaign statement and the total cumulative amount of disbursements. For purposes of this section only, "disbursements" means payment made by a slate mailer organization for the production or distribution of slate mailers.

(c) For each candidate or committee that is a source of receipts totaling one hundred dollars ($100) or more during the period covered by the campaign statement:

(1) The name of the candidate or committee, identification of the jurisdiction and the office sought or ballot measure number or letter, and if the source is a committee, the committee's identification number, street address, and the name of the candidate or measure on whose behalf or in opposition to which the payment is made.

(2) The date and amount received for each receipt totaling one hundred dollars ($100) or more during the period covered by the campaign statement.

(3) The cumulative amount of receipts on behalf of or in opposition to the candidate or measure.

(d) For each person other than a candidate or committee who is a source of receipts totaling one hundred dollars ($100) or more during the period covered by the campaign statement:

(1) Identification of the jurisdiction, office or ballot measure, and name of the candidate or measure on whose behalf or in opposition to which the payment was made.

(2) Full name, street address, name of employer, or, if self-employed, name of business of the source of receipts.

(3) The date and amount received for each receipt totaling one hundred dollars ($100) or more during the period covered by the campaign statement.

(4) The cumulative amount of receipts on behalf of or in opposition to the candidate or measure.

(e) For each candidate or ballot measure not reported pursuant to subdivision (c) or (d), but who was supported or opposed in a slate mailer sent by the slate mailer organization during the period covered by the report, identification of jurisdiction, office or ballot measure, and name of the candidate or measure who was supported or opposed.

(f) The total amount of disbursements made during the period covered by the campaign statement to persons who have received one hundred dollars ($100) or more.

(g) The total amount of disbursements made during the period covered by the campaign statement to persons who have received less than one hundred dollars ($100).

(h) For each person to whom a disbursement of one hundred dollars ($100) or more has been made during the period covered by the campaign statement:

(1) His or her full name.

(2) His or her street address.

(3) The amount of each disbursement.

(4) A brief description of the consideration for which each disbursement was made.

(5) The information required in paragraphs (1) to (4), inclusive, for each person, if different from the payee, who has provided consideration for a disbursement of five hundred dollars ($500) or more during the period covered by the campaign statement.

(i) Cumulative disbursements, totaling one thousand dollars ($1,000) or more, made directly or indirectly to any person listed in the slate mailer organization's statement of organization. For purposes of this subdivision, a disbursement is made indirectly to a person if it is intended for the benefit of or use by that person or a member of the person's immediate family, or if it is made to a business entity in which the person or member of the person's immediate family is a partner, shareholder, owner, director, trustee, officer, employee, consultant, or holds any position of management or in which the person or member of the person's immediate family has an investment of one thousand dollars ($1,000) or more. This subdivision shall not apply to any disbursement made to a business entity whose securities are publicly traded.

(j) The full name, street address, and telephone number of the slate mailer organization and of the treasurer.

(k) Whenever a slate mailer organization also qualifies as a general purpose committee pursuant to Section 82027.5, the campaign report shall include, in addition to the information required by this section, the information required by Section 84211.

History: Added by Stats. 1987, Ch. 905; amended by Stats. 2000, Ch. 853.

§ 84220. Slate Mailer Organization; Late Payments.

If a slate mailer organization receives a payment of two thousand five hundred dollars ($2,500) or more for purposes of supporting or opposing any candidate or ballot measure in a slate mailer, and the payment is received at a time when, if the payment were a contribution it would be considered a late contribution, then the slate mailer organization shall report the payment in the manner set forth in Section 84203 for candidates and committees when reporting late contributions received. The slate mailer organization shall, in addition to reporting the information required by Section 84203, identify the candidates or measures whose support or opposition is being paid for, in whole or in part, by each late payment.

History: Added by Stats. 1987, Ch. 905.

References at the time of publication (see page 3):

Enforcement Decisions: United Democratic Campaign Committee, et al. 94/685 (1998)
Affordable Housing Alliance PAC 94/65 (1997)
United Democratic Campaign Comm., et al. 88/400 (1992)

§ 84221. Slate Mailer Organization; Termination.

Slate mailer organizations shall terminate their filing obligations in the same manner as applies to

committees qualifying under subdivision (a) of Section 82013.

History: Added by Stats. 1987, Ch. 905.

§ 84222. Blank.
§ 84223. Blank.
§ 84224. Blank.

§ 84225. Public Employees' Retirement Board Candidates.

(a) For the purposes of this section only, "board" means the Board of Administration of the Public Employees' Retirement System, as established under Article 1 (commencing with Section 20090) of Chapter 2 of Part 3 of Division 5 of Title 2 of the Government Code.

(b) Except as provided in this section, the provisions of this article do not apply to candidates for the board, including incumbent board members running for reelection, as such candidates are described in subdivision (g) of Section 20090.

(c) Candidates for board seats described in subdivision (g) of Section 20090, including incumbent board members running for reelection, shall file campaign statements with the Secretary of State no later than two days before the beginning of the ballot period, as determined by the board, for the period ending five days before the beginning of the ballot period, and no later than January 10, for the period ending December 31.

(1) The campaign statements shall contain an itemized report that is prepared on a form prescribed by the Commission, with the assistance of the board, that provides the information contained in campaign statements required under Section 84211 to the extent that the information is applicable to a board election.

(2) The original of a campaign statement shall be filed with the Secretary of State and a copy shall be retained at the board's office in Sacramento and is a public record.

History: Added by Stats. 1998, Ch. 923.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18451
2 Cal. Code of Regs. Section 18452

Article 3. Prohibitions. § 84300 - 84309

§ 84300. Cash and In-Kind Contributions; Cash Expenditures.
§ 84301. Contributions Made Under Legal Name.
§ 84302. Contributions by Intermediary or Agent.
§ 84303. Expenditure by Agent or Independent Contractor.
§ 84304. Anonymous Contributions.
§ 84305. Requirements for Mass Mailing.
§ 84305.5. Slate Mailer Identification and Disclaimer Requirements.
§ 84305.6. Slate Mailer Disclosure Requirements; Official Political Party Position.
§ 84306. Contributions Received by Agents of Candidates or Committees.
§ 84307. Commingling with Personal Funds.
§ 84308. Contributions to Officers; Disqualification.
§ 84309. Transmittal of Campaign Contributions in State Office Buildings.

§ 84300. Cash and In-Kind Contributions; Cash Expenditures.

(a) No contribution of one hundred dollars ($100) or more shall be made or received in cash.

A cash contribution shall not be deemed received if it is not negotiated or deposited and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported. If a cash contribution, other than a late contribution, as defined in Section 82036, is negotiated or deposited, it shall not be deemed received if it is refunded within 72 hours of receipt. In the case of a late contribution, as defined in Section 82036, it shall not be deemed received if it is returned to the contributor within 48 hours of receipt.

(b) No expenditure of one hundred dollars ($100) or more shall be made in cash.

(c) No contribution of one hundred dollars ($100) or more other than an in-kind contribution shall be made unless in the form of a written instrument containing the name of the donor and the name of the payee and drawn from the account of the donor or the intermediary, as defined in Section 84302.

(d) The value of all in-kind contributions of one hundred dollars ($100) or more shall be reported in writing to the recipient upon the request in writing of the recipient.

History: Amended by Stats. 1977, Ch. 1213; amended by Stats. 1978, Ch. 650; repealed and reenacted as amended by Stats. 1979, Ch. 779; amended by Stats. 1980, Ch. 759; amended by Stats. 1996, Ch. 898.

References at the time of publication (see page 3):

Enforcement Decisions:

Danny Lynn Gamel, Danny Gamel, Inc. and Rudy Michael Olmos 99/193 (2001)
Delores Zurita, Committee to Elect Delores Zurita and Satra Dee Zurita, Treasurer 2000/143 (2001)
Donald K. BrOwn 98/505 (2001)
Ricardo Ramirez, et al. 97/654 (2001)
Royal T Management, Inc. and James William Ganson 2000/84 (2001)
California Assn of Sheet Metal, et al. 99/88 (2000)
Crosby, Mead, Benton & Associates 98/635 (2000)
Dudek & Associates 2000/198 (2000)
John Davis 98/28 (2000)
Mary Lou Clift, et al. 97/145 (2000)
North County Blueprint Company, Inc. 2000/199 (2000)
Sare, Dale L., Committee to Elect Dale L. Sare, Superior Court Judge, and John N. Cefalu, Treasurer 99/83 (2000)
Terry W. Cameron, and T.C. Construction Company, Inc. 2000/140 (2000)
William M. Shubin, et al. 97/454 (2000)
Joseph Melvin Gagliardi, and J & J Sporting Goods 98/83 (1999)
EJE, Inc., dba Escondido Jeep Eagle, et al. 97/145 (1999)
James Mashburn and Refuse Services, Inc. 95/246 (1999)
Picerne Associates, Inc. 96/553 (1999)
Placer Holdings, Inc. 98/11 (1999)
Rudy G. Favila, et al. (1999)
Scott R. Baugh, et al. 99/187 (1999 Civil Suit)
John Upton, et al. 97/367 (1998)
Ricki Hanyecz, Michael Hanyecz, and Sima Katzir 96/117 (1998)
Brayton, Gisvold & Harley 97/651 (1998)
RV Merchant, Inc. 97/187 (1998)
N & S, Inc., dba Jimmy's Family Restaurant 94/339 (1998)
Blackhawk Corporation 97/633 (1998)
Larry D. Christiani 97/647 (1998)
Louis Perez 95/444 (1998)
Margaret Pryor 94/476 (1998)
Mikan Properties 94/339 (1998)
Ralph Turner 97/660 (1998)
Robert I. Bourseau 95/496 (1998)
Roger Pan 97/527 (1998)
Santee Mobile Estates 94/339 (1998)
Sam Bamieh 97/1 (1997)
Jon Colburn Thomason 96/37 (1997)
Construction Control Services Corp./Dr. Donald Rohadfox 96/2 (1997)
Juanita McDonald, et al. 95/211 (1997)
Agold Corp., et al. 92/483 (1997)
L. Andrew Jeanpierre 97/203 (1997)
Barbara Jefimoff 97/204 (1997)
San Francisco Construction Management, Inc. 96/519 (1997)
Juan Ulloa, et al. 96/77 (1997)
Marie K. Brooks 96/250 (1997)
KWPH Enterprises, Inc., DBA American Ambulance 96/551 (1997)
K.C. Metal Products, Inc. 97/208 (1997)
San Francisco Bay Professional Soccer Club, Inc. 96/188 (1997)
Collishaw Construction, Inc. 95/567 (1996)
Hyatt Sainte Claire 95/539 (1996)
The SWA Group 96/36 (1996)
Gerald F. Sevier, et al. 94/184 (1996)
Bruns Belmont Construction, Inc. 95/567 (1996)
E.I. Industries, Inc. 95/567 (1996)
Devcon Construction, Inc. 96/432 (1996)
Blossom Valley Landscaping, Inc. 95/567 (1996)
Fiscal Funding; Calvin B. Grigsby 94/117 (1996)
Monroe S. Townsend, Jr. 95/216 (1996)
Fakhry F. Kawar 94/22 (1996)
Gatlin Development Co., et al. 94/189 (1996)
303 Almaden Partners; William Wilson & Associates 96/245 (1996)
Green Valley Corp. 95/568 (1996)
Korve Engineering 96/35 (1996)
Elsberg Accountancy 96/187 (1996)
Roger O. Walther 96/415 (1996)
Gresham, Varner, Savage, et al. 95/455
Cox Communications Bakersfield, Inc. 95/538 (1995)
Cox Communications San Diego, Inc. 95/538 (1995)
Hard Rock Cafe America, L.P., et al. 95/28 (1995)
Grand Sunrise, Inc. 94/534 (1995)
J.G. Orbis Corporation and Isao Nakagawa, et al. 94/451 (1995)
Bonnie Wai, et al. 92/286 (1995)
Amanollah Simantob, Zacaria Simantob, et al. 92/279 (1995)
Karen Au 92/286 (1995)
Bell Cab, Inc. 92/278 (1995)
Kevin P. Eckard, et al. 92/115 (1995)
Wilson Riles, Jr., et al. 90/813 (1995)
Santa Nella Partners, et al. 90/341 (1995)
Brett Torino, et al. 90/341 (1995)
Lionel Brazil and Brazil Dairy 90/341 (1995)
Jean P. Sagouspe, Jr., et al. 90/341 (1995)
Mexican American Grocers Association, et al. 92/282 (1994)
California Republican Party, et al. 93/250 (1994)
The Yarmouth Group, et al. 93/337 (1994)
Michael Gallagher 92/567 (1994)
Lionel J. Wilson, et al. 90/813 (1994)
Los Angeles Marathon, Inc., et al. 92/277 (1994)
Wintec, Ltd. 92/110 (1994)
Hoy-Sun Ning Yung Benevolent Association, et al. 94/167 (1994)
William Dallas 90/813 (1993)
Larry Hall and Sagwa Development Corp. 91/418 (1993)
Shakira Karipineni 91/375 (1993)
Willco Associates, John J. Will, & Steve Will 92/543 (1993)
George Robert Hensel 92/246 (1993)
Luis Hernandez, et al. 89/404 (1993)
Arnold Construction Company, et al. 92/110 (1993)
Evergreen America Corporation 93/45 (1993)
G.H. Palmer Assoc. 89/33 (1992)
Carl L. Hysen, et al. 91/10 (1992)
Richard Kuebler 89/44 (1992)
Sunrider Corporation 90/575 (1992)

Traditional Values Coalition 90/230 (1992)
Kenneth Orduna, et al. 88/364 (1991)
Louis Laramore 90/80 (1991)
Investment Building Group 91/120 (1991)
Thomas Watson, et al. 90/80 (1990)
Daniel Benvenuti, Jr. 89/142 (1989)
Griffin Homes 88/528 (1989)
Eppaminondas Johnson 88/258 (1989)
Lia Belli, et al. 84/289 (1988)
Louis Laramore 86/576 (1988)
Gregoire Calegari 84/300 (1987)
Quentin Kopp/Friends of Quentin Kopp 84/300 (1987)
Linda Nelson/Friends of Linda Nelson 84/295 (1987)
A. Ron Rhone/Friends of A. Ron Rhone 84/237 (1987)
Roque De La Fuente 84/40 (1985)
Lucy Killea/M. Larry Lawrence 83/16 (1984)
Richard Polanco/Friends of Richard Polanco 82/22 (1984)
Cathie Wright/Wright Comm./Thomasina Criger 81/16 (1982)
Bill Press/Gen Pres Offshore Comm./Jack Ormes 80/80 (1982)
Doug Carter/Friends of Doug Carter 78/121 (1981)
Oliver Speraw/Speraw for State Sen/Murchison 80/14 (1980)
Quentin Kopp/Friends of Kopp Comm. 79/57 (1980)

§ 84301. Contributions Made Under Legal Name.

No contribution shall be made, directly or indirectly, by any person in a name other than the name by which such person is identified for legal purposes.

References at the time of publication (see page 3):

Enforcement Decisions:
Barstow College Faculty Association 2000/135 (2001)
Danny Lynn Gamel, Danny Gamel, Inc. and Rudy Michael Olmos 99/193 (2001)
Donald K. BrOwn 98/505 (2001)
Ricardo Ramirez, et al. 97/654 (2001)
Royal T Management, Inc. and James William Ganson 2000/84 (2001)
Crosby, Mead, Benton & Associates 98/635 (2000)
Dudek & Associates 2000/198 (2000)
North County Blueprint Company, Inc. 2000/199 (2000)
Terry W. Cameron, and T.C. Construction Company, Inc. 2000/140, (2000)
Unlimited Construction, Paul L. Litscher 99/273 (2000)
William M. Shubin, et al. 97/454 (2000)
Joseph Melvin Gagliardi, and J & J Sporting Goods 98/83 (1999)
EJE, Inc., dba Escondido Jeep Eagle, et al. 97/145 (1999)
Harvey Hiber 97/322 (1999)
James Mashburn and Refuse Services, Inc. 95/246 (1999)
Picerne Associates, Inc. 96/553 (1999)
Placer Holdings, Inc. 98/11 (1999)
William J. Halloran 99/173 (1999)
California Waste Removal Systems, Inc. 97/252 (1998)
Brayton, Gisvold & Harley 97/651 (1998)
N & S, Inc., dba Jimmy's Family Restaurant 94/339 (1998)
Ricki Hanyecz, Michael Hanyecz, and Sima Katzir 96/117 (1998)
RV Merchant, Inc. 97/187 (1998)
Blackhawk Corporation 97/633 (1998)
Larry D. Christiani 97/647 (1998)
Mikan Properties 94/339 (1998)
Ralph Turner 97/660 (1998)
Roger Pan 97/527 (1998)
Santee Mobile Estates 94/339 (1998)
Sam Bamieh 97/1 (1997)
Jon Colburn Thomason 96/37 (1997)
Construction Control Services Corp./Dr. Ronald Rohadfox 96/2 (1997)
Agold Corp., et al. 92/483 (1997)
San Francisco Construction Management, Inc. 96/519 (1997)
Marie K. Brooks 96/250 (1997)
KWPH Enterprises, Inc., DBA, American Ambulance 96/551 (1997)
K.C. Metal Products, Inc. 97/208 (1997)
San Francisco Bay Professional Soccer Club, Inc. 96/188 (1997)
Devcon Construction, Inc. 96/432 (1996)
Collishaw Construction, Inc. 95/567 (1996)
Blossom Valley Landscaping, Inc. 95/567 (1996)
Hyatt Sainte Claire 95/539 (1996)
Gatlin Development Co., et al. 94/189 (1996)
Green Valley Corp. 95/568 (1996)
303 Almaden Partners; William Wilson & Associates 96/245 (1996)
Gresham, Varner, Savage, et al. 95/455 (1996)
E.I. Industries, Inc. 95/567 (1996)
Roger O. Walther 96/415 (1996)
Bruns Belmont Construction, Inc. 95/567 (1996)
Elsberg Accountancy 96/187 (1996)
Fakhry F. Kawar 94/22 (1996)
Korve Engineering 96/35 (1996)
The SWA Group 96/36 (1996)
Fiscal Funding; Calvin B. Grigsby 94/117 (1996)
Cox Communications Bakersfield, Inc. 95/538 (1995)
Cox Communications San Diego, Inc. 95/538 (1995)
Richard K. Barry et al. 95/82 (1995)
Hard Rock Cafe America, L.P., et al. 95/28 (1995)
San Francisco Forty-Niners, et al. 94/657 (1995)
Joseph L. Ling 94/656 (1995)
Grand Sunrise, Inc. 94/534 (1995)
Tse Family Association, et al. 94/460 (1995)
J.G. Orbis Corporation and Isao Nakagawa, et al. 94/451 (1995)
Louie's General and Electrical Const., et al. 94/450 (1995)
Cedar Valley Holding Company 94/22 (1995)
Karen Au 92/286 (1995)

Amanollah Simantob, Zacaria Simantob, et al. 92/279 (1995)
Santa Nella Partners, et al. 90/341 (1995)
Bell Cab, Inc. 92/278 (1995)
Brett Torino, et al. 90/341 (1995)
California Republican Party, et al. 93/250 (1994)
Mexican American Grocers Assocation, et al. 92/282 (1994)
The Yarmouth Group, et al. 93/337 (1994)
Michael Gallagher 92/567 (1994)
Lionel J. Wilson, et al. 90/813 (1994)
Los Angeles Marathon, Inc., et al. 92/277 (1994)
Wintec, Ltd. 92/110 (1994)
Hoy-Sun Ning Yung Benevolent Association, et al. 94/167 (1994)
First City Developments Corp. 92/283 (1993)
William Dallas 90/813 (1993)
Larry Hall and Sagwa Development Corp. 91/418 (1993)
Shakira Karipineni 91/375 (1993)
James Tong 91/376 (1993)
John Wong 91/376 (1993)
Robert Shannon 91/376 (1993)
Willco Associates, John J. Will, & Steve Will 92/543 (1993)
George Robert Hensel 92/246 (1993)
Arnold Construction Company, et al. 92/110 (1993)
Evergreen America Corporation 93/45 (1993)
G.H. Palmer Assoc. 89/33 (1992)
Tom Nagakawa 91/425 (1992)
Sunrider Corporation 90/575 (1992)
Louis Laramore 90/80 (1991)
Investment Building Group 91/120 (1991)
J. Joseph Vandervoort 89/471 (1990)
F.E.A Logistics 88/364 (1990)
Daniel Benvenuti, Jr. 89/142 (1989)
Paul H. Snider, Florin Road Toyota 88/259 (1989)
Eppaminondas Johnson 88/258 (1989)
Lia Belli, et al. 84/298 (1988)
Clifton S. Jones, Jr. 88/56 (1988)
Louis Laramore 88/576 (1988)
Andrew Fitzmorris /G. Bergeron /C. Bergeron 83/14 (1986)
Roque De La Fuente 84/40 (1985)
Bruce Ashwill 84/43 (1985)

§ 84302. Contributions by Intermediary or Agent.

No person shall make a contribution on behalf of another, or while acting as the intermediary or agent of another, without disclosing to the recipient of the contribution both his own full name and street address, occupation, and the name of his employer, if any, or his principal place of business if he is self-employed, and the full name and street address, occupation, and the name of employer, if any, or principal place of business if self-employed, of the other person. The recipient of the contribution shall include in his campaign statement the full name and street address, occupation, and the name of the employer, if any, or the principal place of business if self-employed, of both the intermediary and the contributor.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18432.5

Enforcement Decisions:
Marcie De Los Santos and Joseph De Los Santos 97/454 (1999)
Albert Robles 95/39 (1998)
Lucille Nelson 95/464 (1998)
Robert I. Bourseau 95/496 (1998)
Agold Corp., et al. 92/483 (1997)
Monroe S. Townsend, Jr. 95/216 (1996)
Gresham, Varner, Savage, et al. 95/455 (1996)
James Fang, et al. 94/658 (1995)
San Francisco Forty-Niners, et al. 94/657 (1995)
Asia Pacific Investments and Developments 94/534 (1995)
Asia Pacific Realty 94/534 (1995)
Tse Family Association, et al. 94/460 (1995)
Lionel Brazil and Brazil Dairy 90/341 (1995)
Jean P. Sagouspe, Jr., et al. 90/341 (1995)
Amanollah Simantob, Zacaria Simantob, et al. 92/279 (1995)
Mexican American Grocers Association, et al. 92/282 (1994)
Los Angeles Marathon, Inc., et al. 92/277 (1994)
Chi May Chen 93/75 (1993)
Sue Associates and Amy Sue 90/813 (1993)

§ 84303. Expenditure by Agent or Independent Contractor.

No expenditure of five hundred dollars ($500) or more shall be made, other than overhead or normal operating expenses, by an agent or independent contractor, including, but not limited to, an advertising agency, on behalf of or for the benefit of any candidate or committee unless it is reported by the candidate or committee as if the expenditure were made directly by the candidate or committee. The agent or independent contractor shall make known to the candidate or committee all information required to be reported by this section.

History: Amended by Stats. 1984, Ch. 161; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18431

Enforcement Decisions:
California Republican Party and Shawn Steel, Treasurer 2000/160 (2001)
Charles Calderon, Calderon for Senate '98, Calderon for Attorney General, Phillip Pace 2000/61 (2001)
Curt Pringle, Friends of Curt Pringle 1998, Betty Presley and Jeff Flint 99/821 (2001)
Democratic State Central Committee of California and Katherine Moret 010495 (2001)

Jane Harman, Jane Harman for Governor and Robert B. Burke 2000/57 (2001)
Joseph Gray Davis, Californians for Gray Davis and Steven Gourley, Treasurer 2000/56 (2001)
Michela A.D. Alioto, et al. 2000/65 (2001)
Richard L. Dickerson, et al. 98/590 (2001)
Craig Wilson, et al. 98/304 (2000)
Rudy G. Favila, et al. (1999)
Charles W. Quackenbush, et al. 94/633 (1997)
Arlo Smith, et al. 93/332 (1996)
Gerald F. Sevier, et al. 94/184 (1996)
Frank M. Jordan, et al. 94/654 (1996)
Jerold L. Turner, et al. 94/240 (1995)
Charles Calderon, et al. 91/159 (1995)
Taxpayers for Common Sense, et al. 92/514 (1994)
Angela "Bay" Buchanan, et al. 92/52 (1994)
No on 128 - The Hayden Initiative, et al. 92/433 (1994)
Taxpayers for Common Sense, et al. 92/514 (1994)
Good Driver Initiative, et al. 90/620 (1992)
Dianne Feinstein, et al. 90/819 (1992)
Pete Wilson, et al. 92/492 (1992)
March Fong Eu, et al. 89/139 (1990)
Cit. for a Livable L.A., et al. 88/384 (1990)
William Campbell, et al. 88/210 (1990)
Richard Brann 88/109 (1990)
Dan O'Keefe, et al. 80/23 (1980)
Oliver Speraw/Speraw for State Sen/Murchison 80/14 (1980)

§ 84304. Anonymous Contributions.

No person shall make an anonymous contribution or contributions to a candidate, committee or any other person totaling one hundred dollars ($100) or more in a calendar year. An anonymous contribution of one hundred dollars ($100) or more shall not be kept by the intended recipient but instead shall be promptly paid to the Secretary of State for deposit in the General Fund of the state.

History: Amended by Stats. 1978, Ch. 650.

Enforcement Decisions: Mary Lou Clift, et al. 97/145 (2000)
Kenneth Orduna, et al. 88/364 (1991)

§ 84305. Requirements for Mass Mailing.

(a) Except as provided in subdivision (b), 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 of the 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 stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.

(b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1976, Ch. 1106; amended by Stats. 1977, Ch. 230, effective July 7, 1977; amended by Stats. 1978, Ch. 1408, effective October 1, 1978; amended by Stats. 1984, Ch. 1368; amended by Stats. 1989, Ch. 764.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18435

Opinions: In re Juvinall, Stull, Republican Central Committee of Orange County, Tuteur (1976) 2 FPPC Ops. 110
In re Sobieski (1976) 2 FPPC Ops. 73
In re Valdez (1976) 2 FPPC Ops. 21

Enforcement Decisions: Don E. Perata, et al. 2000/156 (2001)
Drake Kennedy 97/97 (2001)
Elihu Harris, Oakland Citizens for Accountable Government and Friends of Elihu Harris 96/708 (2001)
BTR, Inc., et al. 97/524 (2000)
Citizens for a Better Fairfield 99/724 (2000)
Bell Gardens Bicycle Club, et al. 95/464 (1999 Civil Suit)
Friends of the Albany Waterfront, et al. 96/262 (1998)
Tom Bamert, et al. 96/660 (1998)
Jane Brunner, et al. 96/190 (1998)
Moragans for Moraga 97/275 (1998)
Alliance to Revitalize CA, Com. for Props. 200, 201 and 202, et al. 96/89 (1997)
So. CA Advance Team 95/464 (1997)
Joan Davidson, et al. 95/590 (1997)
Herschel Rosenthal, et al. 92/389 (1996)
California Republican Party, et al. 94/77 (1996)
David Roberti, et al. 92/271 (1995)
Carmen Sabatino 90/369 (1993)
Leon D. Ralph, et al. 90/572 (1993)
George Robert Hensel 92/246 (1993)
Jan Hall, et al. 88/95 (1992)
Stan Kawczynski 91/31 (1992)
Richard Kuebler 89/44 (1992)
Abbe Wolfsheimer, et al. 89/417 (1992)
Riverside Tomorrow, et al. 88/239 (1991)
Daniel Griset, et al. 88/442 (1991)
Don Knabe, et al. 88/564 (1991)
Richard Vineyard 90/205 (1991)
Jeff Markham, et al. 90/547 (1991)
Alliance for Mission Viejo, et al. 90/163 (1990)
Cit. Against More Traffic, et al. 89/221 (1990)
Calif Judges Assn, et al. 89/186 (1990)
Wilson Hart, et al. 89/95 (1990)
Leisure Technology 88/573 (1990)
George Kasolas, et al. 88/530 (1990)
Comm. For Fair Lawyers Fee, et al. 88/247 (1990)

Edward Vincent 87/127 (1990)
Barbara Riordan, et al. 88/583 (1989)
Larry Valente/Friends of Larry Valente Comm. 88/552 (1989)
Art Agnos 88/398 (1989)
San Diegans for Bob Filner, Robert Filner 87/529 (1989)
Myra Kopf/Com/David Looman/PatriciaWizeman 86/560 (1989)
Larry Walker/Gary Ayala/Ruben Ayala 86/435 (1988)
Marcial "Rod" Rodriguez/Comm. 86/71 (1987)
Trice Harvey/Comm./Mike Abernathy 86/512 (1987)
Richard Woolstrum/Friends of Woolstrum/ Randi Meyer 86/342 (1987)
Anna Sparks, et al. 84/256 (1986)
Phil Greer 84/114 (1985)
Paul Carpenter 84/296 (1985)
Jan Hewitt/Comm. to Reelect Jan Hewitt 83/18 (1984)
Rubin for Judge Committee 83/02 (1984)
Bruce Young, et al. 82/01 (1983)
Arthur Forcier/Shirley Wechsler 81/02 (1982)
Yes on Prop. 2 Comm. 79/82 (1982)
Republican State Central Comm. of CA 80/26 (1980)

§ 84305.5. Slate Mailer Identification and Disclaimer Requirements.

(a) No slate mailer organization or committee primarily formed to support or oppose one or more ballot measures shall send a slate mailer unless:

(1) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures are shown on the outside of each piece of slate mail and on at least one of the inserts included with each piece of slate mail in no less than 8-point roman 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 stated in lieu of a street address if the street address of the slate mailer organization or the committee primarily formed to support or oppose one or more ballot measure is a matter of public record with the Secretary of State's Political Reform Division.

(2) At the top or bottom of the front side or surface of at least one insert or at the top or bottom of one side or surface of a postcard or other self-mailer, there is a notice in at least 8-point roman boldface type, which shall be in a color or print which contrasts with the background so as to be easily legible, and in a printed or drawn box and set apart from any other printed matter. The notice shall consist of the following statement:

NOTICE TO VOTERS

THIS DOCUMENT WAS PREPARED BY (name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), NOT AN OFFICIAL POLITICAL PARTY ORGANIZATION. Appearance in this mailer does not necessarily imply endorsement of others appearing in this mailer, nor does it imply endorsement of, or opposition to, any issues set forth in this mailer. Appearance is paid for and authorized by each candidate and ballot measure which is designated by an *.

(3) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures as required by paragraph (1) and the notice required by paragraph (2) may appear on the same side or surface of an insert.

(4) Each candidate and each ballot measure that has paid to appear in the slate mailer is designated by an * . Any candidate or ballot measure that has not paid to appear in the slate mailer is not designated by an * .

The * required by this subdivision shall be of the same type size, type style, color or contrast, and legibility as is used for the name of the candidate or the ballot measure name or number and position advocated to which the * designation applies except that in no case shall the * be required to be larger than 10-point boldface type. The designation shall immediately follow the name of the candidate, or the name or number and position advocated on the ballot measure where the designation appears in the slate of candidates and measures. If there is no slate listing, the designation shall appear at least once in at least 8-point boldface type, immediately following the name of the candidate, or the name or number and position advocated on the ballot measure.

(5) The name of any candidate appearing in the slate mailer who is a member of a political party differing from the political party which the mailer appears by representation or indicia to represent is accompanied, immediately below the name, by the party designation of the candidate, in no less than 9-point roman type which shall be in a color or print that contrasts with the background so as to be easily legible. The designation shall not be required in the case of candidates for nonpartisan office.

(6) Any candidate endorsement appearing in the slate mailer that differs from the official endorsement of the political party which the mailer appears by

representation or indicia to represent is accompanied, immediately below the endorsement, in no less than 9-point roman boldface type which shall be in a color or print that contrasts with the background so as to be easily legible, the following notice: THIS IS NOT THE POSITION OF THE (political party which the mailer appears by representation or indicia to represent) PARTY.

(b) For purposes of the designations required by paragraph (4) of subdivision (a), the payment of any sum made reportable by subdivision (c) of Section 84219 by or at the behest of a candidate or committee, whose name or position appears in the mailer, to the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures, shall constitute a payment to appear, requiring the * designation. The payment shall also be deemed to constitute authorization to appear in the mailer.

(c) A slate mailer that complies with this section shall be deemed to satisfy the requirements of Sections 20003 and 20004 of the Elections Code.

History: Added by Stats. 1987, Ch. 905; amended by Stats. 1991, Ch. 403; amended by Stats. 1992, Ch. 1143; amended by Stats. 1993, Ch. 472; amended by Stats. 1994, Ch. 923; amended by Stats. 1996, Ch. 893; amended by Proposition 208 of the November 1996 Statewide General Election; Proposition 208 version preliminarily enjoined January 6, 1998; Proposition 208 version permanently enjoined March 1, 2001; pre-Proposition 208 version revived by operation of law.

References at the time of publication (see page 3):

Enforcement Decisions: United Democratic Campaign Committee, et al. 94/685 (1998)
Affordable Housing Alliance PAC 94/65 (1997)
United Democratic Campaign Committee, et al. 88/400 (1992)

§ 84305.6. Slate Mailer Disclosure Requirements; Official Political Party Position.

In addition to the requirements of Section 84305.5, a slate mailer organization or committee primarily formed to support or oppose one or more ballot measures may not send a slate mailer unless any recommendation in the slate mailer to support or oppose a ballot measure or to support a candidate that is different from the official recommendation to support or oppose by the political party that the mailer appears by representation or indicia to represent is accompanied, immediately below the ballot measure or candidate recommendation in the slate mailer, in no less than nine-point roman boldface type in a color or print that contrasts with the background so as to be easily legible, the following notice: "THIS IS NOT THE OFFICIAL POSITION OF THE (political party that the mailer appears by representation or indicia to represent) PARTY."

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 84306. Contributions Received by Agents of Candidates or Committees.

All contributions received by a person acting as an agent of a candidate shall be reported promptly to the candidate or any of his or her designated agents. All contributions received by a person acting as an agent of a committee shall be reported promptly to the committee's treasurer or any of his or her designated agents. "Promptly" as used in this section means not later than the closing date of any campaign statement the committee or candidate for whom the contribution is intended is required to file.

History: Added by Stats. 1979, Ch. 779.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.1

Enforcement Decisions: John Furtak 90/80 (1992)
Taxpayers Against Crime & Violence, et al. 83/365 (1986)
Andres Mendez 83/15 (1984)
Bill Press/Gen Pres Offshore Comm./Jack Ormes 80/80 (1982)

§ 84307. Commingling with Personal Funds.

No contribution shall be commingled with the personal funds of the recipient or any other person.

History: Added by Stats. 1979, Ch. 779.

References at the time of publication (see page 3):

Enforcement Decisions: Andres Mendez 83/15 (1984)

§ 84308. Contributions to Officers; Disqualification.

(a) The definitions set forth in this subdivision shall govern the interpretation of this section.

(1) "Party" means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.

(2) "Participant" means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7. A person actively supports or opposes a particular decision in a proceeding if he or she lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.

(3) "Agency" means an agency as defined in Section 82003 except that it does not include the courts or any agency in the judicial branch of government, local governmental agencies whose members are directly elected by the voters, the Legislature, the Board of Equalization, or constitutional officers. However, this section applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.

(4) "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency.

(5) "License, permit, or other entitlement for use" means all business, professional, trade and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.

(6) "Contribution" includes contributions to candidates and committees in federal, state, or local elections.

(b) No officer of an agency shall accept, solicit, or direct a contribution of more than two hundred fifty dollars ($250) from any party, or his or her agent, or from any participant, or his or her agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for three months following the date a final decision is rendered in the proceeding if the officer knows or has reason to know that the participant has a financial interest, as that term is used in Article 1 (commencing with Section 87100) of Chapter 7. This prohibition shall apply regardless of whether the officer accepts, solicits, or directs the contribution for himself or herself, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.

(c) Prior to rendering any decision in a proceeding involving a license, permit or other entitlement for use pending before an agency, each officer of the agency who received a contribution within the preceding 12 months in an amount of more than two hundred fifty dollars ($250) from a party or from any participant shall disclose that fact on the record of the proceeding. No officer of an agency shall make, participate in making, or in any way attempt to use his or her official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution in an amount of more than two hundred fifty dollars ($250) within the preceding 12 months from a party or his or her agent, or from any participant, or his or her agent if the officer knows or has reason to know that the participant has a financial interest in the decision, as that term is described with respect to public officials in Article 1 (commencing with Section 87100) of Chapter 7.

If an officer receives a contribution which would otherwise require disqualification under this section, returns the contribution within 30 days from the time he or she knows, or should have known, about the contribution and the proceeding involving a license, permit, or other entitlement for use, he or she shall be permitted to participate in the proceeding.

(d) A party to a proceeding before an agency involving a license, permit, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than two hundred fifty dollars ($250) made within the preceding 12 months by the party, or his or her agent, to any officer of the agency. No party, or his or her agent, to a proceeding involving a license, permit, or other entitlement for use pending before any agency and no participant, or his or her agent, in the proceeding shall make a contribution of more than two hundred fifty dollars ($250) to any officer of that agency during the proceeding and for three months following the date a final decision is rendered by the agency in the proceeding. When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending before an agency, the majority shareholder is subject to the disclosure and prohibition requirements specified in subdivisions (b), (c), and this subdivision.

(e) Nothing in this section shall be construed to imply that any contribution subject to being reported under this title shall not be so reported.

History: Added by Stats. 1982, Ch. 1049; amended by Stats. 1984, Ch. 1681, effective September 30, 1984; amended by Stats. 1989, Ch. 764.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18438
2 Cal. Code of Regs. Section 18438.1
2 Cal. Code of Regs. Section 18438.2
2 Cal. Code of Regs. Section 18438.3
2 Cal. Code of Regs. Section 18438.4
2 Cal. Code of Regs. Section 18438.6
2 Cal. Code of Regs. Section 18438.7
2 Cal. Code of Regs. Section 18438.8

Opinions: In re Curiel (1983) 8 FPPC Ops. 1

Enforcement Decisions: BGP Airport Associates 96/472 (1999)
William Paparian 96/472 (1999)
Gerald R. Eaves 95/557 (1999)
Shelley Doran 96/541 (1997)

Tun S. Tan 96/541 (1997)
Michael Woo 88/417 (1990)
Tom Bradley 88/417 (1990)
Charles Santana 87/216 (1988)

§ 84309. Transmittal of Campaign Contributions in State Office Buildings.

(a) No person shall receive or personally deliver or attempt to deliver a contribution in the State Capitol, in any state office building, or in any office for which the state pays the majority of the rent other than a legislative district office.

(b) For purposes of this section:

(1) "Personally deliver" means delivery of a contribution in person or causing a contribution to be delivered in person by an agent or intermediary.

(2) "Receive" includes the receipt of a campaign contribution delivered in person.

History: Added by Stats. 1982, Ch. 920

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18439

Enforcement Decisions: Grant Kenyon 86/480 (1988)

Article 4. Exemptions.
§ 84400

§ 84400. Exemptions.

§ 84400. Exemptions.

Notwithstanding any other provision of the law, the Commission shall have no power to exempt any person, including any candidate or committee, from any of the requirements imposed by the provisions of this chapter.

History: Added by Stats. 1977, Ch. 403.

Article 5. Advertisements.
§ 84501 - 84511

§ 84501. Advertisement.
§ 84502. Cumulative Contributions.
§ 84503. Disclosure; Advertisement For or Against Ballot Measures.
§ 84504. Identification of Committee.
§ 84505. Avoidance of Disclosure.
§ 84506. Independent Expenditures; Advertisements.
§ 84507. Printed Statement or Broadcast Communication.
§ 84508. Disclosure of One Funding Source on Any Advertisement.
§ 84509. Amended Statements.
§ 84510. Remedies for Article Violations; Civil Action; Fines.
§ 84511. Ballot Measure Ads; Paid Spokesperson Disclosure.

§ 84501. Advertisement.

(a) "Advertisement" means any general or public advertisement which is authorized and paid for by a person or committee for the purpose of supporting or opposing a candidate for elective office or a ballot measure or ballot measures.

(b) "Advertisement" does not include a communication from an organization other than a political party to its members, a campaign button smaller than 10 inches in diameter, a bumper sticker smaller than 60 square inches, or other advertisement as determined by regulations of the Commission.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

§ 84502. Cumulative Contributions.

"Cumulative contributions" means the cumulative contributions to a committee beginning the first day the statement of organization is filed under Section 84101 and ending within seven days of the time the advertisement is sent to the printer or broadcast station.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

§ 84503. Disclosure; Advertisement For or Against Ballot Measures.

(a) Any advertisement for or against any ballot measure shall include a disclosure statement identifying any person whose cumulative contributions are fifty thousand dollars ($50,000) or more.

(b) If there are more than two donors of fifty thousand dollars ($50,000) or more, the committee is only required to disclose the highest and second highest in that order. In the event that more than two donors meet this disclosure threshold at identical contribution levels, the highest and second highest shall be selected according to chronological sequence.

History: Added by Proposition 208 of the November 1996 Statewide General Election; preliminarily enjoined January 6, 1998; permanently enjoined March 1, 2001, as applied to slate mailers only.

§ 84504. Identification of Committee.

(a) Any committee that supports or opposes one or more ballot measures shall name and identify itself using a name or phrase that clearly identifies the economic or other special interest of its major donors of fifty thousand dollars ($50,000) or more in any

reference to the committee required by law, including, but not limited, to its statement of organization filed pursuant to Section 84101.

(b) If the major donors of fifty thousand dollars ($50,000) or more share a common employer, the identity of the employer shall also be disclosed.

(c) Any committee which supports or opposes a ballot measure, shall print or broadcast its name as provided in this section as part of any advertisement or other paid public statement.

(d) If candidates or their controlled committees, as a group or individually, meet the contribution thresholds for a person, they shall be identified by the controlling candidate's name.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

§ 84505. Avoidance of Disclosure.

In addition to the requirements of Sections 84503, 84504, and 84506, the committee placing the advertisement or persons acting in concert with that committee shall be prohibited from creating or using a noncandidate controlled committee or a nonsponsored committee to avoid, or that results in the avoidance of, the disclosure of any individual, industry, business entity, controlled committee, or sponsored committee as a major funding source.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

§ 84506. Independent Expenditures; Advertisements.

If the expenditure for a broadcast or mass mailing advertisement that expressly advocates the election or defeat of any candidate or any ballot measure is an independent expenditure, the committee, consistent with any disclosures required by Sections 84503 and 84504, shall include on the advertisement the names of the two persons making the largest contributions to the committee making the independent expenditure. If an acronym is used to specify any committee names required by this section, the names of any sponsoring organization of the committee shall be printed on print advertisements or spoken in broadcast advertisements. For the purposes of determining the two contributors to be disclosed, the contributions of each person to the committee making the independent expenditure during the one-year period before the election shall be aggregated.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

§ 84507. Printed Statement or Broadcast Communication.

Any disclosure statement required by this article shall be printed clearly and legibly in no less than 10-point type and in a conspicuous manner as defined by the Commission or, if the communication is broadcast, the information shall be spoken so as to be clearly audible and understood by the intended public and otherwise appropriately conveyed for the hearing impaired.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

§ 84508. Disclosure of One Funding Source on Any Advertisement.

If disclosure of two major donors is required by Sections 84503 and 84506, the committee shall be required to disclose, in addition to the committee name, only its highest major contributor in any advertisement which is:

(a) An electronic broadcast of 15 seconds or less, or

(b) A newspaper, magazine, or other public print media advertisement which is 20 square inches or less.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

§ 84509. Amended Statements.

When a committee files an amended campaign statement pursuant to Section 81004.5, the committee shall change its advertisements to reflect the changed disclosure information.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

§ 84510. Remedies for Article Violations; Civil Action; Fines.

(a) In addition to the remedies provided for in Chapter 11 (commencing with Section 91000) of this title, any person who violates this article is liable in a civil or administrative action brought by the Commission or any person for a fine up to three times the cost of the advertisement, including placement costs.

(b) The remedies provided in subdivision (a) shall also apply to any person who purposely causes any other person to violate any provision of this article or who aids and abets any other person in a violation.

(c) If a judgment is entered against the defendant or defendants in an action brought under this section, the plaintiff shall receive 50 percent of the amount recovered. The remaining 50 percent shall be deposited in the General Fund of the state. In an action brought by a local civil prosecutor, 50 percent

shall be deposited in the account of the agency bringing the action and 50 percent shall be paid to the General Fund of the state.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

§ 84511. Ballot Measure Ads; Paid Spokesperson Disclosure.

(a) A committee that makes an expenditure of five thousand dollars ($5,000) or more to an individual for his or her appearance in an advertisement to support or oppose the qualification, passage or defeat of a ballot measure shall file a report within 10 days of the expenditure. The report shall identify the measure, the date of the expenditure, the name of the recipient, and the amount expended.

(b) The advertisement shall include the statement "(spokesperson's name) is being paid by this campaign or its donors" in highly visible roman font shown continuously if the advertisement consists of printed or televised material, or spoken in a clearly audible format if the advertisement is a radio broadcast or telephone message.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

Chapter 4.6. Online Disclosure. § 84600 - 84612

§ 84600. Online Disclosure.
§ 84601. Public Access.
§ 84602. Secretary of State's Duties.
§ 84602.5. Online Index of Identification Numbers.
§ 84603. Acceptance of Reports.
§ 84604. Online Disclosure Program.
§ 84605. Who Shall File Online.
§ 84606. Operation of Online System.
§ 84607. Prohibition Against Political or Campaign Use.
§ 84609. Candidate and Ballot Measure Committees.
§ 84610. Appropriation.
§ 84612. Rejection of Electronic Filing; Procedures.

§ 84600. Online Disclosure.

This chapter may be known and may be cited as the Online Disclosure Act.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 2001, Ch. 917, effective October 14, 2001.

§ 84601. Public Access.

The Legislature finds and declares as follows:

(a) The people of California enacted one of the nation's most comprehensive campaign and lobbying financial disclosure laws when they voted for Proposition 9, the Political Reform Act of 1974, an initiative statute.

(b) Public access to campaign and lobbying disclosure information is a vital and integral component of a fully informed electorate.

(c) Advances in technology have made it viable for disclosure statements and reports required by the Political Reform Act to be filed online and placed on the Internet, thereby maximizing availability to the public.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997.

§ 84602. Secretary of State's Duties.

To implement the Legislature's intent, the Secretary of State, in consultation with the commission, notwithstanding any other provision of this title or any other provision of the Government Code, shall do all of the following:

(a) Develop online and electronic filing processes for use by persons and entities specified in Sections 84604 and 84605 required to file statements and reports with the Secretary of State's office pursuant to Chapter 4 (commencing with Section 84100) and Chapter 6 (commencing with Section 86100). Those processes shall each enable a user to comply with all the disclosure requirements of this title and shall include, at a minimum, the following:

(1) A means or method whereby filers subject to this chapter may submit required filings free of charge. Any means or method developed pursuant to this provision shall not provide any additional or enhanced functions or services that exceed the minimum requirements necessary to fulfill the disclosure provisions of this title. At least one means or method shall be made available no later than December 31, 2002.

(2) The definition of a nonproprietary standardized record format or formats using industry standards for the transmission of the data that is required of those persons and entities specified in subdivision (a) of Section 84604 and Section 84605 and that conforms with the disclosure requirements of this title. The Secretary of State shall hold public hearings prior to development of the record format or formats as a means to ensure that affected entities have an opportunity to provide input into the development process. The format or formats shall be

made public no later than July 1, 1999, to ensure sufficient time to comply with the requirements of this chapter.

(b) Accept test files, from software vendors and others wishing to file reports electronically, for the purpose of determining whether the file format is in compliance with the standardized record format developed pursuant to subdivision (a) and is compatible with the Secretary of State's system for receiving the data. A list of software and service providers who have submitted acceptable test files shall be published by the Secretary of State and made available to the public. Acceptably formatted files shall be submitted by a filer in order to meet the requirements of this chapter.

(c) Develop a system that provides for the online or electronic transfer of the data specified in this section utilizing telecommunications technology that assures the integrity of the data transmitted and that creates safeguards against efforts to tamper with or subvert the data.

(d) Make all the data filed available on the Internet in an easily understood format that provides the greatest public access. The data shall be made available free of charge and as soon as possible after receipt. All late contribution and late independent expenditure reports, as defined by Sections 84203 and 84204, respectively, shall be made available on the Internet within 24 hours of receipt. The data made available on the Internet shall not contain the street name and building number of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed pursuant to this title.

(e) Develop a procedure for filers to comply with the requirement that they sign under penalty of perjury pursuant to Section 81004.

(f) Maintain all filed data online for 10 years after the date it is filed, and then archive the information in a secure format.

(g) Provide assistance to those seeking public access to the information.

(h) Consult with the Department of Information Technology and implement sufficient technology to seek to prevent unauthorized alteration or manipulation of the data.

(i) Provide the commission with necessary information to enable it to assist agencies, public officials, and others, with the compliance and with administration of this title.

(j) Report to the Legislature on the implementation and development of the online and electronic filing and disclosure requirements of this chapter. The report shall include an examination of system security, private security issues, software availability, compliance costs to filers, use of the filing system and software provided by the Secretary of State, and other issues relating to this chapter, and shall recommend appropriate changes if necessary. In preparing the report, the commission may present to the Secretary of State and the Legislature its comments regarding this chapter as it relates to the duties of the commission and suggest appropriate changes if necessary. There shall be one report due before the system is operational as set forth in Section 84603, one report due no later than June 1, 2002, and one report due no later than January 31, 2003.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999; amended by Stats. 2000, Ch. 319; amended by Stats. 2001, Ch. 917, effective October 14, 2001.

§ 84602.5. Online Index of Identification Numbers.

The Secretary of State shall disclose online pursuant to this chapter an index of the identification numbers, as assigned pursuant to subdivision (a) of Section 84101, of every person, entity, or committee that is obligated to make a disclosure pursuant to Chapter 4. This index shall be updated monthly except for the six-week period preceding any statewide regular or special election, during which period the index shall be updated weekly.

History: Added by Stats. 1999, Ch. 208.

§ 84603. Acceptance of Reports.

The Secretary of State, once all state-mandated development, procurement, and oversight requirements have been met, shall make public their availability to accept reports online or electronically. Any filer may then commence voluntarily filing online or electronically any required report or statement that is otherwise required to be filed with the Secretary of State pursuant to Chapter 4 (commencing with Section 84100) or Chapter 6 (commencing with Section 86100) of this title.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999.

§ 84604. Online Disclosure Program.

(a) The Secretary of State shall implement an online or electronic disclosure program in connection with the 2000 state primary election and the lobbying activities specified in paragraph (4). Entities specified in paragraphs (1), (2), and (3) shall commence online or electronic disclosure with the

first preelection statement filed in connection with the 2000 statewide direct primary election for the period ending January 22, 2000, and shall continue to disclose online or electronically all required reports and statements up to and including the semiannual statement for the period ending June 30, 2000. Entities specified in paragraph (4) shall commence online or electronic disclosure with the quarterly report for the period ending March 31, 2000, and shall continue to disclose online or electronically all required reports and statements up to and including the quarterly report for the period ending June 30, 2000. The entities subject to this section are the following:

(1) Any candidate, including appellate court and Supreme Court candidates and officeholders, committee, or other persons who are required, pursuant to Chapter 4 (commencing with Section 84100), to file statements, reports, or other documents in connection with a state elective office or state measure appearing on the 2000 statewide direct primary ballot, provided that the total cumulative reportable amount of contributions received, expenditures made, loans made, or loans received is one hundred thousand dollars ($100,000) or more. For the purpose of cumulating totals, the period covered shall commence with January 1, 1999.

(2) Any general purpose committees, as defined in Section 82027.5, including the general purpose committees of political parties, and small contributor committees, as defined in Section 85203, that cumulatively receive contributions or make expenditures totaling one hundred thousand dollars ($100,000) or more to support or oppose candidates for any elective state office or state measure appearing on the 2000 statewide direct primary ballot. For the purpose of cumulating totals, the period covered shall commence January 1, 1999.

(3) Any slate mailer organization with cumulative reportable payments received or made for the purposes of producing slate mailers of one hundred thousand dollars ($100,000) or more in connection with the 2000 statewide direct primary election. For the purpose of cumulating totals, the period covered shall commence January 1, 1999.

(4) Any lobbyist, lobbying firm, lobbyist employer, or other persons required, pursuant to Chapter 6 (commencing with Section 86100), to file statements, reports, or other documents, provided that the total amount of any category of reportable payments, expenses, contributions, gifts, or other items is one hundred thousand dollars ($100,000) or more in a calendar quarter.

(b) Filers specified in subdivision (a) shall also continue to file required disclosure forms in paper format. The paper copy shall continue to be the official version for audit and other legal purposes. Committees and other persons that are not required to file online or electronically by this section may do so voluntarily.

(c) The Secretary of State shall also disclose on the Internet any late contribution or late independent expenditure report, as defined by Sections 84203 and 84204, respectively, not covered by subdivision (a).

(d) It shall be presumed that online or electronic filers file under penalty of perjury.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999.

§ 84605. Who Shall File Online.

Beginning on July 1, 2000, and for all applicable reporting periods thereafter, the following persons shall file online or electronically with the Secretary of State:

(a) Any candidate, including appellate court and Supreme Court candidates and officeholders, committee, or other persons who are required, pursuant to Chapter 4 (commencing with Section 84100), to file statements, reports, or other documents in connection with a state elective office or state measure, provided that the total cumulative reportable amount of contributions received, expenditures made, loans made, or loans received is fifty thousand dollars ($50,000) or more. In determining the cumulative reportable amount, all controlled committees, as defined by Section 82016, and officeholder accounts, as defined by Section 85313, shall be included. For a committee subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a committee that is first subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the committee is first subject to this title. A committee, as defined in subdivision (c) of Section 82013, shall file online or electronically if it makes contributions of fifty thousand dollars ($50,000) or more in a calendar year.

(b) Any general purpose committees, as defined in Section 82027.5, including the general purpose committees of political parties, and small contributor committees, as defined in Section 85203, that cumulatively receive contributions or make expenditures totaling fifty thousand dollars ($50,000) or more to support or oppose candidates for any elective state office or state measure. For a committee

subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a committee that first is subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the committee is first subject to this title.

(c) Any slate mailer organization with cumulative reportable payments received or made for the purposes of producing slate mailers of fifty thousand dollars ($50,000) or more. For a slate mailer organization subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a slate mailer organization that first is subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the organization is first subject to this title.

(d) Any lobbyist, lobbying firm, lobbyist employer or other persons required, pursuant to Chapter 6 (commencing with Section 86100), to file statements, reports, or other documents, provided that the total amount of any category of reportable payments, expenses, contributions, gifts, or other items is five thousand dollars ($5,000) or more in a calendar quarter.

(e) The Secretary of State shall also disclose on the Internet any late contribution or late independent expenditure report, as defined by Sections 84203 and 84204, respectively, not covered by subdivision (a), (b), or (c).

(f) Committees and other persons that are not required to file online or electronically by this section may do so voluntarily.

(g) Once a person or entity is required to file online or electronically, subject to subdivision (a), (b), (c), (d), or (f), the person or entity shall be required to file all subsequent reports online or electronically.

(h) It shall be presumed that online or electronic filers file under penalty of perjury.

(i) Persons filing online or electronically shall also continue to file required disclosure statements and reports in paper format. The paper copy shall continue to be the official filing for audit and other legal purposes until the Secretary of State, pursuant to Section 84606, determines the system is operating securely and effectively.

(j) The Secretary of State shall maintain at all times a secured, official version of all original online and electronically filed statements and reports required by this chapter. Upon determination by the Secretary of State, pursuant to Section 84606, that the system is operating securely and effectively, this online or electronic version shall be the official version for audit and other legal purposes.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18465

§ 84606. Operation of Online System.

The Secretary of State shall determine and publicly disclose when the online and electronic disclosure systems are operating effectively. In making this determination, the Secretary of State shall consult with the Commission, the Department of Information Technology, and any other appropriate public or private entity. The online or electronic disclosure system shall not become operative until the Department of Information Technology approves the system. Upon this determination, filers required by this chapter to file online or electronically will no longer be required to file a paper copy or with local filing officers. Furthermore, the date that a filer transmits an online or electronic report shall be the date the filed report is received by the Secretary of State.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999.

§ 84607. Prohibition Against Political or Campaign Use.

Pursuant to Section 8314, no employee or official of a state or local government agency shall utilize, for political or campaign purposes, public facilities or resources to retrieve or maintain any of the data produced by the requirements of this chapter.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997.

§ 84609. Candidate and Ballot Measure Committees.

All candidates and ballot measure committees who are required, pursuant to Chapter 4 (commencing with Section 84100), to file statements, reports, or other documents in connection with a statewide elective office or state measure appearing on the November 1998 ballot shall provide at the time of filing, in addition to a paper submission, a copy of the required report on computer disk in either an ASCII or PDF format with documentation detailing the field layout or file structure. Filers who submit computer disks which are not readable, cannot be copied, or do not have documentation have not complied with the requirements of this section. Candidate and measure

committees who make their report available on the Internet through the Secretary of State's office are not required to file the report on computer disk. The Secretary of State shall make copies available to the public, upon payment of fees covering direct costs of duplication, or a statutory fee, if applicable. The Secretary of State shall also disclose online, any late contribution or late independent expenditure report, as defined by Sections 84203 and 84204 respectively, filed in connection with any elective state office or ballot measure appearing on the November 1998 ballot.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997.

§ 84610. Appropriation.

There is hereby appropriated from the General Fund of the state to the Secretary of State the sum of one million one hundred thousand dollars ($1,100,000) for the purposes of developing the online and electronic disclosure systems provided by this chapter and reimbursing local agencies for any costs they incur in the development of these systems.

History: Added by Stats. 1997, Ch. 866, effective October 11, 1997; amended by Stats. 1999, Ch. 433, effective September 16, 1999.

§ 84612. Rejection of Electronic Filing; Procedures.

If the Secretary of State rejects a filing made under this chapter, the Secretary of State shall immediately notify the filer, by electronic mail, of the reason or reasons for rejection using plain, straightforward language, avoiding technical terms as much as possible, and using a coherent and easily readable style. The notice shall be written or displayed so that the meaning will be easily understood by those persons directly affected by it.

History: Added by Stats. 2001, Ch. 79.

Chapter 5. Limitations on Contributions. § 85100 - 85802

Article 1. Title of Chapter. § 85100 - 85104
2. Candidacy. § 85200 – 85201
2.5. Applicability of the Political Reform Act of 1974. § 85202 - 85206
3. Contribution Limitations. § 85300 - 85321
4. Voluntary Expenditure Ceilings. § 85400 - 85404
5. Independent Expenditures. § 85500 - 85501
6. Ballot Pamphlet. § 85600 - 85602
7. Additional Contribution Requirements. § 85700 - 85706
8. Appropriation. § 85802

Article 1. Title of Chapter. § 85100 - 85104

§ 85100. Chapter Title.
§ 85101. Effect on Local Ordinances. [Repealed]
§ 85102. Terms Used in Chapter 5. [Repealed]
§ 85103. Amendment or Repeal of Chapter. [Repealed]
§ 85104. Operative Date. [Repealed]

§ 85100. Chapter Title.

This chapter shall be known as the "Campaign Contribution and Voluntary Expenditure Limits Without Taxpayer Financing Amendments to the Political Reform Act of 1974."

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; repealed and added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85101. Effect on Local Ordinances. [Repealed]

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; repealed and added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Findings and Declarations"); repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85102. Terms Used in Chapter 5. [Repealed]

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; amended by Stats. 1994, Ch. 1010; repealed and added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Purpose of This Law"); repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85103. Amendment or Repeal of Chapter. [Repealed]

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85104. Operative Date. [Repealed]

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Article 2. Candidacy. § 85200 - 85201

§ 85200. Statement of Intention to be a Candidate.
§ 85201. Campaign Bank Account.

§ 85200. Statement of Intention to be a Candidate.

Prior to the solicitation or receipt of any contribution or loan, an individual who intends to be a candidate for an elective state office, pursuant to Section 82024, shall file with the Secretary of State an original statement, signed under penalty of perjury, of intention to be a candidate for a specific office.

An individual who intends to be a candidate for any other elective office shall file the statement of intention with the same filing officer and in the same location as the individual would file an original campaign statement pursuant to subdivisions (c), (d), and (e) of Section 84215.

For purposes of this section, "contribution" and "loan" do not include any payments from the candidate's personal funds for a candidate filing fee or a candidate statement of qualifications fee.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; amended by Stats. 1991, Ch. 1078; amended by Stats. 1996, Ch. 289; amended by Stats. 1997, Ch. 394; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18521
2 Cal. Code of Regs. Section 18536
2 Cal. Code of Regs. Section 18542

§ 85201. Campaign Bank Account.

(a) Upon the filing of the statement of intention pursuant to Section 85200, the individual shall establish one campaign contribution account at an office of a financial institution located in the state.

(b) As required by subdivision (f) of Section 84102, a candidate who raises contributions of one thousand dollars ($1,000) or more in a calendar year shall set forth the name and address of the financial institution where the candidate has established a campaign contribution account and the account number on the committee statement of organization filed pursuant to Sections 84101 and 84103.

(c) All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate's controlled committee shall be deposited in the account.

(d) Any personal funds which will be utilized to promote the election of the candidate shall be deposited in the account prior to expenditure.

(e) All campaign expenditures shall be made from the account.

(f) Subdivisions (d) and (e) do not apply to a candidate's payment for a filing fee and statement of qualifications from his or her personal funds.

(g) This section does not apply to a candidate who will not receive contributions and who makes expenditures from personal funds of less than one thousand dollars ($1,000) in a calendar year to support his or her candidacy. For purposes of this section, a candidate's payment for a filing fee and statement of qualifications shall not be included in calculating the total expenditures made.

(h) An individual who raises contributions from others for his or her campaign, but who raises or spends less than one thousand dollars ($1,000) in a calendar year, and does not qualify as a committee under Section 82013, shall establish a campaign contribution account pursuant to subdivision (a), but is not required to file a committee statement of organization pursuant to Section 84101 or other statement of bank account information.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; amended by Stats. 1990, Ch. 387; amended by Stats. 1991, Ch. 1078; amended by Stats. 1996, Ch. 289; amended by Stats. 1997, Ch. 394; amended by Stats. 2000, Ch. 853.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18521
2 Cal. Code of Regs. Section 18523
2 Cal. Code of Regs. Section 18523.1
2 Cal. Code of Regs. Section 18524
2 Cal. Code of Regs. Section 18525
2 Cal. Code of Regs. Section 18526
2 Cal. Code of Regs. Section 18531.6

Enforcement Decisions: Charles Calderon, Calderon for Senate '98, Calderon for Attorney General, Phillip Pace 2000/61 (2001)
Scott R. Baugh, et al. 99/187 (1999 Civil Suit)
J. Stanley Sanders, et al. 94/711 (1998)
Al Cobos 97/326 (1998)
Margaret Pryor 94/476 (1998)
Toni Giaffoglione, et al. 95/80 (1998)
Charles W. Quackenbush, et al. 94/633 (1997)
Arlo Smith, et al. 93/332 (1996)
Kevin P. Eckard, et al. 92/115 (1995)
Gloria McColl, et al. 91/446 (1993)

Article 2.5. Applicability of the Political Reform Act of 1974.
§ 85202 - 85206

§ 85202. Interpretation of Chapter 5.
§ 85203. Small Contributor Committee.
§ 85204. Election Cycle for 24-Hour Disclosure.
§ 85204.5. Special Election Cycle and Special Runoff Election Cycle.
§ 85205. Political Party Committee.
§ 85206. Public Moneys.

§ 85202. Interpretation of Chapter 5.

Unless specifically superseded by the act that adds this section, the definitions and provisions of this title shall govern the interpretation of this chapter.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election; amended by Stats. 1989, Ch. 303. (Formerly titled "Contributions to Candidates; Trust for Specific Office"); repealed by Stats. 1990, Ch. 84. Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Applicability of the Political Reform Act"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85203. Small Contributor Committee.

"Small contributor committee" means any committee that meets all of the following criteria:

(a) The committee has been in existence for at least six months.

(b) The committee receives contributions from 100 or more persons.

(c) No one person has contributed to the committee more than two hundred dollars ($200) per calendar year.

(d) The committee makes contributions to five or more candidates.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18503

§ 85204. Election Cycle for 24-Hour Disclosure.

"Election cycle" for purposes of Sections 85309 and 85500, means the period of time commencing 90 days prior to an election and ending on the date of the election.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Two-Year Period"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85204.5. Special Election Cycle and Special Runoff Election Cycle.

With respect to special elections, the following terms have the following meanings:

(a) "Special election cycle" means the day on which the office becomes vacant until the day of the special election.

(b) "Special runoff election cycle" means the day after the special election until the day of the special runoff election.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85205. Political Party Committee.

"Political party committee" means the state central committee or county central committee of an organization that meets the requirements for recognition as a political party pursuant to Section 5100 of the Elections Code.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85206. Public Moneys.

"Public moneys" has the same meaning as defined in Section 426 of the Penal Code.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Article 3. Contribution Limitations.
§ 85300 - 85321

§ 85300. Public Funds; Prohibition.
§ 85301. Limits on Contributions from Persons.
§ 85302. Limits on Contributions from Small Contributor Committees.
§ 85303. Limits on Contributions to Committees and Political Parties.
§ 85304. Legal Defense Fund.
§ 85305. Restrictions on Contributions by Candidates.
§ 85306. Transfers Between a Candidate's Own Committees; Use of Funds Raised Prior to Effective Date.
§ 85307. Loans.
§ 85308. Family Contributions.
§ 85309. Online Disclosure of Contributions.
§ 85310. Communications Identifying State Candidates.
§ 85311. Affiliated Entities; Aggregation of Contributions to State Candidates.
§ 85312. Communications to Members of an Organization.
§ 85313. Officeholder Account. [Repealed]
§ 85314. Special Elections and Special Runoff Elections as Separate Elections.
§ 85315. Elected State Officer Recall Committees.
§ 85316. Post-Election Fundraising.
§ 85317. Carry Over of Contributions.
§ 85318. Contributions Received for Primary and General Elections.
§ 85319. Returning Contributions.
§ 85320. Foreign Entities.
§ 85321. Post-Election Fundraising; Elections Held Prior to January 1, 2001.

§ 85300. Public Funds; Prohibition.

No public officer shall expend and no candidate shall accept any public moneys for the purpose of seeking elective office.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18530

§ 85301. Limits on Contributions from Persons.

(a) A person, other than a small contributor committee or political party committee, may not make to any candidate for elective state office other than a candidate for statewide elective office, and a candidate for elective state office other than a candidate for statewide elective office may not accept from a person, any contribution totaling more than three thousand dollars ($3,000) per election.

(b) Except to a candidate for Governor, a person, other than a small contributor committee or political party committee, may not make to any candidate for statewide elective office, and except a candidate for Governor, a candidate for statewide elective office may not accept from a person other than a small contributor committee or a political party committee, any contribution totaling more than five thousand dollars ($5,000) per election.

(c) A person, other than a small contributor committee or political party committee, may not make to any candidate for Governor, and a candidate for governor may not accept from any person other than a small contributor committee or political party committee, any contribution totaling more than twenty thousand dollars ($20,000) per election.

(d) The provisions of this section do not apply to a candidate's contributions of his or her personal funds to his or her own campaign.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Contributions by Persons to Candidates"); repealed and added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18503
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18531
2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18533
2 Cal. Code of Regs. Section 18537

§ 85302. Limits on Contributions from Small Contributor Committees.

(a) A small contributor committee may not make to any candidate for elective state office other than a candidate for statewide elective office, and a candidate for elective state office, other than a candidate for statewide elective office may not accept from a small contributor committee, any contribution totaling more than six thousand dollars ($6,000) per election.

(b) Except to a candidate for Governor, a small contributor committee may not make to any candidate for statewide elective office and except for a candidate for Governor, a candidate for statewide elective office may not accept from a small contributor committee, any contribution totaling more than ten thousand dollars ($10,000) per election.

(c) A small contributor committee may not make to any candidate for Governor, and a candidate for governor may not accept from a small contributor committee, any contribution totaling more than twenty thousand dollars ($20,000) per election.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Contributions by Persons to Committees"); repealed and added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18503
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18531
2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18537

§ 85303. Limits on Contributions to Committees and Political Parties.

(a) A person may not make to any committee, other than a political party committee, and a committee other than a political party committee may not accept, any contribution totaling more than five thousand dollars ($5,000) per calendar year for the purpose of making contributions to candidates for elective state office.

(b) A person may not make to any political party committee, and a political party committee may not accept, any contribution totaling more than twenty-five thousand dollars ($25,000) per calendar year for the purpose of making contributions for the support or defeat of candidates for elective state office. Notwithstanding Section 85312, this limit applies to contributions made to a political party used for the purpose of making expenditures at the behest of a candidate for elective state office for communications

to party members related to the candidate's candidacy for elective state office.

(c) Except as provided in Section 85310, nothing in this chapter shall limit a person's contributions to a committee or political party committee provided the contributions are used for purposes other than making contributions to candidates for elective state office.

(d) Nothing in this chapter limits a candidate for elected state office from transferring contributions received by the candidate in excess of any amount necessary to defray the candidate's expenses for election related activities or holding office to a political party committee, provided those transferred contributions are used for purposes consistent with paragraph (4) of subdivision (b) of Section 89519.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Contributions by Committees to Candidates"); repealed and added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18531
2 Cal. Code of Regs. Section 18533
2 Cal. Code of Regs. Section 18537

§ 85304. Legal Defense Fund.

(a) A candidate for elective state office or an elected state officer may establish a separate account to defray attorney's fees and other related legal costs incurred for the candidate's or officer's legal defense if the candidate or officer is subject to one or more civil or criminal proceedings or administrative proceedings arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officer's governmental activities and duties. These funds may be used only to defray those attorney fees and other related legal costs.

(b) A candidate may receive contributions to this account that are not subject to the contribution limits set forth in this article. However, all contributions shall be reported in a manner prescribed by the commission.

(c) Once the legal dispute is resolved, the candidate shall dispose of any funds remaining after all expenses associated with the dispute are discharged for one or more of the purposes set forth in paragraphs (1) to (5), inclusive, of subdivision (b) of Section 89519.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Prohibition on Transfers"); repealed and added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Limitations on Contributions from Political Parties"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18530.4

Opinions: In re Pelham (2001) 15 FPPC Ops. 1

§ 85305. Restrictions on Contributions by Candidates.

A candidate for elective state office or committee controlled by that candidate may not make any contribution to any other candidate for elective state office in excess of the limits set forth in subdivision (a) of Section 85301.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Contribution Limitations During Special or Special Runoff Election Cycles"); repealed and added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Restrictions on When Contributions Can be Received"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18536

Enforcement Decisions: Frank Russo, Frank Russo for Assembly Special Election Committee 2000/375 (2001)
Keith McDonald, et al. 96/1 (1997)

§ 85306. Transfers Between a Candidate's Own Committees; Use of Funds Raised Prior to Effective Date.

(a) A candidate may transfer campaign funds from one controlled committee to a controlled committee for elective state office of the same candidate. Contributions transferred shall be attributed to specific contributors using a "last in, first out" or "first in, first out" accounting method, and these attributed contributions when aggregated with all other contributions from the same contributor may not exceed the limits set forth in Section 85301 or 85302.

(b) Notwithstanding subdivision (a), a candidate for elective state office, other than a candidate for statewide elective office, who possesses campaign funds on January 1, 2001, may use those funds to seek elective office without attributing the funds to specific contributors.

(c) Notwithstanding subdivision (a), a candidate for statewide elective office who possesses campaign

funds on November 6, 2002, may use those funds to seek elective office without attributing the funds to specific contributors.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Use of Campaign Funds; Effective Date"); repealed and added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Transfers"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18530.4
2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18536

§ 85307. Loans.

(a) The provisions of this article regarding loans apply to extensions of credit, but do not apply to loans made to a candidate by a commercial lending institution in the lender's regular course of business on terms available to members of the general public for which the candidate is personally liable.

(b) A candidate for elective state office may not personally loan to his or her campaign an amount, the outstanding balance of which exceeds one hundred thousand dollars ($100,000). A candidate may not charge interest on any loan he or she made to his or her campaign.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Loans; Contributions"); repealed and added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4

§ 85308. Family Contributions.

(a) Contributions made by a husband and wife may not be aggregated.

(b) A contribution made by a child under 18 years of age is presumed to be a contribution from the parent or guardian of the child.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Opinions: In re Pelham (2001) 15 FPPC Ops. 1

§ 85309. Online Disclosure of Contributions.

(a) In addition to any other report required by this title, a candidate for elective state office who is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of one thousand dollars ($1,000) or more received during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 24 hours of receipt of the contribution.

(b) In addition to any other report required by this title, any committee primarily formed to support or oppose one or more state ballot measures that is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of one thousand dollars ($1,000) or more received during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 24 hours of receipt of the contribution.

(c) In addition to any other report required by this title, a candidate for elective state office who is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of five thousand dollars ($5,000) or more received at any time other than during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 10 business days of receipt of the contribution.

(d) In addition to any other report required by this title, a committee primarily formed to support or oppose a state ballot measure that is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of five thousand dollars ($5,000) or more received at any time other than during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 10 business days of receipt of the contribution.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Aggregate Contributions from Non-individuals"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18539

§ 85310. Communications Identifying State Candidates.

(a) Any person who makes a payment or a promise of payment totaling fifty thousand dollars ($50,000) or more for a communication that clearly identifies a candidate for elective state office, but does not expressly advocate the election or defeat of the candidate, and that is disseminated, broadcast, or

otherwise published within 45 days of an election, shall file online or electronically with the Secretary of State a report disclosing the name of the person, address, occupation, and employer, and amount of the payment. The report shall be filed within 48 hours of making the payment or the promise to make the payment.

(b) (1) Except as provided in paragraph (2), if any person has received a payment or a promise of a payment from other persons totaling five thousand dollars ($5,000) or more for the purpose of making a communication described in subdivision (a), the person receiving the payments shall disclose on the report the name, address, occupation and employer, and date and amount received from the person.

(2) A person who receives or is promised a payment that is otherwise reportable under paragraph (1) is not required to report the payment if the person is in the business of providing goods or services and receives or is promised the payment for the purpose of providing those goods or services.

(c) Any payment received by a person who makes a communication described in subdivision (a) is subject to the limits specified in subdivision (b) of Section 85303 if the communication is made at the behest of the clearly identified candidate.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Aggregate Contributions to All State Candidates"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18539.2

§ 85311. Affiliated Entities; Aggregation of Contributions to State Candidates.

(a) For purposes of the contribution limits of this chapter, the following terms have the following meanings:

(1) "Entity" means any person, other than an individual.

(2) "Majority owned" means an ownership of more than 50 percent.

(b) The contributions of an entity whose contributions are directed and controlled by any individual shall be aggregated with contributions made by that individual and any other entity whose contributions are directed and controlled by the same individual.

(c) If two or more entities make contributions that are directed and controlled by a majority of the same persons, the contributions of those entities shall be aggregated.

(d) Contributions made by entities that are majority owned by any person shall be aggregated with the contributions of the majority owner and all other entities majority owned by that person, unless those entities act independently in their decisions to make contributions.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Aggregation of Financial Activity"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18428

Opinions: In re Kahn (1976) 2 FPPC Ops. 151
In re Lumsdon (1976) 2 FPPC Ops. 140

§ 85312. Communications to Members of an Organization.

For purposes of this title, payments for communications to members, employees, shareholders, or families of members, employees, or shareholders of an organization for the purpose of supporting or opposing a candidate or a ballot measure are not contributions or expenditures, provided those payments are not made for general public advertising such as broadcasting, billboards, and newspaper advertisements. However, payments made by a political party for communications to its members who are registered with that party which would otherwise qualify as contributions or expenditures shall be reported in accordance with Article 2 (commencing with Section 84200) of Chapter 4, and Chapter 4.6 (commencing with Section 84600), of this title.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Communications Within an Organization"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Opinions: In re Olson (2001) 15 FPPC Ops. 13

§ 85313. Officeholder Account. [Repealed]

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85314. Special Elections and Special Runoff Elections as Separate Elections.

The contribution limits of this chapter apply to special elections and apply to special runoff elections. A special election and a special runoff election are separate elections for purposes of the contribution and voluntary expenditure limits set forth in this chapter.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4

§ 85315. Elected State Officer Recall Committees.

(a) Notwithstanding any other provision of this chapter, an elected state officer may establish a committee to oppose the qualification of a recall measure, and the recall election. This committee may be established when the elected state officer receives a notice of intent to recall pursuant to Section 11021 of the Elections Code. An elected state officer may accept campaign contributions to oppose the qualification of a recall measure, and if qualification is successful, the recall election, without regard to the campaign contributions limits set forth in this chapter. The voluntary expenditure limits do not apply to expenditures made to oppose the qualification of a recall measure or to oppose the recall election.

(b) After the failure of a recall petition or after the recall election, the committee formed by the elected state officer shall wind down its activities and dissolve. Any remaining funds shall be treated as surplus funds and shall be expended within 30 days after the failure of the recall petition or after the recall election for a purpose specified in subdivision (b) of Section 89519.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85316. Post-Election Fundraising.

A contribution for an election may be accepted by a candidate for elective state office after the date of the election only to the extent that the contribution does not exceed net debts outstanding from the election, and the contribution does not otherwise exceed the applicable contribution limit for that election.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.6

§ 85317. Carry Over of Contributions.

Notwithstanding subdivision (a) of Section 85306, a candidate for elective state office may carry over contributions raised in connection with one election for elective state office to pay campaign expenditures incurred in connection with a subsequent election for the same elective state office.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.6

§ 85318. Contributions Received for Primary and General Elections.

A candidate for elective state office may raise contributions for a general election prior to the primary election, and for a special general election prior to a special primary election, for the same elective state office if the candidate sets aside these contributions and uses these contributions for the general election or special general election. If the candidate for elective state office is defeated in the primary election or special primary election, or otherwise withdraws from the general election or special general election, the general election or special general election funds shall be refunded to the contributors on a pro rata basis less any expenses associated with the raising and administration of general election or special general election contributions. Notwithstanding Section 85201, candidates for elective state office may establish separate campaign contribution accounts for the primary and general elections or special primary and special general elections.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.6
2 Cal. Code of Regs. Section 18536

§ 85319. Returning Contributions.

A candidate for state elective office may return all or part of any contribution to the donor who made the contribution at any time, whether or not other contributions are returned.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85320. Foreign Entities.

(a) No foreign government or foreign principal shall make, directly or through any other person, any contribution, expenditure, or independent expenditure in connection with the qualification or support of, or opposition to, any state or local ballot measure.

(b) No person and no committee shall solicit or accept a contribution from a foreign government or foreign principal in connection with the qualification or support of, or opposition to, any state or local ballot measure.

(c) For the purposes of this section, a “foreign principal” includes the following:

(1) A foreign political party.

(2) A person outside the United States, unless either of the following is established:

(A) The person is an individual and a citizen of the United States.

(B) The person is not an individual and is organized under or created by the laws of the United States or of any state or other place subject to the jurisdiction of the United States and has its principal place of business within the United States.

(3) A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.

(4) A domestic subsidiary of a foreign corporation if the decision to contribute or expend funds is made by an officer, director, or management employee of the foreign corporation who is neither a citizen of the United States nor a lawfully admitted permanent resident of the United States.

(d) This section shall not prohibit a contribution, expenditure, or independent expenditure made by a lawfully admitted permanent resident.

(e) Any person who violates this section shall be guilty of a misdemeanor and shall be fined an amount equal to the amount contributed or expended.

History: Added by Stats. 1997, Ch. 67; amended by Stats. 2000, Ch. 349.

§ 85321. Post-Election Fundraising; Elections Held Prior to January 1, 2001.

Notwithstanding any other provision of this chapter, if a candidate for elective state office or the candidate's controlled committee had net debts resulting from an election held prior to January 1, 2001, contributions to that candidate or committee for that election are not subject to the limits of Sections 85301 and 85302.

History: Added by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.6

Article 4. Voluntary Expenditure Ceilings. § 85400 - 85404

§ 85400. Voluntary Expenditure Ceilings.
§ 85401. Candidate Acceptance or Rejection of Expenditure Ceilings.
§ 85402. Lifting Expenditure Limits; Opponent's Use of Personal Funds.
§ 85403. Violations of Voluntary Expenditure Limits.
§ 85404. Expenditure Ceiling Lifted. [Repealed]

§ 85400. Voluntary Expenditure Ceilings.

(a) A candidate for elective state office, other than the Board of Administration of the Public Employees' Retirement System, who voluntarily accepts expenditure limits may not make campaign expenditures in excess of the following:

(1) For an Assembly candidate, four hundred thousand dollars ($400,000) in the primary or special primary election and seven hundred thousand dollars ($700,000) in the general or special general election.

(2) For a Senate candidate, six hundred thousand dollars ($600,000) in the primary or special primary election and nine hundred thousand dollars ($900,000) in the general or special general election.

(3) For a candidate for the State Board of Equalization, one million dollars ($1,000,000) in the primary election and one million five hundred thousand dollars ($1,500,000) in the general election.

(4) For a statewide candidate other than a candidate for Governor or the State Board of Equalization, four million dollars ($4,000,000) in the primary election and six million dollars ($6,000,000) in the general election.

(5) For a candidate for Governor, six million dollars ($6,000,000) in the primary election and ten million dollars ($10,000,000) in the general election.

(b) For purposes of this section, "campaign expenditures" has the same meaning as "election-related activities" as defined in clauses (i) to (vi), inclusive, and clause (viii) of subparagraph (C) of paragraph (2) of subdivision (b) of Section 82015.

(c) A campaign expenditure made by a political party on behalf of a candidate may not be attributed to the limitations on campaign expenditures set forth in this section.

History: Added by Proposition 73 of the June 1988 Statewide Primary Election. (Formerly titled "Limitations on Gifts and Honoraria"); repealed by Stats. 1990, Ch. 84; added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18540
2 Cal. Code of Regs. Section 18542
2 Cal. Code of Regs. Section 18543

§ 85401. Candidate Acceptance or Rejection of Expenditure Ceilings.

(a) Each candidate for elective state office shall file a statement of acceptance or rejection of the voluntary expenditure limits set forth in Section 85400 at the time he or she files the statement of intention specified in Section 85200.

(b) Any candidate for elective state office who declined to accept the voluntary expenditure limits but who nevertheless does not exceed the limits in the primary, special primary, or special election, may file a statement of acceptance of the expenditure limits for a general or special runoff election within 14 days following the primary, special primary, or special election.

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18542

§ 85402. Lifting Expenditure Limits; Opponent's Use of Personal Funds.

(a) Any candidate for elective state office who has filed a statement accepting the voluntary expenditure limits is not bound by those limits if an opposing candidate contributes personal funds to his or her own campaign in excess of the limits set forth in Section 85400.

(b) The commission shall require by regulation timely notification by candidates for elective state office who make personal contributions to their own campaign.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Contribution Limits for Candidates Accepting Expenditure Ceilings"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4
2 Cal. Code of Regs. Section 18540
2 Cal. Code of Regs. Section 18542
2 Cal. Code of Regs. Section 18543

§ 85403. Violations of Voluntary Expenditure Limits.

Any candidate who files a statement of acceptance pursuant to Section 85401 and makes campaign expenditures in excess of the limits shall be subject to the remedies in Chapter 3 (commencing with Section 83100) and Chapter 11 (commencing with Section 91000).

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Time Periods for Expenditures"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18421.4

§ 85404. Expenditure Ceiling Lifted. [Repealed]

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Time Periods for Expenditures"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Article 5. Independent Expenditures. § 85500-85501

§ 85500. Independent Expenditures; 24-Hour Disclosure; Coordination.
§ 85501. Prohibition on Independent Expenditures by Candidate Controlled Committees.

§ 85500. Independent Expenditures; 24-Hour Disclosure; Coordination.

(a) In addition to any other report required by this title, a committee, including a political party committee, that is required to file reports pursuant to Section 84605 and that makes independent expenditures of one thousand dollars ($1,000) or more during an election cycle in connection with a candidate for elective state office or state ballot measure, shall file online or electronically a report with the Secretary of State disclosing the making of the independent expenditure. This report shall disclose the same information required by subdivision (b) of Section 84204 and shall be filed within 24 hours of the time the independent expenditure is made.

(b) An expenditure may not be considered independent, and shall be treated as a contribution from the person making the expenditure to the candidate on whose behalf, or for whose benefit, the expenditure is made, if the expenditure is made under any of the following circumstances:

(1) The expenditure is made with the cooperation of, or in consultation with, the candidate on whose behalf, or for whose benefit, the expenditure is made, or any controlled committee or any agent of the candidate.

(2) The expenditure is made in concert with, or at the request or suggestion of, the candidate on whose behalf, or for whose benefit, the expenditure is made, or any controlled committee or any agent of the candidate.

(3) The expenditure is made under any arrangement, coordination, or direction with respect to the candidate or the candidate's agent and the person making the expenditure.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Independent Expenditures"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18539
2 Cal. Code of Regs. Section 18550

§ 85501. Prohibition on Independent Expenditures by Candidate Controlled Committees.

A controlled committee of a candidate may not make independent expenditures and may not contribute funds to another committee for the purpose of making independent expenditures to support or oppose other candidates.

History: Added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

Article 6. Ballot Pamphlet. § 85600-85602

§ 85600. Ballot Pamphlet Designation.
§ 85601. Candidate Access to Ballot Pamphlet Statement.
§ 85602. Notification to Voters. [Repealed]

§ 85600. Ballot Pamphlet Designation.

The Secretary of State shall designate in the state ballot pamphlet those candidates for statewide elective office, as defined in Section 82053, who have voluntarily agreed to the expenditure limitations set forth in Section 85400. Local elections officers shall designate in the voter information portion of the sample ballot those candidates for State Senate and Assembly who have voluntarily agreed to the expenditure limitations set forth in Section 85400.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Candidate Access to State Ballot Pamphlet"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

§ 85601. Candidate Access to Ballot Pamphlet Statement.

(a) A candidate for statewide elective office, as defined in Section 82053, who accepts the voluntary expenditure limits set forth in Section 85400 may purchase the space to place a statement in the state ballot pamphlet that does not exceed 250 words. The statement may not make any reference to any opponent of the candidate. The statement shall be submitted in accordance with timeframes and procedures set forth by the Secretary of State for the preparation of the state ballot pamphlets.

(b) Notwithstanding subdivision (e) of Section 88001 of this code or subdivision (e) of Section 9084 of the Elections Code, on and after November 6, 2002, the Secretary of State may not include in the state ballot pamphlet a statement from a candidate who has not voluntarily agreed to the expenditure limitations set forth in Section 85400.

(c) A candidate for State Senate or Assembly who accepts the voluntary expenditure limits set forth in Section 85400 may purchase the space to place a statement in the voter information portion of the sample ballot that does not exceed 250 words. The statement may not make any reference to any opponent of the candidate. The statement shall be submitted in accordance with the timeframes and procedures set forth in the Elections Code for the preparation of the voter information portion of the sample ballot.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Candidate Access to Local Sample Ballot Materials"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

§ 85602. Notification to Voters. [Repealed]

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Article 7. Additional Contribution Requirements. § 85700-85706

§ 85700. Donor Information Requirements; Return of Contributions.
§ 85701. Disgorgement of Laundered Contributions.
§ 85702. Contributions from Lobbyists.
§ 85703. Local Jurisdictions.
§ 85704. Prohibition on Earmarking.
§ 85705. Contributions from Governmental Employees. [Repealed]
§ 85706. Local Jurisdictions. [Repealed]

§ 85700. Donor Information Requirements; Return of Contributions.

(a) A candidate or committee shall return not later than 60 days of receipt by the candidate or committee any contribution of one hundred dollars ($100) or more for which the candidate or committee does not have on file in the records of the candidate or committee the name, address, occupation, and employer of the contributor.

(b) A candidate or committee may return a contribution pursuant to subdivision (a) after the date that the candidate or committee has reported the contribution under any provision of this title.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Disclosure of Occupation and Employer"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18570

Opinions: In re Pelham (2001) 15 FPPC Ops. 1

§ 85701. Disgorgement of Laundered Contributions.

Any candidate or committee that receives a contribution in violation of Section 84301 shall pay to the General Fund of the state the amount of the contribution.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Receipt of Laundered Contributions"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Opinions: In re Pelham (2001) 15 FPPC Ops. 1

§ 85702. Contributions from Lobbyists.

An elected state officer or candidate for elected state office may not accept a contribution from a lobbyist, and a lobbyist may not make a contribution to an elected state officer or candidate for elected state office, if that lobbyist is registered to lobby the governmental agency for which the candidate is seeking election or the governmental agency of the elected state officer.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Bundling of Contributions"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85703. Local Jurisdictions.

Nothing in this act shall nullify contribution limitations or prohibitions of any local jurisdiction that apply to elections for local elective office, except that these limitations and prohibitions may not conflict with the provisions of Section 85312.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Earmarking of Contributions Prohibited"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85704. Prohibition on Earmarking.

A person may not make any contribution to a committee on the condition or with the agreement that it will be contributed to any particular candidate unless the contribution is fully disclosed pursuant to Section 84302.

History: Added by Proposition 208 of the November 1996 Statewide General Election. (Formerly titled "Contributions from Lobbyists"); repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85705. Contributions from Governmental Employees. [Repealed]

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 85706. Local Jurisdictions. [Repealed]

History: Added by Proposition 208 of the November 1996 Statewide General Election; repealed by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

Article 8. Appropriation. § 85802

§ 85802. Appropriation to the Fair Political Practices Commission.

§ 85802. Appropriation to the Fair Political Practices Commission.

There is hereby appropriated from the General Fund of the state to the Fair Political Practices Commission the sum of five hundred thousand dollars ($500,000) annually above and beyond the appropriations established for the Commission in the fiscal year immediately prior to the effective date of this act, adjusted for cost-of-living changes, for expenditures to support the operations of the Commission pursuant to this act. If any provision of this act is successfully challenged, any attorney's fees and costs shall be paid from the General Fund and the Commission's budget shall not be reduced accordingly.

History: Added by Proposition 208 of the November 1996 Statewide General Election.

Chapter 6. Lobbyists. § 86100 - 86300

Article 1. Registration and Reporting. § 86100 - 86118
2. Prohibitions. § 86200 - 86205
3. Exemptions. § 86300

Article 1. Registration and Reporting. § 86100 - 86118

§ 86100. Registration.
§ 86101. Registration; Time.
§ 86102. Registration Fees.
§ 86103. Lobbyist Certification; Requirements.
§ 86104. Lobbying Firm; Registration Requirements.
§ 86105. Lobbyist Employer; Registration Requirements.
§ 86106. Renewal of Registration.
§ 86107. Registration Statement; Amendment; Termination.

§ 86108. Registration Statement; Publication.
§ 86109. Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers.
§ 86109.5. Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers; Online Version.
§ 86110. Recordkeeping.
§ 86111. Activity Expense; Agency Official.
§ 86112. Activity Expenses; Reporting.
§ 86112.3. Invitations.
§ 86112.5. Notification to Beneficiary of a Gift.
§ 86113. Periodic Reports; Lobbyists; Contents.
§ 86114. Periodic Reports; Lobbying Firms; Contents.
§ 86115. Periodic Reports; Employers and Others.
§ 86116. Periodic Reports; Employers and Others; Contents.
§ 86116.5. Periodic Reports; State and Local Government Agencies.
§ 86117. Periodic Reports; Filing; Time.
§ 86118. Periodic Reports; Where to File.

§ 86100. Registration.

(a) Individual lobbyists shall prepare lobbyist certifications pursuant to Section 86103 for filing with the Secretary of State as part of the registration of the lobbying firm in which the lobbyist is a partner, owner, officer, or employee or as part of the registration of the lobbyist employer by which the lobbyist is employed.

(b) Lobbying firms shall register with the Secretary of State.

(c) Lobbyist employers as defined in subdivision (a) of Section 82039.5 shall register with the Secretary of State.

(d) Lobbyist employers as defined in subdivision (b) of Section 82039.5 and persons described in subdivision (b) of Section 86115 are not required to register with the Secretary of State but shall file statements pursuant to this article.

History: Amended by Stats. 1983, Chapter 209; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Registration with Secretary of State.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18601

§ 86101. Registration; Time.

Every lobbying firm and lobbyist employer who is required to file a registration statement under this chapter shall register with the Secretary of State no later than 10 days after qualifying as a lobbying firm or lobbyist employer.

History: Repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Requirement of Registration.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18601

§ 86102. Registration Fees.

Each lobbying firm and lobbyist employer required to file a registration statement under this chapter may be charged not more than twenty-five dollars ($25) per year for each lobbyist required to be listed on its registration statement.

History: Repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Renewal of Registration.")

References at the time of publication (see page 3):

Regulations: 2 Cal Code of Regs. Section 18601

Enforcement Decisions: Alvar Yelvington 79/21 (1980)

§ 86103. Lobbyist Certification; Requirements.

A lobbyist certification shall include all of the following:

(a) A recent photograph of the lobbyist, the size of which shall be prescribed by the Secretary of State.

(b) The full name, business address, and telephone number of the lobbyist.

(c) A statement that the lobbyist has read and understands the prohibitions contained in Sections 86203 and 86205.

(d) (1) In the case of a lobbyist who filed a completed lobbyist certification in connection with the last regular session of the Legislature, a statement that the lobbyist has completed, within the previous 12 months or will complete no later than June 30 of the following year, the course described in subdivision (b) of Section 8956. If the lobbyist certification states that the lobbyist will complete the course no later than June 30 of the following year, the certification shall be accepted on a conditional basis. Thereafter, if the lobbyist completes the course no later than June 30 of the following year, the lobbyist shall file a new lobbyist certification with the Secretary of State which shall replace the conditional lobbyist certification previously filed. If the lobbyist certification states that the lobbyist will complete the course no later than June 30 of the following year and the lobbyist fails to do so, the conditional lobbyist certification shall be void and the individual shall not act as a lobbyist pursuant to this title until he or she has completed the course and filed with the Secretary of State a lobbyist certification

stating that he or she has completed the course and the date of completion. It shall be a violation of this section for any individual to act as a lobbyist pursuant to this title once his or her conditional certification is void.

(2) If, in the case of a new lobbyist certification, the lobbyist has not completed the course within the previous 12 months, the lobbyist certification shall include a statement that the lobbyist will complete a scheduled course within 12 months, and the lobbyist certification shall be accepted on a conditional basis. Following the lobbyist's completion of the ethics course, the lobbyist shall file a new lobbyist certification with the Secretary of State which shall replace the conditional lobbyist certification previously filed. If the new lobbyist certification states that the lobbyist will complete the course within 12 months and the lobbyist fails to do so, the conditional lobbyist certification shall be void and the individual shall not act as a lobbyist pursuant to this title until he or she has completed the course and filed with the Secretary of State a lobbyist certification stating he or she has completed the course and the date of completion. It shall be a violation of this section for any individual to act as a lobbyist pursuant to this title once his or her conditional certification is void.

(e) Any other information required by the Commission consistent with the purposes and provisions of this chapter.

History: Amended by Stats. 1984, Ch. 161; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Registration Statement; Amendment; Termination"); amended by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 391; amended by Stats. 1995, Ch. 346; amended by Stats. 1997, Ch. 574.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18601

Opinions: In re Evans (1978) 4 FPPC Ops. 54

§ 86104. Lobbying Firm; Registration Requirements.

The registration of a lobbying firm shall include:

(a) The full name, business address, and telephone number of the lobbying firm.

(b) A list of the lobbyists who are partners, owners, officers, or employees of the lobbying firm.

(c) The lobbyist certification of each lobbyist in the lobbying firm.

(d) For each person with whom the lobbying firm contracts to provide the following lobbying services.

(1) The full name, business address, and telephone number of the person.

(2) A written authorization signed by the person.

(3) The time period of the contract.

(4) Information sufficient to identify the nature and interests of the person including:

(A) If the person is an individual, the name and address of his or her employer, if any, or his or her principal place of business if the person is self-employed, and a description of the business activity in which the person or his or her employer is engaged.

(B) If the person is a business entity, a description of the business activity in which it is engaged.

(C) If the person is an industry, trade, or professional association, a description of the industry, trade, or profession which it represents including a specific description of any portion or faction of the industry, trade, or profession which the association exclusively or primarily represents and, if the association has not more than 50 members, the names of the members.

(D) If the person is not an individual, business entity, or industry, trade, or professional association, a statement of the person's nature and purposes, including a description of any industry, trade, profession, or other group with a common economic interest which the person principally represents or from which its membership or financial support is principally derived.

(5) The lobbying interests of the person.

(6) A list of the state agencies whose legislative or administrative actions the lobbying firm will attempt to influence for the person.

(e) The name and title of a partner, owner, or officer of the lobbying firm who is responsible for filing statements and reports and keeping records required by this chapter on behalf of the lobbying firm, and a statement signed by the designated responsible person that he or she has read and understands the prohibitions contained in Sections 86203 and 86205.

(f) Any other information required by the Commission consistent with the purposes and provisions of this chapter.

History: Amended by Stats. 1976, Ch. 415, effective July 10, 1976; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Registration Statement; Publication."); amended by Stats. 1986, Ch. 905; amended by Stats. 1987, Ch. 459.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18238.5
2 Cal. Code of Regs. Section 18601

§ 86105. Lobbyist Employer; Registration Requirements.

The registration of a lobbyist employer shall include:

(a) The full name, business address, and telephone number of the lobbyist employer.

(b) A list of the lobbyists who are employed by the lobbyist employer.

(c) The lobbyist certification of each lobbyist employed by the lobbyist employer.

(d) Information sufficient to identify the nature and interests of the filer, including:

(1) If the filer is an individual, the name and address of the filer's employer, if any, or his or her principal place of business if the filer is self-employed, and a description of the business activity in which the filer or his or her employer is engaged.

(2) If the filer is a business entity, a description of the business activity in which it is engaged.

(3) If the filer is an industry, trade, or professional association, a description of the industry, trade, or profession which it represents including a specific description of any portion or faction of the industry, trade, or profession which the association exclusively or primarily represents and, if the association has not more than 50 members, the names of the members.

(4) If the filer is not an individual, business entity, or industry, trade, or professional association, a statement of the person's nature and purposes, including a description of any industry, trade, profession, or other group with a common economic interest which the person principally represents or from which its membership or financial support is principally derived.

(e) The lobbying interests of the lobbyist employer, and a list of the state agencies whose legislative or administrative actions the lobbyist employer will attempt to influence.

(f) Any other information required by the Commission consistent with the purposes and provisions of this chapter.

History: Amended by Stats. 1979, Ch. 592; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Accounts; Designation by Name; Deposits."); amended by Stats. 1987, Ch. 459.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18239.5

Enforcement Decisions: Fred Shanbour 89/266 (1989)
John Knox/Nossaman, Krueger & Knox 82/20 (1984)
J. Reginald Wahl 79/42 (1980)
Alvar Yelvington 79/21 (1980)

§ 86106. Renewal of Registration.

Each registered lobbying firm and lobbyist employer which will be conducting activities which require registration shall renew its registration by filing photographs of its lobbyists, authorizations, and a registration statement between November 1 and December 31, of each even-numbered year. Each lobbyist shall renew his or her lobbyist certification in connection with the renewal of registration by the lobbyist's lobbying firm or employer.

History: Repealed by Stats. 1979, Ch. 592; (Formerly titled "Accounts; Payment of Expenses; Petty Cash"); added by Stats, 1985, Ch. 1183 effective September 29, 1985; amended by Stats. 1987, Ch. 936; amended by Stats. 1997, Ch. 574.

§ 86107. Registration Statement; Amendment; Termination.

(a) If any change occurs in any of the information contained in a registration statement, an appropriate amendment shall be filed with the Secretary of State within 20 days after the change. However, if the change includes the name of a person by whom a lobbying firm is retained, the registration statement of the lobbying firm shall be amended and filed to show that change prior to the lobbying firm's attempting to influence any legislative or administrative action on behalf of that person. Lobbying firms and lobbyist employers which, during a regular session of the Legislature, cease all activity which required registration shall file a notice of termination within 20 days after such cessation. Lobbying firms and lobbyist employers which at the close of a regular session of the Legislature cease all activity which required registration, shall not be required to file a notice of termination.

(b) If any change occurs in any of the information contained in a lobbyist certification or if the lobbyist terminates all activity which required the certification, the lobbyist shall submit an amended certification or notice of termination to his or her lobbying firm or lobbyist employer for filing with the Secretary of State within the time limits specified in subdivision (a). A lobbyist who at the close of a regular session of the Legislature ceases all activity which required certification, shall not be required to file a notice of termination.

(c) Lobbyists and lobbying firms shall remain subject to Section 86203 for the earlier of six months after filing a notice of termination or six months after the close of a regular session of the Legislature at the

close of which the lobbyist or lobbying firm ceased all activity which required certification or registration.

History: Amended by Stats. 1979, Ch. 592; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Contents of Periodic Reports."); amended by Stats. 1986, Ch. 905; amended by Stats. 1987, Ch. 936.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18601

Enforcement Decisions: Fred Shanbour 89/266 (1989)
Brian Hatch 84/224 (1985)
Clayton Jackson 80/61 (1982)
Jack Shelby 79/61 (1980)
Dugald Gillies 79/60 (1980)
J. Reginald Wahl 79/42 (1980)
Alvar Yelvington 79/21 (1980)

§ 86108. Registration Statement; Publication.

All information listed on any registration statement and on any amendment, renewal, or notice of termination shall be printed by the Secretary of State and made public within 30 days after filing.

History: Amended by Stats. 1979, Ch. 592; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Periodic Reports; Employers and Others.")

§ 86109. Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers.

Within 140 days after the commencement of each regular session of the Legislature, the Secretary of State shall publish a directory of registered individual lobbyists, lobbying firms, and lobbyist employers. The Secretary of State shall publish, from time to time, such supplements to the directory as may be necessary.

History: Amended by Stats. 1984, Ch. 161; repealed and reenacted as amended by Stats, 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Periodic Reports; Employers and Others; Contents."); amended by Stats. 1991, Ch. 391.

References at the time of publication (see page 3):

Enforcement Decisions: John Knox/Nossaman, Krueger & Knox 82/20 (1984)

§ 86109.5. Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers; Online Version.

(a) The Secretary of State shall establish and maintain on the Internet an online version of the Directory of Lobbyist, Lobbying Firms, and Lobbying Employers. The Secretary of State shall update the directory weekly.

(b) The Secretary of State shall also display on the Internet a list of the specific changes made to the Directory of Lobbyist, Lobbying Firms, and Lobbying Employers, including new registrations and listings, additions, deletions, and other revisions, during the seven days preceding the update required by subdivision (a).

(c) This section may not be implemented until July 1, 2001, unless otherwise authorized by the Department of Information Technology pursuant to Executive Order D-3-99.

(d) Notwithstanding any other provision of this title, the lobbying data made available on the Internet shall include the street name and building number of the persons or entity representatives listed on all the documents submitted to the Secretary of State pursuant to Chapter 6 (commencing with Section 86100).

History: Added by Stats. 1999, Ch. 855.

§ 86110. Recordkeeping.

Lobbyists, lobbying firms, and lobbyist employers which receive payments, make payments or incur expenses or expect to receive payments, make payments or incur expenses in connection with activities which are reportable pursuant to this chapter shall keep detailed accounts, records, bills, and receipts as shall be required by regulations adopted by the Commission to expedite the performance of all obligations imposed by this chapter.

History: Amended by Stats. 1979, Ch. 592; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Periodic Reports; Filing; Time.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18610
2 Cal. Code of Regs. Section 18612
2 Cal. Code of Regs. Section 18615

Enforcement Decisions: Traditional Values Coalition 99/84 (2001)
John Knox/Nossaman, Krueger & Knox 82/20 (1984)
Alvar Yelvington 79/21 (1980)
J. Reginald Wahl 79/42 (1980)

§ 86111. Activity Expense; Agency Official.

(a) "Activity expense" as used in this chapter means any expense incurred or payment made by a lobbyist, lobbying firm, lobbyist employer or a person described in subdivision (b) of Section 86115, or arranged by a lobbyist or lobbying firm, which benefits in whole or in part any elective state official, legislative official, agency official, state candidate, or a member of the immediate family of one of these individuals. Activity expenses include gifts, honoraria, consulting fees, salaries, and any other form

of compensation but do not include campaign contributions.

(b) "Agency official" as used in this chapter means any official of a state agency whose administrative actions the lobbyist, lobbying firm, lobbyist employer, or person described in subdivision (b) of Section 86115 has attempted or is attempting to influence.

History: Added by Stats. 1979, Ch. 592; amended by Stats. 1976, Ch. 415, effective July 10, 1976, repealed former Section 86111 titled "Periodic Reports; Publication"; repealed and reenacted as amended by Stats. 1985, Ch. 1183, effective September 29, 1985. (Formerly titled "Lobbying Reports and Statements; Where to File.")

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1
2 Cal. Code of Regs. Section 18950.3

§ 86112. Activity Expenses; Reporting.

When a person is required to report activity expenses pursuant to this article, the following information shall be provided:

(a) The date and amount of each activity expense.

(b) The full name and official position, if any, of the beneficiary of each expense, a description of the benefit, and the amount of benefit.

(c) The full name of the payee of each expense if other than the beneficiary.

(d) Any other information required by the Commission consistent with the purposes and provisions of this chapter.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18611
2 Cal. Code of Regs. Section 18613
2 Cal. Code of Regs. Section 18616

§ 86112.3. Invitations.

(a) Each person filing a report pursuant to this article who sends any written or printed invitation to an elected state officer, candidate for elective state office, legislative official or agency official, shall include on the invitation or on a letter attached to the invitation the following typed, printed, or handwritten statement that is at least as large and readable as 8-point Roman boldface type, in a color or print that contrasts with the background so as to be easily legible: Attendance at this event by a public official will constitute acceptance of a reportable gift.

(b) The notice specified in subdivision (a) shall not be required to appear on any invitation wherein attendance at the event described in the invitation will not constitute acceptance of a reportable gift by an elected state officer, candidate for elective state office, legislative official or agency official, pursuant to paragraph (1) of subdivision (a) of Section 87207.

(c) The remedies provided in Chapter 3 (commencing with Section 83100) constitute the exclusive penalty for a violation of this section. The remedies provided in Chapter 11 (commencing with Section 91000) do not apply to this section.

History: Added by Stats. 1993, Ch. 1140.

§ 86112.5. Notification to Beneficiary of a Gift.

(a) Each person filing a report pursuant to this article shall provide each beneficiary of a gift listed within the report the following information:

(1) The date and amount of each gift reportable by the beneficiary.

(2) A description of the goods or services provided to the beneficiary.

(b) The information required to be disclosed pursuant to subdivision (a) shall be provided to the beneficiary within 30 days following the end of each calendar quarter in which the gift was provided. For the purposes of meeting the disclosure requirements of this section, a lobbyist firm or lobbyist employer may provide the beneficiary a copy of the activity expense section of the report submitted to the Secretary of State pursuant to this article.

(c) The remedies provided in Chapter 3 (commencing with Section 83100) constitute the exclusive penalty for a violation of this section. The remedies provided in Chapter 11 (commencing with Section 91000) do not apply to this section.

History: Added by Stats. 1991, Ch. 322.

§ 86113. Periodic Reports; Lobbyists; Contents.

(a) A lobbyist shall complete and verify a periodic report which contains:

(1) A report of all activity expenses by the lobbyist during the reporting period; and

(2) A report of all contributions of one hundred dollars ($100) or more made or delivered by the lobbyist to any elected state officer or state candidate during the reporting period.

(b) A lobbyist shall provide the original of his or her periodic report to his or her lobbyist employer or lobbying firm within two weeks following the end of each calendar quarter.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18611

Opinions: In re Nida (1976) 2 FPPC Ops 1
In re Atlantic-Richfield Co. (1975) 1 FPPC Ops. 147
In re Witt (1975) 1 FPPC Ops. 145
In re Horn (1975) 1 FPPC Ops. 126
In re Morrissey (1975) 1 FPPC Ops. 104
In re Spellman (1975) 1 FPPC Ops. 16

Enforcement Decisions: Donald K. BrOwn 98/505 (2001)
Traditional Values Coalition 99/84 (2001)
California Credit Union League, et al. 95/48 (1995)
Friends Committee on Legislation of CA, et al. 92/349 (1994)
Brian Hatch 84/224 (1985)
Clayton Jackson 80/61 (1982)
J. Reginald Wahl 79/42 (1980)
Dugald Gillies 79/60 (1980)
Jack Shelby 79/61 (1980)
Alvar Yelvington 79/21 (1980)

§ 86114. Periodic Reports; Lobbying Firms; Contents.

(a) Lobbying firms shall file periodic reports containing all of the following:

(1) The full name, address, and telephone number of the lobbying firm.

(2) The full name, business address, and telephone number of each person who contracted with the lobbying firm for lobbying services, a description of the specific lobbying interests of the person, and the total payments, including fees and the reimbursement of expenses, received from the person for lobbying services during the reporting period.

(3) The total amount of payments received for lobbying services during the period.

(4) A periodic report completed and verified by each lobbyist in the lobbying firm pursuant to Section 86113.

(5) Each activity expense incurred by the lobbying firm including those reimbursed by a person who contracts with the lobbying firm for lobbying services. A total of all activity expenses of the lobbying firm and all of its lobbyists shall be included.

(6) If the lobbying firm subcontracts with another lobbying firm for lobbying services:

(A) The full name, address, and telephone number of the subcontractor.

(B) The name of the person for whom the subcontractor was retained to lobby.

(C) The total amount of all payments made to the subcontractor.

(7) The date, amount, and the name of the recipient of any contribution of one hundred dollars ($100) or more made by the filer to an elected state officer, a state candidate, a committee controlled by an elected state officer or state candidate, or a committee primarily formed to support such officers or candidates. If this contribution is reported by the lobbying firm or by a committee sponsored by the lobbying firm in a campaign statement filed pursuant to Chapter 4 which is required to be filed with the Secretary of State, the filer may report only the name of the committee and the identification number of the committee.

(8) Any other information required by the Commission consistent with the purposes and provisions of this chapter.

(b) In addition to the information required by subdivision (a), lobbying firms which qualify pursuant to paragraph (2) of subdivision (a) of Section 82038.5 shall also report the name and title of each partner, owner, officer, and employee of the lobbying firm who, on at least five separate occasions during the reporting period, engaged in direct communication with any elective state official, legislative official, or agency official, for the purpose of influencing legislative or administrative action on behalf of a person who contracts with the lobbying firm for lobbying services. This does not include individuals whose actions were purely clerical.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985; amended by Stats. 1986, Ch. 905.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18613
2 Cal. Code of Regs. Section 18614
2 Cal. Code of Regs. Section 18616.4

Enforcement Decisions: Fred Shanbour 89/266 (1989)
Organization Management, Inc. 87/143 (1989)
John Knox/Nossaman, Krueger & Knox 82/20 (1984)

§ 86115. Periodic Reports; Employers and Others.

Subject to the exceptions in Section 86300, the following persons shall file the statements required by Section 86116:

(a) Any lobbyist employer; and

(b) Any person who directly or indirectly makes payments to influence legislative or administrative action of five thousand dollars ($5,000) or more in value in any calendar quarter, unless all of the payments are of the type described in subdivision (c) of Section 82045.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18616
2 Cal. Code of Regs. Section 18616.4

Opinions: In re Kovall (1978) 4 FPPC Ops. 95
In re Evans (1978) 4 FPPC Ops. 54
In re Sloan (1976) 2 FPPC Ops. 105
In re Gillies (1975) 1 FPPC Ops. 165
In re Stern (1975) 1 FPPC Ops. 59
In re Witt (1975) 1 FPPC Ops. 1

Enforcement Decisions: Traditional Values Coalition 99/84 (2001)

§ 86116. Periodic Reports; Employers and Others; Contents.

Every person described in Section 86115 shall file periodic reports containing the following information:

(a) The name, business address, and telephone number of the lobbyist employer or other person filing the report.

(b) The total amount of payments to each lobbying firm.

(c) The total amount of all payments to lobbyists employed by the filer.

(d) A description of the specific lobbying interests of the filer.

(e) A periodic report completed and verified by each lobbyist employed by a lobbyist employer pursuant to Section 86113.

(f) Each activity expense of the filer. A total of all activity expenses of the filer shall be included.

(g) The date, amount, and the name of the recipient of any contribution of one hundred dollars ($100) or more made by the filer to an elected state officer, a state candidate, or a committee controlled by an elected state officer or state candidate, or a committee primarily formed to support the officer or candidate. If this contribution is reported by the filer or by a committee sponsored by the filer in a campaign statement filed pursuant to Chapter 4 which is required to be filed with the Secretary of State, the filer may report only the name of the committee, and the identification number of the committee.

(h) (1) Except as set forth in paragraph (2), the total of all other payments to influence legislative or administrative action including overhead expenses and all payments to employees who spend 10 percent or more of their compensated time in any one month in activities related to influencing legislative or administrative action.

(2) A filer that makes payments to influence a ratemaking or quasi-legislative proceeding before the Public Utilities Commission, as defined in subdivision (b) or (c), respectively, of Section 82002, may, in lieu of reporting those payments pursuant to paragraph (1), report only the portion of those payments made to or for the filer's attorneys for time spent appearing as counsel and preparing to appear as counsel, or to or for the filer's witnesses for time spent testifying and preparing to testify, in this type of Public Utilities Commission proceeding. This alternative reporting of these payments made during a calendar month is not required to include payments made to an attorney or witness who is an employee of the filer if less than 10 percent of his or her compensated time in that month was spent in appearing, testifying, or preparing to appear or testify before the Public Utilities Commission in a ratemaking or quasi-legislative proceeding. For the purposes of this paragraph, time spent preparing to appear or preparing to testify does not include time spent preparing written testimony.

(i) Any other information required by the commission consistent with the purposes and provisions of this chapter.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985; amended by Stats. 1986, Ch. 905; amended by Stats. 1987, Ch. 459; amended by Stats. 2001, Ch. 921.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18614
2 Cal. Code of Regs. Section 18616
2 Cal. Code of Regs. Section 18616.4

Opinions: In re Evans (1978) 4 FPPC Ops. 54
In re Herr (1977) 3 FPPC Ops. 11
In re Sloan (1976) 2 FPPC Ops. 105
In re Nida (1976) 2 FPPC Ops. 1
In re Grunsky (1975) 1 FPPC Ops. 158
In re Atlantic-Richfield Co. (1975) 1 FPPC Ops. 147
In re Witt (1975) 1 FPPC Ops. 145
In re Morrissey (1975) 1 FPPC Ops. 130
In re Carothers (1975) 1 FPPC Ops. 122
In re Wallace (1975) 1 FPPC Ops. 118
In re Gillies (1975) 1 FPPC Ops. 110
In re League of California Milk Producers (1975) 1 FPPC Ops. 13
In re Witt (1975) 1 FPPC Ops. 1

Enforcement Decisions: California Assisted Living Facilities Association 010494 (2001)
Willie E. Hausey 88/66 (1988)

§ 86116.5. Periodic Reports; State and Local Government Agencies.

(a) In addition to the information required pursuant to Section 86116, all state and local agencies that file reports pursuant to Sections 86115 and 86116

shall disclose, except for overhead expenses, all payments of two hundred fifty dollars ($250) or more made in a reporting period, including, but not limited to, all of the following:

(1) Goods and services used by a lobbyist or used to support or assist a lobbyist in connection with his or her activities as a lobbyist.

(2) Payments of any other expenses which would not have been incurred but for the filer's activities to influence or attempt to influence legislative or administrative action.

(3) Dues or similar payments made to any organization, including a federation, confederation, or trade, labor, or membership organization, that makes expenditures equal to 10 percent of its total expenditures, or fifteen thousand dollars ($15,000), or more, during any calendar quarter, to influence legislative or administrative action.

(b) Reports required pursuant to this section may be disclosed on a separate schedule and shall include all of the following information:

(1) The name and address of the payee.

(2) The total payments made during the reporting period.

(3) The cumulative amount paid during the calendar year.

(c) All statements required by this section shall be filed as specified by Sections 86117 and 86118.

History: Added by Stats. 1992, Ch. 214.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18616

§ 86117. Periodic Reports; Filing; Time.

(a) Reports required by Sections 86114 and 86116 shall be filed during the month following each calendar quarter. The period covered shall be from the first day of January of each new biennial legislative session through the last day of the calendar quarter prior to the month during which the report is filed, except as specified in subdivision (b), and except that the period covered shall not include any information reported in previous reports filed by the same person. When total amounts are required to be reported, totals shall be stated both for the period covered by the statement and for the entire legislative session to date.

(b) The period covered by the first report a person is required to file pursuant to Sections 86114 and 86116 shall begin with the first day of the calendar quarter in which the filer first registered or qualified. On the first report a person is required to file, the total amount shall be stated for the entire calendar quarter covered by the first report.

History: Added by Stats. 1985, Ch. 1183, effective September 29, 1985; amended by Stats. 1994, Ch. 1139.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18617

Enforcement Decisions:
California Assisted Living Facilities Association 010494 (2001)
Governmental Impact and Jim Dantona 2000/733 (2001)
California Credit Union League, et al. 95/48 (1995)
Friends Committee on Legislation of CA, et al. 92/349 (1994)
James. M. Graham 83/402 (1987)
Brian Hatch 84/224 (1985)
John Knox/Nossaman, Krueger & Knox 82/20 (1984)
Dugald Gillies 79/60 (1980)
Jack Shelby 79/61 (1980)
Alvar Yelvington 79/21 (1980)
J. Reginald Wahl 79/42 (1980)

§ 86118. Periodic Reports; Where to File.

The original and one copy of each report required by Sections 86114 and 86116 of the Government Code shall be filed with the Secretary of State.

History: Added by Stats. 1986, Ch. 905.

Article 2. Prohibitions. § 86200 - 86205

§ 86200. Contribution. [Repealed]
§ 86201. Gift.
§ 86202. Unlawful Contribution. [Repealed]
§ 86203. Unlawful Gifts.
§ 86204. Receipt of Unlawful Gift.
§ 86205. Acts Prohibited.

§ 86200. Contribution. [Repealed]

History: Repealed by Stats. 1984, Ch. 161.

§ 86201. Gift.

"Gift" as used in this article means a gift made directly or indirectly to any state candidate, elected state officer, or legislative official, or to an agency official of any agency required to be listed on the registration statement of the lobbying firm or the lobbyist employer of the lobbyist.

History: Amended by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18624
2 Cal. Code of Regs. Section 18630

Opinions: In re Goddard (1978) 4 FPPC Ops. 1

In re Olson (1975) 1 FPPC Ops. 107
In re Smithers (1975) 1 FPPC Ops. 42

§ 86202. Unlawful Contribution. [Repealed]

History: Repealed by Stats. 1984, Ch. 161.

§ 86203. Unlawful Gifts.

It shall be unlawful for a lobbyist, or lobbying firm, to make gifts to one person aggregating more than ten dollars ($10) in a calendar month, or to act as an agent or intermediary in the making of any gift, or to arrange for the making of any gift by any other person.

History: Amended by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18624
2 Cal. Code of Regs. Section 18630
2 Cal. Code of Regs. Section 18945.3

Opinions: In re Institute for Governmental Advocates (1982) 7 FPPC Ops. 1
In re Goddard (1978) 4 FPPC Ops. 1
In re Reinhardt (1977) 3 FPPC Ops. 83
In re Zenz (1975) 1 FPPC Ops. 195
In re Horn (1975) 1 FPPC Ops. 126
In re Olson (1975) 1 FPPC Ops. 107
In re Gilchrist (1975) 1 FPPC Ops. 82
In re Smithers (1975) 1 FPPC Ops. 42
In re Blenkle (1975) 1 FPPC Ops. 37

Enforcement Decisions: A-K Associates 87/226 (1989)
Brian Hatch 84/224 (1985)
Joe Gonsalves 81/13 (1982)

§ 86204. Receipt of Unlawful Gift.

It shall be unlawful for any person knowingly to receive any gift which is made unlawful by Section 86203.

History: Amended by Stats. 1984, Ch. 161.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18941

§ 86205. Acts Prohibited.

No lobbyist or lobbying firm shall:

(a) Do anything with the purpose of placing any elected state officer, legislative official, agency official, or state candidate under personal obligation to the lobbyist, the lobbying firm, or the lobbyist's or the firm's employer.

(b) Deceive or attempt to deceive any elected state officer, legislative official, agency official, or state candidate with regard to any material fact pertinent to any pending or proposed legislative or administrative action.

(c) Cause or influence the introduction of any bill or amendment thereto for the purpose of thereafter being employed to secure its passage or defeat.

(d) Attempt to create a fictitious appearance of public favor or disfavor of any proposed legislative or administrative action or to cause any communication to be sent to any elected state officer, legislative official, agency official, or state candidate in the name of any fictitious person or in the name of any real person, except with the consent of such real person.

(e) Represent falsely, either directly or indirectly, that the lobbyist or the lobbying firm can control the official action of any elected state officer, legislative official, or agency official.

(f) Accept or agree to accept any payment in any way contingent upon the defeat, enactment, or outcome of any proposed legislative or administrative action.

History: Amended by Stats. 1985, Ch. 1183, effective September 29, 1985.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18625

Opinions: In re Reinhardt (1977) 3 FPPC Ops. 83

Enforcement Decisions: State Bar of California 97/125 (1998)
Mel Assagai 97/125 (1998)
Willie E. Hausey 88/66 (1988)

Article 3. Exemptions. § 86300

§ 86300. Exemptions.

§ 86300. Exemptions.

The provisions of this chapter are not applicable to:

(a) Any elected public official acting in his official capacity, or any employee of the State of California acting within the scope of his employment; provided that, an employee of the State of California, other than a legislative official, who attempts to influence legislative action and who would be required to register as a lobbyist except for the provisions of this subdivision shall not make gifts of more than ten dollars ($10) in a calendar month to an elected state officer or legislative official.

(b) Any newspaper or other periodical of general circulation, book publisher, radio or television station (including any individual who owns, publishes, or is employed by any such newspaper or periodical, radio or television station) which in the ordinary course of business publishes news items, editorials, or other comments, or paid advertisement, which directly or

indirectly urge legislative or administrative action if such newspaper, periodical, book publisher, radio or television station or individual, engages in no further or other activities in connection with urging legislative or administrative action other than to appear before a committee of the Legislature or before a state agency in support of or in opposition to such action; or

(c) A person when representing a bona fide church or religious society solely for the purpose of protecting the public right to practice the doctrines of such church.

History: Amended by Stats. 1975, Ch. 1079.

References at the time of publication (see page 3):

Opinions: In re Herr (1977) 3 FPPC Ops. 11
In re Morgan (1975) 1 FPPC Ops. 177

Chapter 7. Conflicts of Interests. § 87100 - 87500

Article 1. General Prohibitions. § 87100 -87104
2. Disclosure. § 87200 - 87210
3. Conflict of Interest Codes. § 87300 - 87313
3.5. Multiagency Filers. § 87350
4. Disqualification of Former Officers and Employees. § 87400 - 87407
4.5. Disqualification of State Officers and Employees. § 87450
4.6. Loans to Public Officials. § 87460-87462
5. Filing. § 87500

Article 1. General Prohibitions. § 87100 - 87104

§ 87100. Public Officials; State and Local.
§ 87100.1. Professional Engineers and Surveyors as Consultants.
§ 87101. Legally Required Participation in Governmental Decision.
§ 87102. Applicability of Enforcement Provisions; Additional Requirements.
§ 87102.5. Legislature; Use of Position to Influence Decisions.
§ 87102.6. Nongeneral Legislation; Definitions.
§ 87102.8. Elected State Officer; Use of Position to Influence Decisions.
§ 87103. Financial Interest.
§ 87103.5. Income from Retail Sales.
§ 87103.6. Source of Income; Payments to Government Agencies.
§ 87104. Prohibitions on Public Officials.

§ 87100. Public Officials; State and Local.

No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18700
2 Cal. Code of Regs. Section 18701
2 Cal. Code of Regs. Section 18702
2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18702.2
2 Cal. Code of Regs. Section 18702.3
2 Cal. Code of Regs. Section 18702.4
2 Cal. Code of Regs. Section 18703
2 Cal. Code of Regs. Section 18703.1
2 Cal. Code of Regs. Section 18703.2
2 Cal. Code of Regs. Section 18703.3
2 Cal. Code of Regs. Section 18703.4
2 Cal. Code of Regs. Section 18703.5
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18704.1
2 Cal. Code of Regs. Section 18704.2
2 Cal. Code of Regs. Section 18704.5
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18705.1
2 Cal. Code of Regs. Section 18705.2
2 Cal. Code of Regs. Section 18705.3
2 Cal. Code of Regs. Section 18705.4
2 Cal. Code of Regs. Section 18705.5
2 Cal. Code of Regs. Section 18706
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18943
2 Cal. Code of Regs. Section 18944.2

Opinions: In re Galligan (2000) 14 FPPC Ops. 1

Enforcement Decisions: Gerald Geismar 99/188 (2001)
Norm Morikawa 97/336 (2001)
Donald William ("Bill"), Merriman 99/63 (2000)
James Kennedy 98/47 (2000)
John McLemore 98/160 (2000)
Todd Keegan 96/662 (2000)
Abe E. Beltran 94/227 (1999)
Charles Edward Penna 97/452 (1999)
Paul Toste 95/397 (1999)
Tad Folendorf 96/19 (1998)
Dallas Covington 97/283 (1998)
Barry Allen 96/401 (1998)
William B. Rick 96/524 (1998)
Freida Tadina 96/424 (1998)
Mark Mitton 95/541 (1998)
John Varela 96/142 (1998)
Rudy Regalado 97/460 (1998)
Gary Langston 96/26 (1998)
Ken Marks 95/541 (1998)
Michael McGinnis 96/312 (1998)
Richard Wright 95/213 (1998)
Seth Henry Irish, III 94/481 (1998)
Sharon Wright, et al. 96/162 (1998)
George Alongi 95/112 (1997)
Viet Be 94/594 (1997)

James Worthen 93/74 (1997)
Carey Corbaley 94/305 (1997)
Chuck Simmons 94/456 (1997)
Filiberto Martinez 96/12 (1997)
Rey Guerra 96/144 (1997)
William Holman 95/541 (1997)
Richard Alatorre 97/268 (1997)
Paul Bailey 96/163 (1997)
William Cunningham 92/323 (1996)
Mary L. Rivera 94/528 (1996)
Joseph C. Berry 91/18 (1996)
Richard J. Riordan 96/214 (1996)
Eileen Krause 94/201 (1996)
Steve Kolodney 94/237 (1996)
Curtis V. Bryan 93/275 (1996)
Larry Rotelli 96/158 (1996)
Marvin Goldsmith 95/173 (1996)
Penny Allen 94/138 (1995)
Amelia Borcalli, et al. 93/321 (1995)
Gary M. Washburn 93/262 (1995)
Vernon Donald Helms, et al. 93/248 (1995)
Armando Lopez 92/689 (1995)
Glen R. Putnam, et al. 92/549 (1995)
Bruce M. Wallis 91/512 (1994)
Rodolfo Garcia 93/258 (1994)
Mark Nathanson 91/577 (1994)
Neal Rotteveel 90/727 (1994)
Andre Schade 92/68 (1993)
Rick Haltenhoff 90/299 (1993)
Maria Sheehan 91/37 (1993)
Richard A. Garcia 91/166 (1993)
Marco Sigala 90/943 (1993)
Christopher W. Lancaster 91/466 (1992)
Lida Lenney 92/291 (1992)
Arthur S. Bartel 90/504 (1992)
Leonard Eliot 90/302 (1992)
Edward Mc Laughlin 90/79 (1992)
Tony Montana 91/199 (1992)
Richard Morrow 89/400 (1992)
William Pursley 90/503 (1992)
David Schramel 90/317 (1992)
William Ullrich 90/614 (1992)
Philip Wente 87/57 (1992)
Abbe Wolfsheimer, et al. 89/417 (1992)
James Hawthorne 89/18 (1991)
Charles Hammond 89/360 (1991)
Rudie Tretten 89/88 (1991)
Robert Maxfield 90/83 (1991)
Richard Fenwick 89/134 (1990)
Roy Woodward 88/448 (1990)
Stephen Webb, et al. 88/152 (1990)
Harold Knedel 88/125 (1989)
Michael Mower 88/87 (1989)
Bob Beck 88/452 (1989)
Marshall Scott 88/151 (1989)
J. David Horspool, et al. 88/148 (1989)
Sandra Smoley 86/370 (1989)
Robert Gatewood 86/72 (1988)
Richard Alatorre 86/530 (1988)
Karl Braun 86/364 (1988)
Steve Kueny 86/261 (1988)
R. Wayne Bashore 87/106 (1987)
Kile Morgan 85/277 (1987)
M.W. "Mick" Jones 84/331 (1987)
Jesse Combs 84/322 (1987)
Harvey Brown 84/349 (1986)
Roy Ben Lyon 84/29 (1984)
Albert Silva 83/19 (1984)
Andres Mendez 83/15 (1984)
Thomas Corcoran 82/09 (1984)
Mary Nichols 81/08 (1982)
Edward Howard 81/03 (1982)
Arthur Snyder 80/19 (1982)

§ 87100.1. Professional Engineers and Surveyors as Consultants.

(a) A registered professional engineer or licensed land surveyor who renders professional services as a consultant to a state or local government, either directly or through a firm in which he or she is employed or is a principal, does not have a financial interest in a governmental decision pursuant to Section 87100 where the consultant renders professional engineering or land surveying services independently of the control and direction of the public agency and does not exercise public agency decisionmaking authority as a contract city or county engineer or surveyor.

(b) For purposes of this section, the consultant renders professional engineering or land surveying services independently of the control and direction of the public agency when the consultant is in responsible charge of the work pursuant to Section 6703 or 8703 of the Business and Professions Code.

(c) Subdivision (a) does not apply to that portion of the work that constitutes the recommendation of the actual formula to spread the costs of an assessment district's improvements if both of the following apply:

(1) The engineer has received income of two hundred fifty dollars ($250) or more for professional services in connection with any parcel included in the benefit assessment district within 12 months prior to the creation of the district.

(2) The district includes other parcels in addition to those parcels for which the engineer received the income.

The recommendation of the actual formula does not include preliminary site studies, preliminary engineering, plans, specifications, estimates, compliance with environmental laws and regulations, or the collection of data and information, utilized in applying the formula.

History: Added by Stats. 1991, Ch. 887.

§ 87101. Legally Required Participation in Governmental Decision.

Section 87100 does not prevent any public official from making or participating in the making of a governmental decision to the extent his participation is legally required for the action or decision to be made. The fact that an official's vote is needed to break a tie

does not make his participation legally required for purposes of this section.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18702.1
2 Cal. Code of Regs. Section 18708

Opinions: In re Hicks (2000) 13 FPPC Ops. 11
In re Brown (1978) 4 FPPC Ops. 19
In re Hudson (1978) 4 FPPC Ops. 13
In re Hopkins (1977) 3 FPPC Ops. 107
In re Maloney (1977) 3 FPPC Ops. 69

§ 87102. Applicability of Enforcement Provisions; Additional Requirements.

The requirements of Section 87100 are in addition to the requirements of Articles 2 (commencing with Section 87200) and 3 (commencing with Section 87300) and any Conflict of Interest Code adopted thereunder. Except as provided in Section 87102.5, the remedies provided in Chapters 3 (commencing with Section 83100) and 11 (commencing with Section 91000) shall not be applicable to elected state officers for violations or threatened violations of this article.

History: Amended by Stats. 1980, Ch. 1029; amended by Stats. 1990, Ch. 84.

§ 87102.5. Legislature; Use of Position to Influence Decisions.

(a) The remedies provided in Chapter 3 (commencing with Section 83100) shall apply to any Member of the Legislature who makes, participates in making, or in any way attempts to use his or her official position to influence any of the following governmental decisions in which he or she knows or has reason to know that he or she has a financial interest:

(1) Any state governmental decision, other than any action or decision before the Legislature, made in the course of his or her duties as a member.

(2) Approval, modification, or cancellation of any contract to which either house or a committee of the Legislature is a party.

(3) Introduction as a lead author of any legislation that the member knows or has reason to know is nongeneral legislation.

(4) Any vote in a legislative committee or subcommittee on what the member knows or has reason to know is nongeneral legislation.

(5) Any rollcall vote on the Senate or Assembly floor on an item which the member knows is nongeneral legislation.

(6) Any action or decision before the Legislature in which all of the following occur:

(A) The member has received any salary, wages, commissions, or similar earned income within the preceding 12 months from a lobbyist employer.

(B) The member knows or has reason to know the action or decision will have a direct and significant financial impact on the lobbyist employer.

(C) The action or decision will not have an impact on the public generally or a significant segment of the public in a similar manner.

(7) Any action or decision before the Legislature on legislation that the member knows or has reason to know will have a direct and significant financial impact on any person, distinguishable from its impact on the public generally or a significant segment of the public, from whom the member has received any compensation within the preceding 12 months for the purpose of appearing, agreeing to appear, or taking any other action on behalf of that person, before any local board or agency.

(b) For purposes of this section, all of the following apply:

(1) "Any action or decision before the Legislature" means any vote in a committee or subcommittee, or any rollcall vote on the floor of the Senate or Assembly.

(2) "Financial interest" means an interest as defined in Section 87103.

(3) "Legislation" means a bill, resolution, or constitutional amendment.

(4) "Nongeneral legislation" means legislation that is described in Section 87102.6 and is not of a general nature pursuant to Section 16 of Article IV of the Constitution.

(5) A Member of the Legislature has reason to know that an action or decision will have a direct and significant financial impact on a person with respect to which disqualification may be required pursuant to subdivision (a) if either of the following apply:

(A) With the knowledge of the member, the person has attempted to influence the vote of the member with respect to the action or decision.

(B) Facts have been brought to the member's personal attention indicating that the action or decision will have a direct and significant impact on the person.

(6) The prohibitions specified in subdivision (a) do not apply to a vote on the Budget Bill as a whole, or to a vote on a consent calendar, a motion for reconsideration, a waiver of any legislative rule, or any purely procedural matter.

(7) A Member of the Legislature has reason to know that legislation is nongeneral legislation if facts

have been brought to his or her personal attention indicating that it is nongeneral legislation.

(8) Written advice given to a Member of the Legislature regarding his or her duties under this section by the Legislative Counsel shall have the same effect as advice given by the Commission pursuant to subdivision (b) of Section 83114 if both of the following apply:

(A) The member has made the same written request based on the same material facts to the Commission for advice pursuant to Section 83114 as to his or her duties under this section, as the written request and facts presented to the Legislative Counsel.

(B) The Commission has not provided written advice pursuant to the member's request prior to the time the member acts in good faith reliance on the advice of the Legislative Counsel.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1990, Ch. 1075.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18703
2 Cal. Code of Regs. Section 18703.1
2 Cal. Code of Regs. Section 18703.2
2 Cal. Code of Regs. Section 18703.3
2 Cal. Code of Regs. Section 18703.4
2 Cal. Code of Regs. Section 18703.5
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18704.1
2 Cal. Code of Regs. Section 18704.2
2 Cal. Code of Regs. Section 18704.5
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18705.1
2 Cal. Code of Regs. Section 18705.2
2 Cal. Code of Regs. Section 18705.3
2 Cal. Code of Regs. Section 18705.4
2 Cal. Code of Regs. Section 18705.5
2 Cal. Code of Regs. Section 18706

Opinions: In re Galligan (2000) 14 FPPC Ops. 1

Enforcement Decisions: William E. Hoge 95/351 (1997)
K. Maurice Johannessen, et al. 94/610 (1995)

§ 87102.6. Nongeneral Legislation; Definitions.

(a) "Nongeneral legislation" means legislation as to which both of the following apply:

(1) It is reasonably foreseeable that the legislation will have direct and significant financial impact on one or more identifiable persons, or one or more identifiable pieces of real property.

(2) It is not reasonably foreseeable that the legislation will have a similar impact on the public generally or on a significant segment of the public.

(b) For purposes of this section and Section 87102.5, all of the following apply:

(1) "Legislation" means a bill, resolution, or constitutional amendment.

(2) The term "public generally" includes an industry, trade, or profession.

(3) Any recognized subgroup or specialty of the industry, trade, or profession constitutes a significant segment of the public.

(4) A legislative district, county, city, or special district constitutes a significant segment of the public.

(5) More than a small number of persons or pieces of real property is a significant segment of public.

(6) Legislation, administrative action, or other governmental action impacts in a similar manner all members of the public, or all members of a significant segment of the public, on which it has a direct financial effect, whether or not the financial effect on individual members of the public or the significant segment of the public is the same as the impact on the other members of the public or the significant segment of the public.

(7) The Budget Bill as a whole is not nongeneral legislation.

(8) Legislation that contains at least one provision that constitutes nongeneral legislation is nongeneral legislation, even if the legislation also contains other provisions that are general and do not constitute nongeneral legislation.

History: Added by Stats. 1990, Ch. 84.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18703
2 Cal. Code of Regs. Section 18703.1
2 Cal. Code of Regs. Section 18703.2
2 Cal. Code of Regs. Section 18703.3
2 Cal. Code of Regs. Section 18703.4
2 Cal. Code of Regs. Section 18703.5
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18704.1
2 Cal. Code of Regs. Section 18704.2
2 Cal. Code of Regs. Section 18704.5
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18705.1
2 Cal. Code of Regs. Section 18705.2
2 Cal. Code of Regs. Section 18705.3
2 Cal. Code of Regs. Section 18705.4
2 Cal. Code of Regs. Section 18705.5
2 Cal. Code of Regs. Section 18706

Opinions: In re Galligan (2000) 14 FPPC Ops. 1

§ 87102.8. Elected State Officer; Use of Position to Influence Decisions.

(a) No elected state officer, as defined in subdivision (f) of Section 14 of Article V of the California Constitution, shall make or participate in the

making of, or use his or her official position to influence, any governmental decision before the agency in which the elected state officer serves, where he or she knows or has reason to know that he or she has a financial interest.

(b) An elected state officer knows or has reason to know that he or she has a financial interest in any action by, or a decision before the agency in which he or she serves where either of the following occur:

(1) The action or decision will have a direct and significant financial impact on a lobbyist employer from which the officer has received any salary, wages, commissions, or similar earned income within the preceding 12 months and the action or decision will not have an impact on the public generally or a significant segment of the public in a similar manner.

(2) The action or decision will have a direct and significant financial impact on any person, distinguishable from its impact on the public generally or a significant segment of the public, from whom the officer has received any compensation within the preceding 12 months for the purpose of appearing, agreeing to appear, or taking any other action on behalf of that person, before any local board or agency.

(c) The definitions of "public generally" and "significant segment of the public" contained in Section 87102.6 shall apply to this section.

(d) Notwithstanding Section 87102, the remedies provided in Chapter 3 (commencing with Section 83100) shall apply to violations of this section.

History: Added by Stats. 1990, Ch. 1075; amended by Stats. 1991, Ch. 674.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18703
2 Cal. Code of Regs. Section 18703.1
2 Cal. Code of Regs. Section 18703.2
2 Cal. Code of Regs. Section 18703.3
2 Cal. Code of Regs. Section 18703.4
2 Cal. Code of Regs. Section 18703.5
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18704.1
2 Cal. Code of Regs. Section 18704.2
2 Cal. Code of Regs. Section 18704.5
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18705.1
2 Cal. Code of Regs. Section 18705.2
2 Cal. Code of Regs. Section 18705.3
2 Cal. Code of Regs. Section 18705.4
2 Cal. Code of Regs. Section 18705.5
2 Cal. Code of Regs. Section 18706

Opinions: In re Galligan (2000) 14 FPPC Ops. 1

§ 87103. Financial Interest.

A public official has a financial interest in a decision within the meaning of Section 87100 if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family, or on any of the following:

(a) Any business entity in which the public official has a direct or indirect investment worth two thousand dollars ($2,000) or more.

(b) Any real property in which the public official has a direct or indirect interest worth two thousand dollars ($2,000) or more.

(c) Any source of income, except gifts or loans by a commercial lending institution made in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars ($500) or more in value provided or promised to, received by, the public official within 12 months prior to the time when the decision is made.

(d) Any business entity in which the public official is a director, officer, partner, trustee, employee, or holds any position of management.

(e) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating two hundred fifty dollars ($250) or more in value provided to, received by, or promised to the public official within 12 months prior to the time when the decision is made. The amount of the value of gifts specified by this subdivision shall be adjusted biennially by the Commission to equal the same amount determined by the Commission pursuant to subdivision (f) of Section 89503.

For purposes of this section, indirect investment or interest means any investment or interest owned by the spouse or dependent child of a public official, by an agent on behalf of a public official, or by a business entity or trust in which the official, the official's agents, spouse, and dependent children own directly, indirectly, or beneficially a 10-percent interest or greater.

History: Amended by Stats. 1979, Ch. 686; amended by Stats. 1980, Ch. 183; amended by Stats. 1984, Ch. 931; amended by Stats. 1985, Ch. 611; amended by Stats. 1994, Ch. 386; amended by Stats. 1997, Ch. 455, effective September 24, 1997; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18232
2 Cal. Code of Regs. Section 18700
2 Cal. Code of Regs. Section 18703
2 Cal. Code of Regs. Section 18703.1
2 Cal. Code of Regs. Section 18703.2
2 Cal. Code of Regs. Section 18703.3
2 Cal. Code of Regs. Section 18703.4
2 Cal. Code of Regs. Section 18703.5
2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18704.1

2 Cal. Code of Regs. Section 18704.2
2 Cal. Code of Regs. Section 18704.5
2 Cal. Code of Regs. Section 18705
2 Cal. Code of Regs. Section 18705.1
2 Cal. Code of Regs. Section 18705.2
2 Cal. Code of Regs. Section 18705.3
2 Cal. Code of Regs. Section 18705.4
2 Cal. Code of Regs. Section 18705.5
2 Cal. Code of Regs. Section 18706
2 Cal. Code of Regs. Section 18707
2 Cal. Code of Regs. Section 18707.1
2 Cal. Code of Regs. Section 18707.2
2 Cal. Code of Regs. Section 18707.3
2 Cal. Code of Regs. Section 18707.4
2 Cal. Code of Regs. Section 18707.5
2 Cal. Code of Regs. Section 18707.6
2 Cal. Code of Regs. Section 18707.7
2 Cal. Code of Regs. Section 18707.9
2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18940.2
2 Cal. Code of Regs. Section 18941
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18942.1
2 Cal. Code of Regs. Section 18943
2 Cal. Code of Regs. Section 18944.2

Opinions: In re Galligan (2000) 14 FPPC Ops. 1
In re Legan (1985) 9 FPPC Ops. 1
In re Nord (1983) 8 FPPC Ops. 6
In re Ferraro (1978) 4 FPPC Ops. 62
In re Callanan, Sands and Hill (1978) 4 FPPC Ops. 33
In re Brown (1978) 4 FPPC Ops. 19
In re Hopkins (1977) 3 FPPC Ops. 107
In re Gillmor (1977) 3 FPPC Ops. 38
In re Moore (1977) 3 FPPC Ops. 33
In re Thomas (1977) 3 FPPC Ops. 30
In re Sherwood (1976) 2 FPPC Ops. 168
In re Sankey (1976) 2 FPPC Ops. 157
In re Owen (1976) 2 FPPC Ops. 77
In re Thorner (1975) 1 FPPC Ops. 198
In re Biondo (1975) 1 FPPC Ops. 54
In re Presley (1975) 1 FPPC Ops. 39

Enforcement Decisions: Gerald Geismar 99/188 (2001)
John McLemore 98/160 (2000)
Marshall Scott, et al. 88/151 (1989)
J. David Horspool, et al. 88/148 (1989)
Sandra Smoley 86/370 (1989)
Robert Gatewood 86/72 (1988)
Steve Kueny 86/261 (1988)
Kile Morgan 85/277 (1987)
R. Wayne Bashore 87/106 (1987)

§ 87103.5. Income from Retail Sales.

Notwithstanding subdivision (c) of Section 87103, a retail customer of a business entity engaged in retail sales of goods or services to the public generally is not a source of income to an official who owns a 10-percent or greater interest in the entity if the retail customers of the business entity constitute a significant segment of the public generally, and the amount of income received by the business entity from the customer is not distinguishable from the amount of income received from its other retail customers.

History: Added by Stats. 1984, Ch. 931.

§ 87103.6. Source of Income; Payments to Government Agencies.

Notwithstanding subdivision (c) of Section 87103, any person who makes a payment to a state agency or local government agency to defray the estimated reasonable costs to process any application, approval, or any other action, including but not limited to, holding public hearings and evaluating or preparing any report or document, shall not by reason of the payments be a source of income to a person who is retained or employed by the agency.

History: Added by Stats. 1991, Ch. 887.

§ 87104. Prohibitions on Public Officials.

(a) No public official of a state agency shall, for compensation, act as an agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance before, or any oral or written communication to, his or her state agency or any officer or employee thereof, if the appearance or communication is for the purpose of influencing a decision on a contract, grant, loan, license, permit, or other entitlement for use.

(b) For purposes of this section, "public official" includes a member, officer, employee, or consultant of an advisory body to a state agency, whether the advisory body is created by statute or otherwise, except when the public official is representing his or her employing state, local, or federal agency in an appearance before, or communication to, the advisory body.

History: Added by Stats. 1994, Ch. 414; amended by Stats. 1997, Ch. 145.

Article 2. Disclosure.
§ 87200 - 87210

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§ 87201. Candidates.
§ 87202. Officials - Elected, Appointed and Hold Over.
§ 87203. Officeholders; Annual Statements.
§ 87204. Leaving Office.
§ 87205. Persons Completing and Beginning Term of Office on the Same Day.
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§ 87200. Applicability.

This article is applicable to elected state officers, judges and commissioners of courts of the judicial branch of government, members of the Public Utilities Commission, members of the State Energy Resources Conservation and Development Commission, members of the Fair Political Practices Commission, members of the California Coastal Commission, members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers, and chief administrative officers of counties, mayors, city managers, city attorneys, city treasurers, chief administrative officers and members of city councils of cities, and other public officials who manage public investments, and to candidates for any of these offices at any election.

History: Amended by Stats. 1975, Ch. 797; effective September 16, 1975, operative September 5, 1975; amended by Stats. 1976, Ch. 129, effective May 5, 1976; amended by Stats. 1978, Ch. 537; amended by Stats. 1979, Ch. 674; amended by Stats. 1983, Ch. 214; amended by Stats. 1984, Ch. 727, effective July 1, 1985; amended by Stats. 1985, Ch. 611; amended by Stats. 1989, Ch. 403.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18701
2 Cal. Code of Regs. Section 18723
2 Cal. Code of Regs. Section 18724
2 Cal. Code of Regs. Section 18753

Enforcement Decisions: Bob Chapman 2000/763 (2001)
Marisela Torres 2000/576 (2001)
Andres R. Torres 2000/192 (2000)
Arturo Ramirez 99/551 (2000)
John Sullivan 99/619 (2000)
Rhoda Ann Daclison 99/795 (2000)
Shirley Mobley 99/622 (2000)
Sharon Wright, et al. 96/162 (1998)
Charles E. Hammond 95/432 (1996)
Glenda Kraft Doan 94/710 (1996)
Mark H. McGee 94/352 (1995)
Gus S. Kramer, et al. 94/230 (1995)
Gary M. Washburn 93/262 (1995)
Cecelia Corl 91/258 (1994)
Andre Schade 92/68 (1993)
Waldemar P. Abraham 91/201 (1993)
Lida Lenney 92/291 (1992)
Harvey Brown 84/349 (1986)
Helen Stein 84/132 (1985)
Manuel Sandoval 84/39 (1984)
Roy Ben Lyon 84/29 (1984)
Thomas Corcoran 82/09 (1984)

§ 87201. Candidates.

Every candidate for an office specified in Section 87200 other than a justice of an appellate court or the Supreme Court shall file no later than the final filing date of a declaration of candidacy, a statement disclosing his or her investments, his or her interests in real property, and any income received during the immediately preceding 12 months.

This statement shall not be required if the candidate has filed, within 60 days prior to the filing of his or her declaration of candidacy, a statement for the same jurisdiction pursuant to Section 87202 or 87203.

History: Amended by Stats. 1977, Ch. 1193; amended by Stats. 1980, Ch. 928; amended by Stats. 1984, Ch. 931; amended by Stats. 1992, Ch. 1141.

References at the time of publication (see page 3):

Opinions: In re Boreman (1975) 1 FPPC Ops. 101

§ 87202. Officials - Elected, Appointed and Hold Over.

(a) Every person who is elected to an office specified in Section 87200 shall, within 30 days after assuming the office, file a statement disclosing his or her investments and his or her interests in real property held on the date of assuming office, and income received during the 12 months before assuming office. Every person who is appointed or nominated to an office specified in Section 87200 shall file such a statement not more than 30 days after assuming office, provided, however, that a person appointed or nominated to such an office who is subject to confirmation by the Commission on Judicial Appointments or the State Senate shall file such a statement no more than 10 days after the appointment or nomination.

The statement shall not be required if the person has filed, within 60 days prior to assuming office, a statement for the same jurisdiction pursuant to Section 87203.

(b) Every elected state officer who assumes office during the month of December or January shall file a statement pursuant to Section 87203 instead of this section, except that:

(1) The period covered for reporting investments and interests in real property shall begin on the date the person filed his or her declarations of candidacy.

(2) The period covered for reporting income shall begin 12 months prior to the date the person assumed office.

History: Amended by Stats. 1977, Ch. 1193; amended by Stats. 1978, Ch. 537; amended by Stats. 1989, Ch. 499; amended by Stats. 1997, Ch. 36.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18723

Enforcement Decisions: Arturo Rodriguez 99/621 (2001)
Fernando Marin 010382 (2001)
Juan Sanchez 2000/615 (2001)
Gary Langston 96/26 (1998)
John Vasquez 88/140 (1989)

§ 87203. Officeholders; Annual Statements.

Every person who holds an office specified in Section 87200 shall, each year at a time specified by Commission regulations, file a statement disclosing his investments, his interests in real property and his income during the period since the previous statement filed under this section or Section 87202. The statement shall include any investments and interests in real property held at any time during the period covered by the statement, whether or not they are still held at the time of filing.

History: Amended by Stats. 1976, Ch. 1161.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18723

Opinions: In re Sampson (1975) 1 FPPC Ops. 183

Enforcement Decisions: Arturo Rodriguez 99/621 (2001)
Bob Chapman 2000/763 (2001)
Dean Zaharias 99/543 (2001)
Enid Joffe 010433 (2001)
Juan Sanchez 2000/615 (2001)
Linda Engelman 010076 (2001)
Michael Sauerbrun 010442 (2001)
Vincent Reyes 99/550 (2001)
Alfred Testa 99/794 (2000)
Arturo Ramirez 99/551 (2000)
Bruce Taylor 99/620 (2000)
G. Patrick Dyer 99/616 (2000)
John Sullivan 99/619 (2000)
Philip Aplin 99/337 (2000)
Shirley Mobley 99/622 (2000)
Stanley Holloway 99/617 (2000)
Todd Keegan 96/662 (2000)
Marna Schnabel 97/574 (1999)
Michael Erin Woody 97/289 (1999)
Dexter Henderson 96/367 (1998)
Gary Langston 96/26 (1998)
James Worthen 93/74 (1997)
Dean Zaharias 95/364 (1997)
Curtis V. Bryan 93/275 (1996)
Leonard Gonzales, Jr. 94/495 (1996)
Joseph P. D. Kern 90/888 (1992)
Lena Dennis 89/391 (1990)
Leo Bazile 88/295 (1990)
John Vasquez 88/140 (1989)
Diane E. Watson 88/66 (1988)
Steve Kueny 86/261 (1988)
Manuel Sandoval 84/39 (1984)
Roy Ben Lyon 84/29 (1984)
Thomas Corcoran 82/09 (1984)
Edward Howard 81/03 (1982)
Bill Greene 78/72 (1980)
Robert Newdoll 78/28 (1980)

§ 87204. Leaving Office.

Every person who leaves an office specified in Section 87200 shall, within thirty days after leaving the office, file a statement disclosing his investments, his interests in real property, and his income during the period since the previous statement filed under Sections 87202 or 87203. The statement shall include any investments and interests in real property held at any time during the period covered by the statement, whether or not they are still held at the time of filing.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18723

Enforcement Decisions: Arturo Rodriguez 99/621 (2001)
Dexter Henderson 96/367 (1998)

§ 87205. Persons Completing and Beginning Term of Office on the Same Day.

A person who completes a term of an office specified in Section 87200 and within 30 days begins a term of the same office or another such office of the same jurisdiction is not deemed to assume office or leave office.

History: Amended by Stats. 1977, Ch. 1193; amended by Stats. 1997, Ch. 145.

§ 87206. Disclosure of Investment or Interest in Real Property.

If an investment or an interest in real property is required to be disclosed under this article, the statement shall contain:

(a) A statement of the nature of the investment or interest.

(b) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged.

(c) The address or other precise location of the real property.

(d) A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars ($2,000) but does not exceed ten thousand dollars ($10,000), whether it exceeds ten thousand dollars ($10,000) but does not exceed one hundred thousand dollars ($100,000), whether it exceeds one hundred thousand dollars ($100,000), but does not exceed one million dollars

($1,000,000) or whether it exceeds one million dollars ($1,000,000).

(e) In the case of a statement filed under Sections 87203 or 87204, if the investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal.

(f) For purposes of disclosure under this article, "interest in real property" does not include the principal residence of the filer or any other property which the filer utilizes exclusively as the personal residence of the filer.

History: Amended by Stats. 1980, Ch. 1000; amended by Stats. 1984, Ch. 931; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18233
2 Cal. Code of Regs. Section 18234
2 Cal. Code of Regs. Section 18235
2 Cal. Code of Regs. Section 18729

Opinions: In re Schabarum (1975) 1 FPPC Ops. 95

Enforcement Decisions: Marna Schnabel 97/574 (1999)
Charles E. Hammond 95/432 (1996)
Jerold Cohn 94/209 (1996)
Gerald R. Rodder 92/549 (1995)
Waldemar P. Abraham 91/201 (1993)
William Pursley 90/503 (1992)
Art Agnos 87/152 (1989)
William Bryan, et al. 83/03 (1988)
John A. Kelly, Jr. 87/224 (1988)
H. L. Richardson 86/573 (1988)
Karl Braun 86/364 (1988)
M. W. "Mick" Jones 84/331 (1987)
Jesse Combs 84/322 (1987)
Harvey Brown 84/349 (1986)
Thomas Corcoran 82/09 (1984)
Terrence Goggin 81/11 (1984)
Edward Howard 81/03 (1982)
Robert Newdoll 78/28 (1980)
Anthony Azevedo 78/16 (1980)

§ 87206.5. Interest in Real Property; Exclusion of Principal Residence. [Repealed]

History: Added by Stats. 1976, Ch. 1161; repealed by Stats. 1980, Ch. 1000. (Now contained in Section 87206.)

§ 87207. Disclosure of Income.

(a) When income is required to be reported under this article, the statement shall contain, except as provided in subdivision (b):

(1) The name and address of each source of income aggregating five hundred dollars ($500) or more in value, or fifty dollars ($50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source.

(2) A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was at least five hundred dollars ($500) but did not exceed one thousand dollars ($1,000), whether it was in excess of one thousand dollars ($1,000) but was not greater than ten thousand dollars ($10,000), whether it was greater than ten thousand dollars ($10,000) but not greater than one hundred thousand dollars ($100,000), or whether it was greater than one hundred thousand dollars ($100,000).

(3) A description of the consideration, if any, for which the income was received.

(4) In the case of a gift, the amount and the date on which the gift was received.

(5) In the case of a loan, the annual interest rate, the security, if any, given for the loan, and the term of the loan.

(b) When the filer's pro rata share of income to a business entity, including income to a sole proprietorship, is required to be reported under this article, the statement shall contain:

(1) The name, address, and a general description of the business activity of the business entity.

(2) The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from that person was equal to or greater than ten thousand dollars ($10,000) during a calendar year.

(c) When a payment, including an advance or reimbursement, for travel is required to be reported pursuant to this section, it may be reported on a separate travel reimbursement schedule which shall be included in the filer's statement of economic interest. A filer who chooses not to use the travel schedule shall disclose payments for travel as a gift, unless it is clear from all surrounding circumstances that the services provided were equal to or greater in value than the payments for the travel, in which case the travel may be reported as income.

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1995, operative January 7, 1975; amended by Stats. 1979, Ch. 674; superseded by Stats. 1979, Ch. 686; amended by Stats. 1980, Ch. 1000; amended by Stats. 1982, Ch. 29; amended by Stats. 1984, Ch. 931; amended by Stats. 1990, Ch. 1075; amended by Stats. 1997, Ch. 638; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18704
2 Cal. Code of Regs. Section 18740
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18941.1
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18943
2 Cal. Code of Regs. Section 18944.1
2 Cal. Code of Regs. Section 18944.2
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18946
2 Cal. Code of Regs. Section 18946.1

2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18946.3
2 Cal. Code of Regs. Section 18946.4
2 Cal. Code of Regs. Section 18946.5
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1
2 Cal. Code of Regs. Section 18950.3

Opinions: In re Hopkins (1977) 3 FPPC Ops. 107
In re Carey (1977) 3 FPPC Ops. 99
In re Gutierrez (1977) 3 FPPC Ops. 44
In re Thomas (1977) 3 FPPC Ops. 30
In re Cory (1976) 1 FPPC Ops. 48
In re Hayes (1975) 1 FPPC Ops. 210
In re Russel (1975) 1 FPPC Ops. 191
In re Cory (1975) 1 FPPC Ops. 153
In re Brown (1975) 1 FPPC Ops. 67

Enforcement Decisions: Todd Keegan 96/662 (2000)
Don Perata 97/263 (1999)
Friends of Kevin Murray and Kevin Murray 96/132 (1998)
James R. Battin, Jr. 96/686 (1998)
Seth Henry Irish, III 94/481 (1998)
Sharon Wright, et al. 96/162 (1998)
Jerold Cohn 94/209 (1996)
Glenda Kraft Doan 94/710 (1996)
Mary L. Rivera 94/528 (1996)
Betty Smith 95/37 (1995)
Gary M. Washburn 93/262 (1995)
Vernon Donald Helms, et al. 93/248 (1995)
Armando Lopez 92/689 (1995)
Glen R. Putnam, et al. 92/549 (1995)
Mark Nathanson 91/577 (1994)
Alan Robbins 90/121 (1994)
Waldemar P. Abraham 91/201 (1993)
Peter Chacon, et al. 91/424 (1993)
Donald P. Pippo 89/143 (1992)
William Pursley 90/503 (1992)
Joseph Montoya 88/410 (1991)
James T. Hawthorne 89/18 (1991)
Charles Hammond 89/360 (1991)
John Longville 87/596 (1990)
Gerald Eaves 87/596 (1989)
Art Agnos 87/152 (1989)
William Bryan, et al. 83/03 (1988)
Harvey Holden 87/519 (1988)
John A. Kelly, Jr. 87/224 (1988)
H. L. Richardson 86/573 (1988)
Karl Braun 86/364 (1988)
Steve Kueny 86/261 (1988)
M. W. "Mick" Jones 84/331 (1987)
Jesse Combs 84/322 (1987)
Harvey Brown 84/349 (1986)
Terrence Goggin 81/11(1984)
John Schmitz 81/17 (1983)
Edward Howard 81/03 (1982)
Arthur Snyder 80/19 (1982)
Cathie Wright 81/16 (1982)
Joseph Freitas, Jr. 79/33 (1980)
Bill Greene 78/72 (1980)
Robert Newdoll 78/28 (1980)
Anthony Azevedo 78/16 (1980)

§ 87208. Disclosure of Investments and Interests in Real Property; Incorporation by Reference.

Except in statements required by Section 87203, investments and interests in real property which have been disclosed on a statement of economic interests filed in the same jurisdiction within the previous 60 days may be incorporated by reference.

History: Added by Stats. 1976, Ch. 1161.

§ 87209. Business Positions.

When a statement is required to be filed under this article, every person specified in Section 87200 shall disclose any business positions held by that person. For purposes of this section, "business position" means any business entity in which the filer is a director, officer, partner, trustee, employee, or holds any position of management, if the business entity or any parent, subsidiary, or otherwise related business entity has an interest in real property in the jurisdiction, or does business or plans to do business in the jurisdiction or has done business in the jurisdiction at any time during the two years prior to the date the statement is required to be filed.

History: Added by Stats. 1997, Ch. 455, effective September 24, 1997.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18230

§ 87210. Gifts Made Through Intermediaries and Others - Disclosure Requirements.

No person shall make a gift totaling fifty dollars ($50) or more in a calendar year to a person described in Article 2 on behalf of another, or while acting as the intermediary or agent of another, without disclosing to the recipient of the gift both his own full name, street address, and business activity, if any, and the full name, street address, and business activity, if any, of the actual donor. The recipient of the gift shall include in his Statement of Economic Interests the full name, street address, and business activity, if any, of the intermediary or agent and the actual donor.

History: Added by Stats. 1978, Ch. 640; amended by Stats. 1982, Ch. 29.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18945.3

Article 3. Conflict of Interest Codes. § 87300 - 87313

§ 87300. Agency Requirement.
§ 87301. Formulation.
§ 87302. Required Provisions.
§ 87303. Submission; Code Reviewing Body.

§ 87304. Failure to Submit, Adopt or Amend a Proposed Code.
§ 87305. Order to Adopt; Superior Court.
§ 87306. Amendments for Changed Circumstances.
§ 87306.5. Conflict of Interest Code; Local Agency Review.
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§ 87310. Designated Employee; Broad or Indefinable Duties.
§ 87311. Review and Preparation; Administrative Procedure Act.
§ 87311.5. Review and Preparation; Judicial Branch Agencies.
§ 87312. Commission Assistance.
§ 87313. Gifts Made Through Intermediaries and Others - Disclosure Requirements.

§ 87300. Agency Requirement.

Every agency shall adopt and promulgate a Conflict of Interest Code pursuant to the provisions of this article. A Conflict of Interest Code shall have the force of law and any violation of a Conflict of Interest Code by a designated employee shall be deemed a violation of this chapter.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18351
2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18750
2 Cal. Code of Regs. Section 18750.1
2 Cal. Code of Regs. Section 18751

Opinions: In re Vonk (1981) 6 FPPC Ops. 1
In re Leach (1978) 4 FPPC Ops. 48
In re Siegel (1977) 3 FPPC Ops. 62

Enforcement Decisions: Andy Matsui 2000/756 (2001)
Brenda Whitfield 2000/147 (2001)
Cees Dobbe 2000/761 (2001)
D. Anthony Ephriam 2000/524 (2001)
Gary Linden 010419 (2001)
Ivar Plescov 010227 (2001)
Jennifer Jacobs 2000/760 (2001)
Kirk Cunningham 99/704 (2001)
Leo Bleier 010266 (2001)
Mark Briggs 2000/385 (2001)
Naresh Kamboj 2000/800 (2001)
Norm Morikawa 97/336 (2001)
Pamela Alsterlind 2000/540 (2001)
Sharon Gowan 010264 (2001)
Sharron Zoller 010265 (2001)
Walter Van Wingerden 2000/759 (2001)
Wilja Happe-Brand 2000/801 (2001)
Alejandro Padilla 99/788 (2000)
Alexander MacBain 99/549 (2000)
Andrew Antwih 99/544 (2000)
Bruce Roberson 99/797 (2000)
Ching Sang 99/552 (2000)
Christopher Warner 99/811 (2000)
David Dal Porto 98/774 (2000)
David Gerred, et al. 99/635 (2000)
Edward E. Penhoet 98/689 (2000)
Elmy Bermejo 99/548 (2000)
Gary Gartner 99/463 (2000)
George Curley 98/740 (2000)
Glenn T. Gilbert 99/796 (2000)
Heather Dickinson 99/678 (2000)
John Lucak 2000/523 (2000)
Joseph Lyons 99/545 (2000)
Kenneth Irvine 2000/384 (2000)
Leticia Soto 99/328 (2000)
Lola Mantooth 99/179 (2000)
Mary Acevedo 99/810 (2000)
Michael Downs 98/256 (2000)
Michael Neil 2000/383 (2000)
Mike Rodriguez 99/327 (2000)
Nabih Youssef 99/336 (2000)
Olivia Raynor 99/809 (2000)
Pablo Alvarado 2000/575 (2000)
Patrick Wanta 98/551 (2000)
Scott Vydra 99/295 (2000)
Shera Holmes 99/294 (2000)
Theodore Warren Jackson 99/606 (2000)
Tim Cromartie 99/756 (2000)
Valerie Martinez 99/546 (2000)
Walter Hughes 99/547 (2000)
Woodward Kingman 99/812 (2000)
Ann Cornelius 99/435 (1999)
Scott Dowds 99/461 (1999)
Peter Bianchi 98/121 (1999)
Dexter Henderson 96/367 (1998)
Gus S. Kramer, et al. 94/230 (1995)
Penny Allen 94/138 (1995)
Michael A. Anderson 90/667 (1993)
Maria Sheehan 91/37 (1993)
Leonard Eliot 90/302 (1992)
James Leon Lewis 91/53 (1992)
Steven Ritchie 91/148 (1992)
Arnold Townsend 90/905 (1992)
Philip Wente 87/57 (1992)
Rudie Tretten 89/88 (1991)
Maurice Laham 90/576 (1991)
Armando Vasquez-Ramos 90/643 (1991)
Alescia Buford 89/396 (1990)
Leo Bazile 88/295 (1990)
Armando Vasquez-Ramos 88/293 (1990)
Debbie Beltram 87/579 (1988)
Robert Gatewood 86/72 (1988)
Larry E. Bush 87/59 (1987)
Brian Adams 87/14 (1987)
Leonard Gonzales 86/383 (1987)
Mark Nathanson 85/76 (1986)
William P. V. Garcia 84/267 (1986)
Leigh Sheriffs 84/274 (1985)
Pedro Lamdagan 83/17 (1984)
Andres Mendez 83/15 (1984)
Thomas Corcoran 82/09 (1984)
Patricia Cantrell 82/10 (1983)
Edward Howard 81/03 (1982)
David Buck 80/20 (1980)

§ 87301. Formulation.

It is the policy of this act that Conflict of Interest Codes shall be formulated at the most decentralized level possible, but without precluding intra-departmental review. Any question of the level of a department which should be deemed an "agency" for purposes of Section 87300 shall be resolved by the code reviewing body.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18730

§ 87302. Required Provisions.

Each Conflict of Interest Code shall contain the following provisions:

(a) Specific enumeration of the positions within the agency, other than those specified in Section 87200, which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest and for each such enumerated position, the specific types of investments, business positions, interests in real property, and sources of income which are reportable. An investment, business position, interest in real property, or source of income shall be made reportable by the Conflict of Interest Code if the business entity in which the investment or business position is held, the interest in real property, or the income or source of income may foreseeably be affected materially by any decision made or participated in by the designated employee by virtue of his or her position.

(b) Requirements that each designated employee, other than those specified in Section 87200, file statements at times and under circumstances described in this section, disclosing reportable investments, business positions, interests in real property and income. The information disclosed with respect to reportable investments, interests in real property, and income shall be the same as the information required by Sections 87206 and 87207. The first statement filed under a Conflict of Interest Code by a designated employee shall disclose any reportable investments, business positions, interests in real property, and income. An initial statement shall be filed by each designated employee within 30 days after the effective date of the Conflict of Interest Code, disclosing investments, business positions, and interests in real property held on the effective date of the Conflict of Interest Code and income received during the 12 months before the effective date of the Conflict of Interest Code. Thereafter, each new designated employee shall file a statement within 30 days after assuming office, or if subject to State Senate confirmation, 30 days after being appointed or nominated, disclosing investments, business positions, and interests in real property held on, and income received during the 12 months before, the date of assuming office or the date of being appointed or nominated, respectively. Each designated employee shall file an annual statement, at the time specified in the Conflict of Interest Code, disclosing reportable investments, business positions, interest in real property and income held or received at any time during the previous calendar year or since the date the designated employee took office if during the calendar year. Every designated employee who leaves office shall file, within 30 days of leaving office, a statement disclosing reportable investments, business positions, interests in real property, and income held or received at any time during the period between the closing date of the last statement required to be filed and the date of leaving office.

(c) Specific provisions setting forth any circumstances under which designated employees or categories of designated employees must disqualify themselves from making, participating in the making, or using their official position to influence the making of any decision. Disqualification shall be required by the Conflict of Interest Code when the designated employee has a financial interest as defined in Section 87103, which it is reasonably foreseeable may be affected materially by the decision. No designated employee shall be required to disqualify himself or herself with respect to any matter which could not legally be acted upon or decided without his or her participation.

(d) For any position enumerated pursuant to subdivision (a), an individual who resigns the position within 12 months following initial appointment or within 30 days of the date of a notice mailed by the filing officer of the individual's filing obligation, whichever is earlier, is not deemed to assume or leave office, provided that during the period between appointment and resignation, the individual does not make, participate in making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position. Within 30 days of the date of a notice mailed by the filing officer, the individual shall do both of the following:

(1) File a written resignation with the appointing power.

(2) File a written statement with the filing officer on a form prescribed by the Commission and signed under penalty of perjury stating that the individual,

during the period between appointment and resignation, did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

History: Amended by Stats. 1978, Ch. 537; amended by Stats. 1979, Ch. 674; amended by Stats. 1980, Ch. 765; amended by Stats. 1987, Ch. 1188; amended by Stats. 1989, Ch. 499; amended by Stats. 1991, Ch. 857; amended by Stats. 1992, Ch. 441.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18351
2 Cal. Code of Regs. Section 18701
2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18732
2 Cal. Code of Regs. Section 18733
2 Cal. Code of Regs. Section 18735
2 Cal. Code of Regs. Section 18736
2 Cal. Code of Regs. Section 18736.1
2 Cal. Code of Regs. Section 18737
2 Cal. Code of Regs. Section 18740
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18943
2 Cal. Code of Regs. Section 18944.2
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18946
2 Cal. Code of Regs. Section 18946.1
2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18946.3
2 Cal. Code of Regs. Section 18946.4
2 Cal. Code of Regs. Section 18946.5
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.3

Opinions: In re Alperin (1977) 3 FPPC Ops. 77

Enforcement Decisions: Andy Matsui 2000/756 (2001)
Brenda Whitfield 2000/147 (2001)
Cees Dobbe 2000/761 (2001)
D. Anthony Ephriam 2000/524 (2001)
Jennifer Jacobs 2000/760 (2001)
Mark Briggs 2000/385 (2001)
Salvador M. Blanco 2000/672 (2001)
Walter Van Wingerden 2000/759 (2001)
Wilja Happe-Brand 2000/801 (2001)
Carolyn A. Roddy 99/180 (2000)
Christopher Warner 99/811 (2000)
David Gerred, et al., 99/635, (2000)
John Lucak 2000/523 (2000)
Kenneth Irvine, 2000/384, (2000)
Lola Mantooth 99/179 (2000)
Marla Wolkowitz, 2000/146, (2000)
Mary Acevedo, 99/810, (2000)
Michael Neil, 2000/383, (2000)
Olivia Raynor 99/809 (2000)
Pablo Alvarado 2000/575 (2000)
Raymond Cordova 99/293 (2000)
Woodward Kingman 99/812 (2000)
Ron Haro 99/276 (1999)
Gail Margolis 99/182 (1999)
Peter Bianchi 98/121 (1999)
Thomas Christopher Almeida 96/453 (1999)
Filiberto Martinez 96/12 (1997)
Anita King 94/409 (1996)
Kevin P. Eckard, et al. 92/115 (1995)
Arnold Townsend 89/394 (1991)
Martin Omoto 87/583 (1990)
Mark Nathanson 85/76 (1986)
Leigh Sheriffs 84/274 (1985)
Pedro Lamdagan 83/17 (1984)

§ 87303. Submission; Code Reviewing Body.

No conflict of interest code shall be effective until it has been approved by the code reviewing body. Each agency shall submit a proposed conflict of interest code to the code reviewing body by the deadline established for the agency by the code reviewing body. The deadline for a new agency shall be not later than six months after it comes into existence. Within 90 days after receiving the proposed code or receiving any proposed amendments or revisions, the code reviewing body shall do one of the following:

(a) Approve the proposed code as submitted.

(b) Revise the proposed code and approve it as revised.

(c) Return the proposed code to the agency for revision and resubmission within 60 days. The code reviewing body shall either approve the revised code or revise it and approve it. When a proposed conflict of interest code or amendment is approved by the code reviewing body, it shall be deemed adopted and shall be promulgated by the agency.

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1979, Ch. 686.; amended by Stats. 1997, effective September 24, 1997.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18351
2 Cal. Code of Regs. Section 18750
2 Cal. Code of Regs. Section 18750.1

§ 87304. Failure to Submit, Adopt or Amend a Proposed Code.

If any agency fails to submit a proposed conflict of interest code or amendments, or if any state agency fails to report amendments pursuant to subdivision (b) of Section 87306 within the time limits prescribed pursuant to Section 87303 or 87306, the code reviewing body may issue any appropriate order directed to the agency or take any other appropriate action, including the adoption of a conflict of interest code for the agency. If the code reviewing body does not issue an appropriate order or take other action within 90 days of the deadline imposed on the agency as prescribed in Section 87303 or 87306, the Commission may issue any appropriate order directed to the agency or take any other appropriate action,

including the adoption of a conflict of interest code for the agency. The Commission shall consult with the agency before ordering the adoption of a conflict of interest code for the agency.

History: Amended by Stats. 1988, Ch. 923; amended by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 491.

§ 87305. Order to Adopt; Superior Court.

If after six months following the deadline for submission of the proposed Conflict of Interest Code to the code reviewing body no Conflict of Interest Code has been adopted and promulgated, the superior court may, in an action filed by the Commission, the agency, the code reviewing body, any officer, employee, member or consultant of the agency, or any resident of the jurisdiction, prepare a Conflict of Interest Code and order its adoption by the agency or grant any other appropriate relief. The agency and the code reviewing body shall be parties to any action filed pursuant to this section.

History: Amended by Stats. 1980, Ch. 765.

§ 87306. Amendments for Changed Circumstances.

(a) Every agency shall amend its Conflict of Interest Code, subject to the provisions of Section 87303, when change is necessitated by changed circumstances, including the creation of new positions which must be designated pursuant to subdivision (a) of Section 87302 and relevant changes in the duties assigned to existing positions. Amendments or revisions shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. If after nine months following the occurrence of those changes the Conflict of Interest Code has not been amended or revised, the superior court may issue any appropriate order in an action brought under the procedures set forth in Section 87305.

(b) Notwithstanding subdivision (a), every state agency shall submit to the code reviewing body a biennial report identifying changes in its code, including, but not limited to, all new positions designated pursuant to subdivision (a) of Section 87302, changes in the list of reportable sources of income, and relevant changes in the duties assigned to existing positions. These reports shall be submitted no later than March 1 of each odd-numbered year.

History: Amended by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 491.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18351
2 Cal. Code of Regs. Section 18736
2 Cal. Code of Regs. Section 18750
2 Cal. Code of Regs. Section 18750.1
2 Cal. Code of Regs. Section 18752

§ 87306.5. Conflict of Interest Code; Local Agency Review.

(a) No later than July 1 of each even-numbered year, the code reviewing body shall direct every local agency which has adopted a Conflict of Interest Code in accordance with this title to review its Conflict of Interest Code and, if a change in its code is necessitated by changed circumstances, submit an amended Conflict of Interest Code in accordance with subdivision (a) of Section 87302 and Section 87303 to the code reviewing body.

(b) Upon review of its code, if no change in the code is required, the local agency head shall submit a written statement to that effect to the code reviewing body no later than October 1 of the same year.

History: Added by Stats. 1990, Ch. 1075.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18736.1

§ 87307. Amendments to Code by Agency; Failure to Act.

An agency may at any time amend its Conflict of Interest Code, subject to the provisions of Section 87303, either upon its own initiative or in response to a petition submitted by an officer, employee, member or consultant of the agency, or a resident of the jurisdiction. If the agency fails to act upon such a petition within ninety days, the petition shall be deemed denied. Within thirty days after the denial of a petition, the petitioner may appeal to the code reviewing body. The code reviewing body shall either dismiss the appeal or issue an appropriate order to the agency within ninety days.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18737

§ 87308. Judicial Review.

Judicial review of any action of a code reviewing body under this chapter may be sought by the Commission, by the agency, by an officer, employee, member or consultant of the agency, or by a resident of the jurisdiction.

History: Amended by Stats. 1980, Ch. 765.

§ 87309. Requirements for Approval.

No Conflict of Interest Code or amendment shall be approved by the code reviewing body or upheld by a court if it:

(a) Fails to provide reasonable assurance that all foreseeable potential conflict of interest situations will be disclosed or prevented;

(b) Fails to provide to each affected person a clear and specific statement of his duties under the Code; or

(c) Fails to adequately differentiate between designated employees with different powers and responsibilities.

References at the time of publication (see page 3):

Opinions: In re Alperin (1977) 3 FPPC Ops. 77

§ 87310. Designated Employee; Broad or Indefinable Duties.

If the duties of a designated employee are so broad or indefinable that the requirements of Section 87309 cannot be complied with, the Conflict of Interest Code shall require the designated employee to comply with the requirements of Article 2 of this chapter.

§ 87311. Review and Preparation; Administrative Procedure Act.

The review of proposed Conflict of Interest Codes by the Commission and by the Attorney General and the preparation of proposed Conflict of Interest Codes by state agencies shall be subject to the Administrative Procedure Act. The review and preparation of Conflict of Interest Codes by local government agencies shall be carried out under procedures which guarantee to officers, employees, members, and consultants of the agency and to residents of the jurisdiction adequate notice and a fair opportunity to present their views.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18351

§ 87311.5. Review and Preparation; Judicial Branch Agencies.

(a) Notwithstanding the provisions of Section 87311, the review of the Conflict of Interest Code of an agency in the judicial branch of government shall not be subject to the provisions of the Administrative Procedure Act. The review and preparation of Conflict of Interest Codes by these agencies shall be carried out under procedures which guarantee to officers, employees, members, and consultants of the agency and to residents of the jurisdiction adequate notice and a fair opportunity to present their views.

(b) Conflict of Interest Codes of the Judicial Council, the Commission on Judicial Performance, and the Board of Governors and designated employees of the State Bar of California shall not be subject to the provisions of subdivision (c) of Section 87302.

History: Added by Stats. 1984, Ch. 727, effective July 1, 1985.

§ 87312. Commission Assistance.

The Commission shall, upon request, provide technical assistance to agencies in the preparation of Conflict of Interest Codes. Such assistance may include the preparation of model provisions for various types of agencies. Nothing in this section shall relieve each agency of the responsibility for adopting a Conflict of Interest Code appropriate to its individual circumstances.

§ 87313. Gifts Made Through Intermediaries and Others - Disclosure Requirements.

No person shall make a gift of fifty dollars ($50) or more in a calendar month on behalf of another, or while acting as the intermediary or agent of another to a person whom he knows or has reason to know may be required to disclose the gift pursuant to a conflict of interest code, without disclosing to the recipient of the gift both his own full name, street address, and business activity, if any, and the full name, street address, and business activity, if any, of the actual donor. The recipient of the gift shall include in his Statement of Economic Interests the full name, street address, and business activity, if any, of the intermediary or agent and the actual donor.

History: Added by Stats. 1978, Ch. 640; amended by Stats. 1984, Ch. 931.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18945.3

Article 3.5. Multiagency Filers. § 87350

§ 87350. Multiagency Filers.

§ 87350. Multiagency Filers.

Notwithstanding any other provision of this title, a person required to file more than one assuming office statement, statement of economic interests, or leaving office statement, due to his or her status as a designated employee for more than one joint powers insurance agency, may elect to file a multiagency statement disclosing all investments in entities doing business in the state, all interests in real property located within the state, and all income received during the applicable time period, in lieu of filing the disclosure statements for each agency.

The filer shall notify the Commission of his or her decision to become a multiagency filer. This status shall continue until revoked by the filer.

History: Added by Stats. 1990, Ch. 69.

Article 4. Disqualification of Former Officers and Employees. § 87400 - 87407

§ 87400. Definitions.
§ 87401. Restrictions on Activities of Former State Officers.
§ 87402. Restrictions on Activities of Former State Officers; Assisting Others.
§ 87403. Exemptions.
§ 87404. Proceedings to Exclude Former State Officers.
§ 87405. Application of Requirements.
§ 87406. Milton Marks Postgovernmental Employment Restrictions Act.
§ 87406.1. Postgovernmental Employment Restrictions for Districts and District Boards.
§ 87407. Influencing Prospective Employment.

§ 87400. Definitions.

Unless the contrary is stated or clearly appears from the context, the definitions set forth in this section shall govern the interpretation of this article.

(a) "State administrative agency" means every state office, department, division, bureau, board and commission, but does not include the Legislature, the courts or any agency in the judicial branch of government.

(b) "State administrative official" means every member, officer, employee or consultant of a state administrative agency who as part of his or her official responsibilities engages in any judicial, quasi-judicial or other proceeding in other than a purely clerical, secretarial or ministerial capacity.

(c) "Judicial, quasi-judicial or other proceeding" means any proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest or other particular matter involving a specific party or parties in any court or state administrative agency, including but not limited to any proceeding governed by Chapter 5 (commencing with Section 11500) of Division 3 of Title 2 of the Government Code.

(d) "Participated" means to have taken part personally and substantially through decision, approval, disapproval, formal written recommendation, rendering advice on a substantial basis, investigation or use of confidential information as an officer or employee, but excluding approval, disapproval or rendering of legal advisory opinions to departmental or agency staff which do not involve a specific party or parties.

History: Added by Stats. 1980, Ch. 66.

§ 87401. Restrictions on Activities of Former State Officers.

No former state administrative official, after the termination of his or her employment or term of office, shall for compensation act as agent or attorney for, or otherwise represent, any other person (other than the State of California) before any court or state administrative agency or any officer or employee thereof by making any formal or informal appearance, or by making any oral or written communication with the intent to influence, in connection with any judicial, quasi-judicial or other proceeding if both of the following apply:

(a) The State of California is a party or has a direct and substantial interest.

(b) The proceeding is one in which the former state administrative official participated.

History: Added by Stats. 1980, Ch. 66; amended by Stats. 1985, Ch. 775.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18741.1
2 Cal. Code of Regs. Section 18747

Opinions: In re Lucas (2000) 14 FPPC Ops. 14

Enforcement Decisions: Dennis Walker 94/237 (1996)
Steve Kolodney 94/237 (1996)

§ 87402. Restrictions on Activities of Former State Officers; Assisting Others.

No former state administrative official, after the termination of his or her employment or term of office shall for compensation aid, advise, counsel, consult or assist in representing any other person (except the State of California) in any proceeding in which the official would be prohibited from appearing under Section 87401.

History: Added by Stats. 1980, Ch. 66.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18741.1

Opinions: In re Lucas (2000) 14 FPPC Ops. 14

Enforcement Decisions: Douglas Anderson 96/174 (2000)
Steve Kolodney 94/237 (1996)
Dennis Walker 94/237 (1996)
Nicholas Stameroff 88/382 (1990)

§ 87403. Exemptions.

The prohibitions contained in Sections 87401 and 87402 shall not apply:

(a) To prevent a former state administrative official from making or providing a statement, which is based on the former state administrative official's own special knowledge in the particular area that is the subject of the statement, provided that no compensation is thereby received other than that regularly provided for by law or regulation for witnesses; or

(b) To communications made solely for the purpose of furnishing information by a former state administrative official if the court or state administrative agency to which the communication is directed makes findings in writing that:

(1) The former state administrative official has outstanding and otherwise unavailable qualifications;

(2) The former state administrative official is acting with respect to a particular matter which requires such qualifications; and

(3) The public interest would be served by the participation of the former state administrative official; or

(c) With respect to appearances or communications in a proceeding in which a court or state administrative agency has issued a final order, decree, decision or judgment but has retained jurisdiction if the state administrative agency of former employment gives its consent by determining that:

(1) At least five years have elapsed since the termination of the former state administrative official's employment or term of office; and

(2) The public interest would not be harmed.

History: Added by Stats. 1980, Ch. 66.

§ 87404. Proceedings to Exclude Former State Officers.

Upon the petition of any interested person or party, the court or the presiding or other officer, including but not limited to a hearing officer serving pursuant to Section 11512 of the Government Code, in any judicial, quasi-judicial or other proceeding, including but not limited to any proceeding pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code may, after notice and an opportunity for a hearing, exclude any person found to be in violation of this article from further participation, or from assisting or counseling any other participant, in the proceeding then pending before such court or presiding or other officer.

History: Added by Stats. 1980, Ch. 66.

§ 87405. Application of Requirements.

The requirements imposed by this article shall not apply to any person who left government service prior to the effective date of this article except that any such person who returns to government service on or after the effective date of this article shall thereafter be covered thereby.

History: Added by Stats. 1980, Ch. 66.

§ 87406. Milton Marks Postgovernmental Employment Restrictions Act.

(a) This section shall be known, and may be cited, as the Milton Marks Postgovernment Employment Restrictions Act of 1990.

(b) No Member of the Legislature, for a period of one year after leaving office, shall, for compensation, act as agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance, or by making any oral or written communication, before the Legislature, any committee or subcommittee thereof, any present Member of the Legislature, or any officer or employee thereof, if the appearance or communication is made for the purpose of influencing legislative action.

(c) No elected state officer, other than a Member of the Legislature, for a period of one year after leaving office, shall, for compensation, act as agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance, or by making any oral or written communication, before any state administrative agency, or any officer or employee thereof, if the appearance or communication is for the purpose of influencing administrative action, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. For purposes of this subdivision, an appearance before a "state administrative agency" does not include an appearance in a court of law, before an administrative law judge, or before the Workers' Compensation Appeals Board.

(d) (1) No designated employee of a state administrative agency, any officer, employee, or consultant of a state administrative agency who holds a position which entails the making, or participation in the making, of decisions which may foreseeably have a material effect on any financial interest, and no member of a state administrative agency, for a period of

one year after leaving office or employment, shall, for compensation, act as agent or attorney for, or otherwise represent, any other person, by making any formal or informal appearance, or by making any oral or written communication, before any state administrative agency, or officer or employee thereof, for which he or she worked or represented during the 12 months before leaving office or employment, if the appearance or communication is made for the purpose of influencing administrative or legislative action, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. For purposes of this paragraph, an appearance before a state administrative agency does not include an appearance in a court of law, before an administrative law judge, or before the Workers' Compensation Appeals Board. The prohibition of this paragraph shall only apply to designated employees employed by a state administrative agency on or after January 7, 1991.

(2) For purposes of paragraph (1), a state administrative agency of a designated employee of the Governor's office includes any state administrative agency subject to the direction and control of the Governor.

(e) The prohibitions contained in subdivisions (b), (c), and (d) shall not apply to any individual subject to this section who is or becomes any of the following:

(1) An officer or employee of another state agency, board, or commission if the appearance or communication is for the purpose of influencing legislative or administrative action on behalf of the state agency, board, or commission.

(2) An official holding an elective office of a local government agency if the appearance or communication is for the purpose of influencing legislative administrative action on behalf of the local government agency.

(f) This section shall become operative on January 1, 1991, but only if Senate Constitutional Amendment No. 32 of the 1989-90 Regular Session is approved by the voters. With respect to Members of the Legislature whose current term of office on January 1, 1991, began in December 1988, this section shall not apply until January 1, 1993.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1990, Ch. 1075; amended by Stats. 1993, Ch. 230; amended by Stats. 1999, Ch. 10, effective April 15, 1999.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18746.1
2 Cal. Code of Regs. Section 18746.2

Enforcement Decisions: John Brooks 96/456 (1999)
James Cheap 95/49 (1998)

§ 87406.1. Postgovernmental Employment Restrictions for Districts and District Boards.

(a) For purposes of this section, "district" means an air pollution control district or air quality management district and "district board" means the governing body of an air pollution control district or an air quality management district.

(b) No former member of a district board, and no former officer or employee of a district who held a position which entailed the making, or participation in the making, of decisions which may foreseeably have a material effect on any financial interest, shall, for a period of one year after leaving that office or employment, act as agent or attorney for, or otherwise represent, for compensation, any other person, by making any formal or informal appearance before, or by making any oral or written communication to, that district board, or any committee, subcommittee, or present member of that district board, or any officer or employee of the district, if the appearance or communication is made for the purpose of influencing regulatory action.

(c) Subdivision (b) shall not apply to any individual who is, at the time of the appearance or communication, a board member, officer, or employee of another district or an employee or representative of a public agency.

(d) This section applies to members and former members of district hearing boards.

History: Added by Stats. 1994, Ch. 747.

§ 87407. Influencing Prospective Employment.

No state administrative official, elected state officer, or designated employee of the Legislature shall make, participate in making, or use his or her official position to influence, any governmental decision directly relating to any person with whom he or she is negotiating, or has any arrangement concerning, prospective employment.

History: Added by Stats. 1990, Ch. 84.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18747

Enforcement Decisions: Robert Ruffin 93/291 (1996)

Article 4.5. Disqualification of State Officers and Employees.
§ 87450

§ 87450. Restrictions in Participation of State Officers in Decisions Relating to Contracts.

§ 87450. Restrictions in Participation of State Officers in Decisions Relating to Contracts.

(a) In addition to the provisions of Article 1 (commencing with Section 87100), no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family, has engaged in any business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property, or the rendering of goods or services totaling in value one thousand dollars ($1,000) or more within 12 months prior to the time the official action is to be performed.

(b) As used is subdivision (a), "state administrative official" has the same meaning as defined in Section 87400.

History: Added by Stats. 1986, Ch. 653.

Article 4.6. Loans to Public Officials.
§ 87460 - 87462

§ 87460. Loans to Public Officials.
§ 87461. Loan Terms.
§ 87462. Personal Loans.

§ 87460. Loans to Public Officials.

(a) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(b) No public official who is required to file a statement of economic interests pursuant to Section 87200 and no public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(c) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(d) No public official who is required to file a statement of economic interests pursuant to Section 87200 and no public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(e) This section shall not apply to the following:

(1) Loans made to the campaign committee of an elected officer or candidate for elective office.

(2) Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for

any person not otherwise exempted under this section.

(3) Loans from a person which, in the aggregate, do not exceed two hundred fifty dollars ($250) at any given time.

(4) Loans made, or offered in writing, before the operative date of this section.

History: Added by Stats. 1997, Ch. 638.

§ 87461. Loan Terms.

(a) Except as set forth in subdivision (b), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars ($500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(b) This section shall not apply to the following types of loans:

(1) Loans made to the campaign committee of the elected officer.

(2) Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

(3) Loans made, or offered in writing, before the operative date of this section.

(c) Nothing in this section shall exempt any person from any other provisions of this title.

History: Added by Stats. 1997, Ch. 638.

§ 87462. Personal Loans.

(a) Except as set forth in subdivision (b), a personal loan shall become a gift to the debtor for the purposes of this title in the following circumstances:

(1) If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

(2) If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

(A) The date the loan was made.

(B) The date the last payment of one hundred dollars ($100) or more was made on the loan.

(C) The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars ($250) during the previous 12 months.

(b) This section shall not apply to the following types of loans:

(1) A loan made to the campaign committee of an elected officer or a candidate for elective office.

(2) A loan that would otherwise not be a gift as defined in this title.

(3) A loan that would otherwise be a gift as set forth under paragraph (a), but on which the creditor has taken reasonable action to collect the balance due.

(4) A loan that would otherwise be a gift as set forth under paragraph (a), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

(5) A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(c) Nothing in this section shall exempt any person from any other provisions of this title.

History: Added by Stats. 1997, Ch. 638.

Article 5. Filing.
§ 87500

§ 87500. Statements of Economic Interests -- Where to File.

§ 87500. Statements of Economic Interests -- Where to File.

Statements of economic interests required by this chapter shall be filed as follows:

(a) Statewide elected officer -- one original with the agency which shall make and retain a copy and forward a copy to the Secretary of State and the original to the Commission, which shall retain the original and send one copy to the Registrar-Recorder of Los Angeles County and one copy with the Clerk of the City and County of San Francisco. The Commission shall be the filing officer.

(b) Candidates for statewide elective office -- one original and one copy with the person with whom the candidate's declaration of candidacy is filed, who shall forward the copy to the Secretary of State and the original to the Commission which shall retain the original and send one copy to the Registrar-Recorder

of Los Angeles County and one copy with the Clerk of the City and County of San Francisco. The Commission shall be the filing officer.

(c) Members of the Legislature and Board of Equalization -- one original with the agency which shall make and retain a copy and forward a copy to the Secretary of State and the original to the Commission, which shall retain the original and send one copy to the clerk of the county which contains the largest percentage of registered voters in the election district which the officeholder represents, and one copy to the clerk of the county in which the officeholder resides. No more than one copy of each statement need be filed with the clerk of any one county. The Commission shall be the filing officer.

(d) Candidates for the Legislature or the Board of Equalization -- one original and one copy with the person with whom the candidate's declaration of candidacy is filed, who shall forward the copy to the Secretary of State and the original to the Commission which shall retain the original and send one copy to the clerk of the county which contains the largest percentage of registered voters in the election district in which the candidate seeks nomination or election, and one copy to the clerk of the county in which the candidate resides. No more than one copy of each statement need be filed with the clerk of any one county. The Commission shall be the filing officer.

(e) Persons holding the office of chief administrative officer and candidates for and persons holding the office of district attorney, county counsel, county treasurer, and member of the board of supervisors -- one original with the county clerk who shall make and retain a copy and forward the original to the Commission which shall be the filing officer.

(f) Persons holding the office of city manager or, if there is no city manager, the chief administrative officer, the city treasurer, and candidates for and persons holding the office of city council member, city attorney, and mayor -- one original with the city clerk who shall make and retain a copy and forward the original to the Commission which shall be the filing officer.

(g) Members of the Public Utilities Commission, members of the State Energy Resources Conservation and Development Commission, planning commissioners, and members of the California Coastal Commission -- one original with the agency which shall make and retain a copy and forward the original to the Commission which shall be the filing officer.

(h) Members of the Fair Political Practices Commission -- one original with the Commission which shall make and retain a copy and forward the original to the office of the Attorney General which shall be the filing officer.

(i) Judges, court commissioners, and candidates for the office of judge -- one original with the clerk of the court who shall make and retain a copy and forward the original to the Commission which shall be the filing officer.

(j) Except as provided for in subdivision (k), heads of agencies, members of boards or commissions not under a department of state government or members of boards or commissions not under the jurisdiction of a local legislative body -- one original with the agency, which shall make and retain a copy and forward the original to the code reviewing body which shall be the filing officer. In its discretion, the code reviewing body may provide that the original be filed directly with the code reviewing body and that no copy be retained by the agency.

(k) Heads of local government agencies and members of local government boards or commissions, for which the Fair Political Practices Commission is the code reviewing body, one original to the agency or board or commission which shall be the filing officer, unless at its discretion the Fair Political Practices Commission elects to act as the filing officer. In this instance, the original shall be filed with the agency, board, or commission, which shall make and retain a copy and forward the original to the Fair Political Practices Commission.

(l) Designated employees of the Legislature -- one original with the house of the Legislature by which the designated employee is employed. In its discretion, each house of the Legislature may provide that the originals of statements filed by its designated employees be filed directly with the Commission, and that no copies be retained by that house.

(m) Designated employees under contract to more than one joint powers insurance agency and who elect to file a multiagency statement pursuant to Section 87350, the original of the statement with the Commission which shall be the filing officer, and a statement with each agency with which they are under contract, declaring that their statement of economic interests is on file with the Commission and available upon request.

(n) Members of a state licensing or regulatory board, bureau, or commission -- one original with the agency, which shall make and retain a copy and forward the original to the Commission, which shall be the filing officer.

(o) Persons not mentioned above -- one original with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.

History: Added by Stats. 1979, Ch. 674; amended by Stats. 1983, Ch. 214; amended by Stats. 1984, Ch. 1368; amended by Stats. 1985, Ch. 611; amended by Stats. 1988, Ch. 708; amended by Stats. 1990, Ch. 69; amended by Stats. 1992, Ch. 405; amended by Stats. 1993, Ch. 1140; amended by Stats. 1996, Ch. 289.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18115
2 Cal. Code of Regs. Section 18227
2 Cal. Code of Regs. Section 18753

Enforcement Decisions: Susan Daily 89/422 (1991)
Susan Daily 86/314 (1987)
Juan Casillas 76/69 (1980)

Chapter 8. Ballot Pamphlet. § 88000 - 88007

§ 88000. Responsibility.
§ 88001. Contents.
§ 88002. Format.
§ 88002.5. Summary.
§ 88003. Duties of Legislative Analyst.
§ 88004. Manner, Form of Printing Measures.
§ 88005. Printing Specifications.
§ 88005.5. Duties of Legislative Counsel.
§ 88006. Public Examination of Pamphlet.
§ 88007. Amendment of Chapter by Legislature.

§ 88000. Responsibility.

There shall be a state ballot which shall be prepared by the Secretary of State.

§ 88001. Contents.

The ballot pamphlet shall contain all of the following:

(a) A complete copy of each state measure.

(b) A copy of the specific constitutional or statutory provision, if any, which would be repealed or revised by each state measure.

(c) A copy of the arguments and rebuttals for and against each state measure.

(d) A copy of the analysis of each state measure.

(e) Tables of contents, indexes, art work, graphics and other materials which the Secretary of State determines will make the ballot pamphlet easier to understand or more useful for the average voter.

(f) A notice, conspicuously printed on the cover of the ballot pamphlet, indicating that additional copies of the ballot pamphlet will be mailed by the county clerk upon request.

(g) A written explanation of the judicial retention procedure as required by Section 9083 of the Elections Code.

History: Amended by Stats. 1977, Ch. 520; amended by Stats. 1991, Ch. 491; amended by Stats. 1994, Ch. 923.

References at the time of publication (see page 3):

Opinions: In re Miller (1978) 4 FPPC Ops. 26
In re Bunyon (1976) 2 FPPC Ops. 10

§ 88002. Format.

The ballot pamphlet shall contain as to each state measure to be voted upon, the following in the order set forth in this section:

(a) Upon the top portion of the first page and not exceeding one-third of the page shall appear:

(1) The identification of the measure by number and title.

(2) The official summary prepared by the Attorney General.

(3) The total number of votes cast for and against the measure in both the State Senate and Assembly if the measure was passed by the Legislature.

(b) Beginning at the top of the right page shall appear the analysis prepared by the Legislative Analyst, provided that the analysis fits on single page. If it does not fit on a single page, then the analysis shall begin on the lower portion of the first left page and shall continue on subsequent pages until it is completed.

(c) Arguments for and against the measure shall be placed on the next left and right pages, respectively, following the page on which the analysis of the Legislative Analyst ends. The rebuttals shall be placed immediately below the arguments.

(d) If no argument against the measure has been submitted, the argument for the measure shall appear on the right page facing the analysis.

(e) The complete text of each measure shall appear at the back of the pamphlet. The text of the measure shall contain the provisions of the proposed measure and the existing provisions of law repealed or revised by the measure. The provisions of the proposed measure differing from the existing provisions of law affected shall be distinguished in print, so as to facilitate comparison.

(f) The following statement shall be printed at the bottom of each page where arguments appear: "Arguments printed on this page are the opinions of the authors and have not been checked for accuracy by any official agency."

History: Amended by Stats. 1990, Ch. 1430.

§ 88002.5. Summary.

(a) The ballot pamphlet shall also contain a section, located near the front of the pamphlet, that provides a concise summary of the general meaning and effect of "yes" and "no" votes on each state measure.

(b) The summary statements required by this section shall be prepared by the Legislative Analyst. These statements are not intended to provide comprehensive information on each measure. The Legislative Analyst shall be solely responsible for determining the contents of these statements. The statements shall be available for public examination and amendment pursuant to Section 88006.

History: Added by Stats. 1993, Ch. 156; amended by Stats. 1999, Ch. 312.

§ 88003. Duties of Legislative Analyst.

The Legislative Analyst shall prepare an impartial analysis of the measure describing the measure and including a fiscal analysis of the measure showing the amount of any increase or decrease in revenue or cost to state or local government. Any estimate of increased cost to local governments shall be set out in boldface print in the ballot pamphlet. The analysis shall be written in clear and concise terms which will easily be understood by the average voter, and shall avoid the use of technical terms wherever possible. The analysis may contain background information, including the effect of the measure on existing law and the effect of enacted legislation which will become effective if the measure is adopted, and shall generally set forth in an impartial manner the information which the average voter needs to understand the measure adequately. The Legislative Analyst may contract with professional writers, educational specialists or other persons for assistance in writing an analysis that fulfills the requirements of this section, including the requirement that the analysis be written so that it will be easily understood by the average voter. The Legislative Analyst may also request the assistance of any state department, agency, or official in preparing his or her analysis. Prior to submission of the analysis to the Secretary of State, the Legislative Analyst shall submit the analysis to a committee of five persons appointed by the Legislative analyst for the purpose of reviewing the analysis to confirm its clarity and easy comprehension to the average voter. The committee shall be drawn from the public at large, and one member shall be a specialist in education, one shall be bilingual, and one shall be a professional writer. Members of the committee shall be reimbursed for reasonable and necessary expenses incurred in performing their duties. Within five days of the submission of the analysis to the committee, the committee shall make such recommendations to the Legislative Analyst as it deems appropriate to guarantee that the analysis can be easily understood by the average voter. The Legislative Analyst shall consider the committee's recommendations, and he or she shall incorporate in the analysis those changes recommended by the committee that he or she deems to be appropriate. The Legislative Analyst is solely responsible for determining the content of the analysis required by this section. The title of the measure which appears on the ballot shall be amended to contain a summary of the Legislative Analyst's estimate of the net state and local government financial impact.

History: Amended by Stats. 1975, Ch. 486, effective September 2, 1975; amended by Stats. 1992, Ch. 232.

§ 88004. Manner, Form of Printing Measures.

Measures shall be printed in the ballot pamphlet, so far as possible, in the same order, manner and form in which they are designated upon the ballot.

§ 88005. Printing Specifications.

The ballot pamphlet shall be printed according to the following specifications:

(a) The pages of the pamphlet shall be not smaller than 8 x 11 inches in size;

(b) It shall be printed in clear readable type, no less than 10-point, except that the text of any measure may be set forth in 8-point type;

(c) It shall be printed on a quality and weight of paper which in the judgment of the Secretary of State best serves the voters;

(d) The pamphlet shall contain a certificate of correctness by the Secretary of State.

References at the time of publication (see page 3):

Opinions: In re Miller (1978) 4 FPPC Ops. 26.

§ 88005.5. Duties of Legislative Counsel.

The Legislative Counsel shall prepare and proofread the texts of all measures and the provisions which are repealed or revised.

§ 88006. Public Examination of Pamphlet.

Not less than 20 days before he or she submits the copy for the ballot pamphlet to the State Printer, the Secretary of State shall make the copy available for public examination. Any elector may seek a writ of mandate requiring the copy to be amended or deleted from the ballot pamphlet. A peremptory writ of mandate shall issue only upon clear and convincing

proof that the copy in question is false, misleading or inconsistent with the requirements of this chapter or the Elections Code, and that issuance of the writ will not substantially interfere with the printing and distribution of the ballot pamphlet as required by law. Venue for a proceeding under this section shall be exclusively in Sacramento County. The Secretary of State shall be named as the respondent and the State Printer and the person or official who authored the copy in question shall be named as real parties in interest. If the proceeding is initiated by the Secretary of State, the State Printer shall be named as the respondent.

History: Amended by Stats. 1996, Ch. 724.

§ 88007. Amendment of Chapter by Legislature.

Notwithstanding the provisions of Section 81012, the Legislature may without restriction amend this chapter to add to the ballot pamphlet information regarding candidates or any other information.

Chapter 9. Incumbency.
§ 89000 - 89001

§ 89000. Order of Names on Ballot.
§ 89001. Newsletter or Mass Mailing.

§ 89000. Order of Names on Ballot.

Any provision of law to the contrary notwithstanding, the order of names of candidates on the ballot in every election shall be determined without regard to whether the candidate is an incumbent.

§ 89001. Newsletter or Mass Mailing.

No newsletter or other mass mailing shall be sent at public expense.

History: Amended by Stats. 1986, Ch. 654; amended by Stats. 1987, Ch. 230; amended by Prop. 73 of the June 1988 statewide primary election, effective June 8, 1988.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18901

Opinions: In re Miller (1978) 4 FPPC Ops. 26

Enforcement Decisions: City of Burbank, et al. 97/194 (2000)
Bassett Unified School District 96/694 (1999)
Bell Gardens, City of 96/187 (1997)
Poway Unified School District/Robert Reeves 89/430 (1991)

Chapter 9.5. Ethics.
§ 89500 - 89522

Article 1. Honoraria. § 89500 - 89503.5
2. Gifts. § 89504 - 89505.5
3. Travel. § 89506 - 89507
4. Campaign Funds. § 89510 - 89522

Article 1. Honoraria.
§ 89500 - 89503.5

§ 89500. Chapter Title.
§ 89501. Statements of Economic Interests - Where to File; Regulatory or Licensing Boards, Bureaus or Commissions.
§ 89501. Honoraria.
§ 89502. Honorarium.
§ 89503. Gift Limits.
§ 89503.5. Operation of Article. [Repealed]

§ 89500. Chapter Title.

This chapter shall be known and may be cited as the Ethics in Government Act of 1990.

History: Added by Stats. 1990, Ch. 84.

§ 89501. Statements of Economic Interests - Where to File; Regulatory or Licensing Boards, Bureaus or Commissions.

History: Added by Stats. 1991, Ch. 857; repealed and renumbered § 87500(n), Stats. 1992, Ch. 405.

§ 89501. Honoraria.

(a) For purposes of this chapter, "honorarium" means, except as provided in subdivision (b), any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering.

(b) The term "honorarium" does not include:

(1) Earned income for personal services which are customarily provided in connection with the practice of a bona fide business, trade, or profession, such as teaching, practicing law, medicine, insurance, real estate, banking, or building contracting, unless the sole or predominant activity of the business, trade, or profession is making speeches. The Commission shall adopt regulations to implement this subdivision.

(2) Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the State Controller for donation to the General Fund, or in the case of a public official for local government agency, delivered to his or her agency for donation to an equivalent fund, without being claimed as a deduction from income for tax purposes.

(c) Section 89506 shall apply to all payments, advances, or reimbursements for travel and related lodging and subsistence.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1994, Ch. 36; amended by Stats. 1994, Ch. 1105; repealed and new section added by Stats. 1995, Ch. 690.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18930
2 Cal. Code of Regs. Section 18931.1
2 Cal. Code of Regs. Section 18931.2
2 Cal. Code of Regs. Section 18931.3
2 Cal. Code of Regs. Section 18932
2 Cal. Code of Regs. Section 18932.1
2 Cal. Code of Regs. Section 18932.2
2 Cal. Code of Regs. Section 18932.3
2 Cal. Code of Regs. Section 18932.4
2 Cal. Code of Regs. Section 18932.5
2 Cal. Code of Regs. Section 18933
2 Cal. Code of Regs. Section 18950.1

§ 89502. Honorarium.

(a) No elected state officer, elected officer of a local government agency, or other individual specified in Section 87200 shall accept any honorarium.

(b) (1) No candidate for elective state office, for judicial office, or for elective office in a local government agency shall accept any honorarium. A person shall be deemed a candidate for purposes of this subdivision when the person has filed a statement of organization as a committee for election to a state or local office, a declaration of intent, or a declaration of candidacy, whichever occurs first. A person shall not be deemed a candidate for purposes of this subdivision after he or she is sworn into the elective office, or, if the person lost the election after the person has terminated his or her campaign statement filing obligations for that office pursuant to Section 84214 or after certification of the election results, whichever is earlier.

(2) Paragraph (1) shall not apply to any person who is a candidate as described in paragraph (1) for judicial office on or before December 31, 1996.

(c) No member of a state board or commission and no designated employee of a state or local government agency shall accept an honorarium from any source if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(d) This section shall not apply to a person in his or her capacity as judge. This section shall not apply to a person in his or her capacity as a part-time member of the governing board of any public institution of higher education unless that position is an elective office.

History: Added by Stats. 1990, Ch. 84; repealed and new section added by Stats. 1995, Ch. 690; amended by Stats. 1996, Ch. 1056.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18736
2 Cal. Code of Regs. Section 18930
2 Cal. Code of Regs. Section 18931.1
2 Cal. Code of Regs. Section 18931.2
2 Cal. Code of Regs. Section 18931.3
2 Cal. Code of Regs. Section 18932
2 Cal. Code of Regs. Section 18932.1
2 Cal. Code of Regs. Section 18932.2
2 Cal. Code of Regs. Section 18932.3
2 Cal. Code of Regs. Section 18932.4
2 Cal. Code of Regs. Section 18932.5
2 Cal. Code of Regs. Section 18933
2 Cal. Code of Regs. Section 18950.1

Enforcement Decisions: Christopher Pak 99/741 (2001)

§ 89503. Gift Limits.

(a) No elected state officer, elected officer of a local government agency, or other individual specified in Section 87200 shall accept gifts from any single source in any calendar year with a total value of more than two hundred fifty dollars ($250).

(b) (1) No candidate for elective state office, for judicial office, or for elective office in a local government agency shall accept gifts from any single source in any calendar year with a total value of more than two hundred fifty dollars ($250). A person shall be deemed a candidate for purposes of this subdivision when the person has filed a statement of organization as a committee for election to a state or local office, a declaration of intent, or a declaration of candidacy, whichever occurs first. A person shall not be deemed a candidate for purposes of this subdivision after he or she is sworn into the elective office, or, if the person lost the election, after the person has terminated his or her campaign statement filing obligations for that office pursuant to Section 84214 or after certification of the election results, whichever is earlier.

(2) Paragraph (1) shall not apply to any person who is a candidate as described in paragraph (1) for judicial office on or before December 31, 1996.

(c) No member of a state board or commission or designated employee of a state or local government agency shall accept gifts from any single source in any calendar year with a total value of more than two hundred fifty ($250) if the member or employee would be required to report the receipt of income or gifts from

that source on his or her statement of economic interests.

(d) This section shall not apply to a person in his or her capacity as judge. This section shall not apply to a person in his or her capacity as a part-time member of the governing board of any public institution of higher education unless that position is an elective office.

(e) This section shall not prohibit or limit the following:

(1) Payments, advances, or reimbursements for travel and related lodging and subsistence permitted by Section 89506.

(2) Wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

(f) Beginning on January 1, 1993, the Commission shall adjust the gift limitation in this section on January 1 of each odd-numbered year to reflect changes in the Consumer Price Index, rounded to the nearest ten dollars ($10).

(g) The limitations in this section are in addition to the limitations on gifts in Section 86203.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1993, Ch. 769; repealed and new section added by Stats. 1995, Ch. 690; amended by Stats. 1996, Ch. 1056.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18730
2 Cal. Code of Regs. Section 18736
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18940.2
2 Cal. Code of Regs. Section 18941
2 Cal. Code of Regs. Section 18941.1
2 Cal. Code of Regs. Section 18942
2 Cal. Code of Regs. Section 18942.1
2 Cal. Code of Regs. Section 18943
2 Cal. Code of Regs. Section 18944.2
2 Cal. Code of Regs. Section 18945
2 Cal. Code of Regs. Section 18945.1
2 Cal. Code of Regs. Section 18946
2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1
2 Cal. Code of Regs. Section 18950.3

Opinions: In re Solis (2000) 14 FPPC Ops. 7

Enforcement Decisions: Charles Calderon, Calderon for Senate '98, Calderon for Attorney General, Phillip Pace 2000/61 (2001)
Norm Morikawa 97/336 (2001)
James R. Battin, Jr. 96/686 (1998)
William J. Ordas 94/209 (1996)
Jerold Cohn 94/209 (1996)
Edward Vincent 95/186 (1996)

§ 89503.5. Operation of Article. [Repealed]

History: Added by Stats. 1990, Ch. 84; Repealed by Stats. 1991, Ch. 857.

Article 2. Gifts.
§ 89504 - 89505.5

§ 89504. Gifts; Limitations. [Repealed]
§ 89505. Gifts; Prohibitions. [Repealed]
§ 89505.5. Operation of Article. [Repealed]

§ 89504. Gifts; Limitations. [Repealed]

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1994, Ch. 1105; repealed by Stats. 1995, Ch. 690

§ 89505. Gifts; Prohibitions. [Repealed]

History: Added by Stats. 1990, Ch. 84; repealed by Stats. 1995, Ch. 690.

§ 89505.5. Operation of Article. [Repealed]

History: Added by Stats. 1990, Ch. 84; Repealed by Stats. 1991, Ch. 857.

Article 3. Travel.
§ 89506 - 89507

§ 89506. Travel Payments, Advances and Reimbursements.
§ 89507. Operation of Article. [Repealed]

§ 89506. Travel Payments, Advances and Reimbursements.

(a) Payments, advances, or reimbursements, for travel, including actual transportation and related lodging and subsistence that is reasonably related to a legislative or governmental purpose, or to an issue of state, national, or international public policy, are not prohibited or limited by this chapter if either of the following apply:

(1) The travel is in connection with a speech given by the elected state officer, local elected officeholder, candidate for elected state office or local elected office, an individual specified in Section 87200, member of a state board or commission, or designated employee of a state or local government agency, the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech, and the travel is within the United States.

(2) The travel is provided by a government, a governmental agency, a foreign government, a governmental authority, a bona fide public or private educational institution, as defined in Section 203 of the Revenue and Taxation Code, a nonprofit organization

that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, or by a person domiciled outside the United States which substantially satisfies the requirements for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

(b) Gifts of travel not described in subdivision (a) are subject to the limits in Section 89503.

(c) Subdivision (a) applies only to travel that is reported on the recipient's statement of economic interests.

(d) For purposes of this section, a gift of travel does not include any of the following:

(1) Travel that is paid for from campaign funds, as permitted by Article 4 (commencing with Section 89510), or that is a contribution.

(2) Travel that is provided by the agency of a local elected officeholder, an elected state officer, member of a state board or commission, an individual specified in Section 87200, or a designated employee.

(3) Travel that is reasonably necessary in connection with a bona fide business, trade, or profession and that satisfies the criteria for federal income tax deduction for business expenses in Sections 162 and 274 of the Internal Revenue Code, unless the sole or predominant activity of the business, trade, or profession is making speeches.

(4) Travel that is excluded from the definition of a gift by any other provision of this title.

(e) This section does not apply to payments, advances, or reimbursements for travel and related lodging and subsistence permitted or limited by Section 170.9 of the Code of Civil Procedure.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 674; amended by Stats. 1994, Ch. 1105; amended by Stats. 1995, Ch. 690; amended by Stats. 1997, Ch. 455, effective September 24, 1997.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18930
2 Cal. Code of Regs. Section 18931.1
2 Cal. Code of Regs. Section 18931.2
2 Cal. Code of Regs. Section 18931.3
2 Cal. Code of Regs. Section 18932
2 Cal. Code of Regs. Section 18932.1
2 Cal. Code of Regs. Section 18932.2
2 Cal. Code of Regs. Section 18932.3
2 Cal. Code of Regs. Section 18932.4
2 Cal. Code of Regs. Section 18932.5
2 Cal. Code of Regs. Section 18933
2 Cal. Code of Regs. Section 18940
2 Cal. Code of Regs. Section 18940.2
2 Cal. Code of Regs. Section 18941
2 Cal. Code of Regs. Section 18941.1
2 Cal. Code of Regs. Section 18943
2 Cal. Code of Regs. Section 18944.2
2 Cal. Code of Regs. Section 18945.1
2 Cal. Code of Regs. Section 18946.2
2 Cal. Code of Regs. Section 18950
2 Cal. Code of Regs. Section 18950.1
2 Cal. Code of Regs. Section 18950.3

§ 89507. Operation of Article. [Repealed]

History: Added by Stats. 1990, Ch. 84; Repealed by Stats. 1991, Ch. 1271.

Article 4. Campaign Funds.
§ 89510 - 89522

§ 89510. Acceptable Contributions.
§ 89511. Campaign Funds Held by Candidates and Committees.
§ 89511.5. Use of Personal Funds for Incumbent Elected Officers.
§ 89512. Expenditures Associated with Holding Office.
§ 89512.5. Expenditures by Committees not Controlled by Candidates.
§ 89513. Use of Campaign Funds for Specific Activities.
§ 89514. Use of Campaign Funds for Attorney's Fees.
§ 89515. Use of Campaign Funds for Donations and Loans.
§ 89516. Use of Campaign Funds for Vehicle Expenses.
§ 89517. Use of Campaign Funds for Real Property, Appliances or Equipment.
§ 89517.5. Use of Campaign Funds for Security System.
§ 89518. Use of Campaign Funds for Compensation.
§ 89519. Use of Surplus Campaign Funds.
§ 89520. Violations.
§ 89521. Unlawful Honorarium, Gift or Expenditure.
§ 89522. Campaign Funds; Prohibited Use Under Elections Code.

§ 89510. Acceptable Contributions.

(a) A candidate for elective state office may only accept contributions within the limits provided in Chapter 5 (commencing with Section 85100).

(b) All contributions deposited into the campaign account shall be deemed to be held in trust for expenses associated with the election of the candidate or for expenses associated with holding office.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election]; amended by Stats. 2001, Ch. 241, effective September 4, 2001.

References at the time of publication (see page 3):

Enforcement Decisions: Bernard Herschel Thomson, aka Skip Thomson 96/497 (1998)

§ 89511. Campaign Funds Held by Candidates and Committees. [Previously § 85800.]

(a) This article applies to campaign funds held by candidates for elective office, elected officers, controlled committees, ballot measure committees, committees opposed to a candidate or measure, and any committee which qualifies as a committee pursuant to subdivision (a) of Section 82013.

(b) (1) For purposes of this chapter, "campaign funds" includes any contributions, cash, cash equivalents, and other assets received or possessed by a committee as defined by subdivision (a) of Section 82013.

(2) For purposes of this chapter, "committee" means a controlled committee, ballot measure committee, committee opposed to a candidate or measure, and any committee which qualifies as a committee pursuant to subdivision (a) of Section 82013.

(3) For purposes of this chapter, "substantial personal benefit" means an expenditure of campaign funds which results in a direct personal benefit with a value of more than two hundred dollars ($200) to a candidate, elected officer, or any individual or individuals with authority to approve the expenditure of campaign funds held by a committee.

(4) For purposes of this article, "household" includes the candidate's or elected officer's spouse, dependent children, and parents who reside with the candidate or elected officer.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546; amended by Stats. 2000, Ch. 130.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18960

§ 89511.5. Use of Personal Funds for Incumbent Elected Officers.

(a) An incumbent elected officer may utilize his or her personal funds for expenditures authorized by subdivision (b) of Section 89510 without first depositing those funds in his or her controlled committee's campaign bank account, if both of the following conditions are met:

(1) The expenditures are not campaign expenses.

(2) The treasurer of the committee is provided with a dated receipt and a written description of the expenditure.

(b) An incumbent elected officer may be reimbursed for expenditures of his or her personal funds, from either the controlled committee campaign bank account established pursuant to Section 85201 with respect to election to the incumbent term of office, or from a controlled committee campaign bank account established pursuant to Section 85201 with respect to election to a future term of office, if all of the following conditions are met:

(1) The expenditures are not campaign expenses.

(2) The incumbent elected officer, prior to reimbursement, provides the treasurer of the committee with a dated receipt and a written description of each expenditure.

(3) Reimbursement is paid within 90 days of the expenditure, in the case of a cash expenditure, or within 90 days of the end of the billing period in which it was included, in the case of an expenditure charged to a credit card or charge account.

(c) When the elected officer's controlled committee is notified that expenditures totaling one hundred dollars ($100) or more in a fiscal year have been made by the incumbent elected officer, the committee shall report, pursuant to subdivision (j) of Section 84211, the expenditures on the campaign statement for the period in which the expenditures were made and the reimbursements on the campaign statement for the period in which the reimbursements were made.

(d) If reimbursement is not paid within the time authorized by this section, the expenditure shall be reported on the campaign statement as a nonmonetary contribution received on the 90th day after the expenditure is paid, in the case of a cash expenditure, or within 90 days of the end of the billing period in which it was included, in the case of an expenditure charged to a credit card or charge account.

(e) This section shall not be construed to authorize an incumbent elected officer to make expenditures from any campaign bank account for expenses other than those expenses associated with his or her election to the specific office for which the account was established and expenses associated with holding that office.

History: Added by Stats. 1990, Ch. 1075.

References at the time of publication (see page 3):

Enforcement Decisions: Margaret Pryor 94/476 (1998)

§ 89512. Expenditures Associated with Holding Office. [Previously § 85801.]

An expenditure to seek office is within the lawful execution of the trust imposed by Section 89510 if it is

reasonably related to a political purpose. An expenditure associated with holding office is within the lawful execution of the trust imposed by Section 89510 if it is reasonably related to a legislative or governmental purpose. Expenditures which confer a substantial personal benefit shall be directly related to a political, legislative, or governmental purpose.

History: Added by Stats. 1990, Ch. 84.

References at the time of publication (see page 3):

Enforcement Decisions: Floyd H. Weaver, et al. 95/183 (1995)

§ 89512.5. Expenditures by Committees not Controlled by Candidates.

(a) Subject to the provisions of subdivision (b), any expenditure by a committee not subject to the trust imposed by subdivision (b) of Section 89510 shall be reasonably related to a political, legislative, or governmental purpose of the committee.

(b) Any expenditure by a committee that confers a substantial personal benefit on any individual or individuals with authority to approve the expenditure of campaign funds held by the committee, shall be directly related to a political, legislative, or governmental purpose of the committee.

History: Added by Stats. 1991, Ch. 546.

References at the time of publication (see page 3):

Enforcement Decisions: California Pro Business Committee and Ravinder Mehta 010051 (2001)
Fernando Vellanoweth 2000/66 (2001)
Irvine Police Assn., et al. 93/115 (1996)

§ 89513. Use of Campaign Funds for Specific Activities. [Previously § 85802.]

The following provisions govern the use of campaign funds for the specific expenditures set forth in this section. It is the intent of the Legislature that these provisions shall guide the interpretation of the standard imposed by Section 89512 as applied to other expenditures not specifically set forth below.

(a) Campaign funds shall not be used to pay or reimburse the candidate, the elected officer, or any individual or individuals with authority to approve the expenditure of campaign funds held by a committee, or employees or staff of the committee or the elected officer's governmental agency for travel expenses and necessary accommodations except when these expenditures are directly related to a political, legislative, or governmental purpose.

(1) For the purposes of this section, payments or reimbursements for travel and necessary accommodations shall be considered as directly related to a political, legislative, or governmental purpose if the payments would meet standards similar to the standards of the Internal Revenue Service pursuant to Sections 162 and 274 of the Internal Revenue Code for deductions of travel expenses under the federal income tax law.

(2) For the purposes of this section, payments or reimbursement for travel by the household of a candidate or elected officer when traveling to the same destination in order to accompany the candidate or elected officer shall be considered for the same purpose as the candidate's or elected officer's travel.

(3) Whenever campaign funds are used to pay or reimburse a candidate, elected officer, his or her representative, or a member of the candidate's household for travel expenses and necessary accommodations, the expenditure shall be reported as required by paragraph (7) of subdivision (j) of Section 84211.

(4) Whenever campaign funds are used to pay or reimburse for travel expenses and necessary accommodations, any mileage credit which is earned or awarded pursuant to an airline bonus mileage program shall be deemed personally earned by or awarded to the individual traveler. Neither the earning or awarding of mileage credit, nor the redeeming of credit for actual travel, shall be subject to reporting pursuant to Section 84211.

(b) Campaign funds shall not be used to pay for or reimburse the cost of professional services unless the services are directly related to a political, legislative, or governmental purpose.

(1) Expenditures by a committee to pay for professional services reasonably required by the committee to assist it in the performance of its administrative functions are directly related to a political, legislative, or governmental purpose.

(2) Campaign funds shall not be used to pay health-related expenses for a candidate, elected officer, or any individual or individuals with authority to approve the expenditure of campaign funds held by a committee, or members of his or her household. "Health-related expenses" include, but are not limited to, examinations by physicians, dentists, psychiatrists, psychologists, or counselors, expenses or medications, treatments or medical equipment, expenses for hospitalization, health club dues, and special dietary foods. However, campaign funds may be used to pay employer costs of health care benefits of a bona fide employee or independent contractor of the committee.

(c) Campaign funds shall not be used to pay or reimburse fines, penalties, judgments, or settlements, except those resulting from either of the following:

(1) Parking citations incurred in the performance of an activity which was directly related to a political, legislative, or governmental purpose.

(2) Any other action for which payment of attorney's fees from contributions would be permitted pursuant to this title.

(d) Campaign funds shall not be used for campaign, business, or casual clothing except specialty clothing that is not suitable for everyday use, including, but not limited to, formal wear, where this attire is to be worn by the candidate or elected officer and is directly related to a political, legislative, or governmental purpose.

(e) Except where otherwise prohibited by law, campaign funds may be used to purchase or reimburse for the costs of purchase of tickets to political fundraising events for the attendance of a candidate, elected officer, or his or her immediate family, or an officer, director, employee, or staff of the committee or the elected officer's governmental agency.

(1) Campaign funds shall not be used to pay for or reimburse for the costs of tickets for entertainment or sporting events for the candidate, elected officer, or members of his or her immediate family, or an officer, director, employee, or staff of the committee, unless their attendance at the event is directly related to a political, legislative, or governmental purpose.

(2) The purchase of tickets for entertainment or sporting events for the benefit of persons other than the candidate, elected officer, or his or her immediate family are governed by subdivision (f).

(f) (1) Campaign funds shall not be used to make personal gifts unless the gift is directly related to a political, legislative, or governmental purpose. The refund of a campaign contribution does not constitute the making of a gift.

Nothing in this section shall prohibit the use of campaign funds to reimburse or otherwise compensate a public employee for services rendered to a candidate or committee while on vacation, leave, or otherwise outside of compensated public time.

(2) An election victory celebration or similar campaign event, or gifts with a total cumulative value of less than two hundred fifty dollars ($250) in a single year made to an individual employee, a committee worker, or an employee of the elected officer's agency, are considered to be directly related to a political, legislative, or governmental purpose. For purposes of this paragraph, a gift to a member of a person's immediate family shall be deemed to be a gift to that person.

(g) Campaign funds shall not be used to make loans other than to organizations pursuant to Section 89515, or, unless otherwise prohibited, to a candidate for elective office, political party, or committee.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1990, Ch. 1075; amended by Stats. 1991, Ch. 546.

References at the time of publication (see page 3):

Enforcement Decisions:
Charles Calderon, Calderon for Senate '98, Calderon for Attorney General, Phillip Pace 2000/61 (2001)
Chris Miller, et al. 97/232 (1999)
Bernard Herschel Thomson, aka Skip Thomson 96/497 (1998)
Mickey Conroy, et al. 95/537 (1998)
Citizens for Cardroom Referendum/Ted Frazier, Treasurer 92/483 (1997)
Richard Polanco 94/216 (1996)
Valerie C. Johnson-Morton, et al. 94/220 (1996)
Charles Calderon, et al. 91/159 (1995)
Kevin P. Eckard, et al. 92/115 (1995)

§ 89514. Use of Campaign Funds for Attorney's Fees. [Previously § 85802.5.]

Expenditures of campaign funds for attorney's fees and other costs in connection with administrative, civil, or criminal litigation are not directly related to a political, legislative, or governmental purpose except where the litigation is directly related to activities of a committee that are consistent with its primary objectives or arises directly out of a committee's activities or out of a candidate's or elected officer's activities, duties, or status as a candidate or elected officer, including, but not limited to, an action to enjoin defamation, defense of an action to enjoin defamation, defense of an action brought for a violation of state or local campaign, disclosure, or election laws, and an action arising from an election contest or recount.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546.

§ 89515. Use of Campaign Funds for Donations and Loans. [Previously § 85803.]

Campaign funds may be used to make donations or loans to bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organizations, where no substantial part of the proceeds will have a material financial effect on the candidate, elected officer, campaign treasurer, or any individual or individuals with authority to approve the expenditure of campaign funds held by a committee, or member of his or her immediate family, and where the

donation or loan bears a reasonable relation to a political, legislative, or governmental purpose.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546.

References at the time of publication (see page 3):

Enforcement Decisions: Robert Smith 91/587 (1992)

§ 89516. Use of Campaign Funds for Vehicle Expenses. [Previously § 85804.]

Notwithstanding Sections 89512 and 89513, this section governs the use of campaign funds for vehicle expenses.

(a) Campaign funds shall not be used to purchase a vehicle unless both of the following apply:

(1) Title to the vehicle is held by the committee and not the candidate, elected officer, campaign treasurer, or any other individual or individuals with authority to approve the expenditure of campaign funds held by a committee, or a member of his or her immediate family.

(2) The use of the vehicle is directly related to a political, legislative, or governmental purpose.

(b) Campaign funds shall not be used to lease a vehicle unless both of the following apply:

(1) The lessee is the committee, or a state or local government agency and not the candidate, elected officer, or a member of his or her immediate family; or the lessor is a state or local government agency.

(2) The use of the vehicle is directly related to a political, legislative, or governmental purpose.

(c) Campaign funds may be used to pay for or reimburse the operating costs, including, but not limited to, insurance, maintenance, and repairs, for any vehicle for which campaign funds may be spent pursuant to this section.

(d) Campaign funds may be used to reimburse a candidate, elected officer, his or her immediate family, or any individual or individuals with authority to approve the expenditure of campaign funds held by a committee, or an employee or member of the staff of the committee or of the elected officer's governmental agency, for the use of his or her vehicle at the rate approved by the Internal Revenue Service pursuant to Section 162 of the Internal Revenue Code in connection with deductible mileage expenses under the federal income tax law, if both of the following requirements are met:

(1) The vehicle use for which reimbursement is sought is directly related to political, governmental, or legislative purposes.

(2) The specific purpose and mileage in connection with each expenditure is documented in a manner approved by the Internal Revenue Service in connection with deductible mileage expenses.

(e) For the purposes of this section, use of a vehicle is considered to be directly related to a political, legislative, or governmental purpose as long as its use for other purposes is only incidental to its use for political, legislative, or governmental purposes.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18961

Enforcement Decisions: Charles Calderon, Calderon for Senate '98, Calderon for Attorney General, Phillip Pace 2000/61 (2001)

§ 89517. Use of Campaign Funds for Real Property, Appliances or Equipment. [Previously § 85805.]

(a) Campaign funds shall not be used for payment or reimbursement for the lease of real property or for the purchase, lease, or refurbishment of any appliance or equipment, where the lessee or sublessor is, or the legal title resides, in whole or in part, in a candidate, elected officer, campaign treasurer, or any individual or individuals with authority to approve the expenditure of campaign funds, or member of his or her immediate family.

(b) Campaign funds shall not be used to purchase real property. Except as prohibited by subdivision (a), campaign funds may be used to lease real property for up to one year at a time where the use of that property is directly related to political, legislative, or governmental purposes.

(c) For the purposes of this section, real property, appliance, or equipment is considered to be directly related to a political, legislative, or governmental purpose as long as its use for other purposes is only incidental to its use for political, legislative, or governmental purposes.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18961

Enforcement Decisions: J. Stanley Sanders, et al. 94/711 (1998 Civil Suit)
Citizens for Cardroom Referendum/Ted Frazier, Treasurer 92/483 (1997)
Curtis Tucker, Jr. 94/185 (1996)
Curtis Tucker, Jr. 91/605 (1993)

§ 89517.5. Use of Campaign Funds for Security System.

Notwithstanding Section 89517, campaign funds may be used to pay, or reimburse the state, for the costs of installing and monitoring an electronic security system in the home or office, or both, of a candidate or elected officer who has received threats to his or her physical safety, provided that the threats arise from his or her activities, duties, or status as a candidate or elected officer and that the threats have been reported to and verified by an appropriate law enforcement agency. Verification shall be determined solely by the law enforcement agency to which the threat was reported. The candidate or elected officer shall report any expenditure of campaign funds made pursuant to this section to the Commission. The report to the Commission shall include the date that the candidate or elected officer informed the law enforcement agency of the threat, the name and phone number of the law enforcement agency, and a brief description of the threat. No more than five thousand dollars ($5,000) in campaign funds may be used, cumulatively, by a candidate or elected officer pursuant to this subdivision. The candidate or elected officer shall reimburse the campaign fund account for the costs of the security system upon sale of the property where the security equipment is installed, based on the fair market value of the security equipment at the time the property is sold.

History: Added by Stats. 1993, Ch. 1143.

§ 89518. Use of Campaign Funds for Compensation. [Previously § 85806.]

(a) Campaign funds shall not be used to compensate a candidate or elected officer for the performance of political, legislative, or governmental activities, except for reimbursement of out-of-pocket expenses incurred for political, legislative, or governmental purposes.

(b) Campaign funds shall not be used to compensate any individual or individuals with authority to approve the expenditure of campaign funds for the performance of political, legislative, or governmental activities, except as provided in subdivision (b) of Section 89513 and for reimbursement of out-of-pocket expenses incurred for political, legislative, or governmental purposes.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546.

References at the time of publication (see page 3):

Enforcement
Decisions: Chris Miller, et al. 97/232 (1999)

§ 89519. Use of Surplus Campaign Funds.

(a) Upon leaving any elected office, or at the end of the postelection reporting period following the defeat of a candidate for elective office, whichever occurs last, campaign funds raised after January 1, 1989, under the control of the former candidate or elected officer shall be considered surplus campaign funds and shall be disclosed pursuant to Chapter 4 (commencing with Section 84100).

(b) Surplus campaign funds shall be used only for the following purposes:

(1) The payment of outstanding campaign debts or elected officer's expenses.

(2) The repayment of contributions.

(3) Donations to any bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, where no substantial part of the proceeds will have a material financial effect on the former candidate or elected officer, any member of his or her immediate family, or his or her campaign treasurer.

(4) Contributions to a political party committee, provided the campaign funds are not used to support or oppose candidates for elective office. However, the campaign funds may be used by a political party committee to conduct partisan voter registration, partisan get-out-the-vote activities, and slate mailers as that term is defined in Section 82048.3.

(5) Contributions to support or oppose any candidate for federal office, any candidate for elective office in a state other than California, or any ballot measure.

(6) The payment for professional services reasonably required by the committee to assist in the performance of its administrative functions, including payment for attorney's fees for litigation which arises directly out of a candidate's or elected officer's activities, duties, or status as a candidate or elected officer, including, but not limited to, an action to enjoin defamation, defense of an action brought of a violation of state or local campaign, disclosure, or election laws, and an action from an election contest or recount.

(c) For purposes of this section, the payment for, or the reimbursement to the state of, the costs of installing and monitoring an electronic security system in the home or office, or both, of a candidate or elected officer who has received threats to his or her physical safety shall be deemed an outstanding campaign debt or elected officer's expense, provided that the threats arise from his or her activities, duties, or status as a candidate or elected officer and that the

threats have been reported to and verified by an appropriate law enforcement agency. Verification shall be determined solely by the law enforcement agency to which the threat was reported. The candidate or elected officer shall report any expenditure of campaign funds made pursuant to this section to the commission. The report to the commission shall include the date that the candidate or elected officer informed the law enforcement agency of the threat, the name and the telephone number of the law enforcement agency, and a brief description of the threat. No more than five thousand dollars ($5,000) in surplus campaign funds may be used, cumulatively, by a candidate or elected officer pursuant to this subdivision. Payments made pursuant to this subdivision shall be made during the two years immediately following the date upon which the campaign funds become surplus campaign funds. The candidate or elected officer shall reimburse the surplus fund account for the fair market value of the security system no later than two years immediately following the date upon which the campaign funds became surplus campaign funds. The campaign funds become surplus campaign funds upon sale of the property on which the system is installed, or prior to the closing of the surplus campaign fund account, whichever comes first. The electronic security system shall be the property of the campaign committee of the candidate or elected officer.

History: Added by Stats. 1990, Ch. 84; amended by Stats. 1991, Ch. 546; amended by Stats. 1993, Ch. 1143; amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18530.4

Enforcement Decisions: Ron May, et al. 92/617 (1993)
Norman S. Waters 91/406 (1992)

§ 89520. Violations.

The remedies provided in Chapter 11 (commencing with Section 91000) shall not apply to violations of this chapter.

History: Added by Stats. 1990, Ch. 84.

§ 89521. Unlawful Honorarium, Gift or Expenditure.

Any person who makes or receives an honorarium, gift, or expenditure in violation of this chapter is liable in a civil action brought by the Commission for an amount of up to three times the amount of the unlawful honorarium, gift, or expenditure.

History: Added by Stats. 1990, Ch. 84.

§ 89522. Campaign Funds; Prohibited Use Under Elections Code.

This chapter shall not be construed to permit an expenditure of campaign funds prohibited by Section 18680 of the Elections Code.

History: Added by Stats. 1991, Ch. 546; amended by Stats. 1994, Ch. 923

Chapter 10. Auditing.
§ 90000 - 90007

§ 90000. Responsibility.
§ 90001. Mandatory Audits and Investigations.
§ 90002. Audits and Investigations; Time.
§ 90003. Discretionary Audits.
§ 90004. Periodic Reports; Public Documents.
§ 90005. Confidentiality; Exception.
§ 90006. Audit and Investigation by Commission.
§ 90007. Auditing Guidelines and Standards.

§ 90000. Responsibility.

Except as provided in Section 90006, the Franchise Tax Board shall make audits and field investigations with respect to the following:

(a) Reports and statements filed with the Secretary of State under Chapters 4 and 6 of this title.

(b) Local candidates and their controlled committees selected for audit pursuant to subdivision (i) of Section 90001.

History: Amended by Stats. 1987, Ch. 230.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18993
2 Cal. Code of Regs. Section 18994
2 Cal. Code of Regs. Section 18995

§ 90001. Mandatory Audits and Investigations.

Audits and investigations shall be made pursuant to Section 90000 with respect to the reports and statements of:

(a) Each lobbying firm and each lobbyist employer who employs one or more lobbyists shall be subject to an audit on a random basis with these lobbying firms or lobbyist employers having a 25-percent chance of being audited. When a lobbying firm or lobbyist employer is audited, the individual lobbyists who are employed by the

lobbying firm or the lobbyist employer shall also be audited.

(b) Each statewide, Supreme Court, court of appeal, or Board of Equalization candidate in a direct primary or general election for whom it is determined that twenty-five thousand dollars ($25,000) or more in contributions have been raised or twenty-five thousand dollars ($25,000) or more in expenditures have been made, whether by the candidate or by a committee or committees controlled by the candidate or whose participation in the direct primary or general election is primarily in support of his or her candidacy. Each statewide candidate whose contributions and expenditures are less than twenty-five thousand dollars ($25,000) shall be subject to an audit on a random basis of 10 percent of the number of such candidates.

(c) Each candidate for the Legislature or superior court judge in a direct primary or general election shall be subject to audit by random selection if it is determined that fifteen thousand dollars ($15,000) or more in contributions have been received or fifteen thousand dollars ($15,000) or more in expenditures have been made, whether by the candidate or by a committee or committees controlled by the candidate or primarily supporting his or her candidacy. Random selection shall be made of 25 percent of the Senate districts, 25 percent of the Assembly districts and 25 percent of the judicial offices contested in an election year.

(d) Each candidate for the Legislature in a special primary or special runoff election for whom it is determined that fifteen thousand dollars ($15,000) or more in contributions have been raised or fifteen thousand dollars ($15,000) or more in expenditures have been made, whether by the candidate or by a committee or committees controlled by the candidate or primarily supporting his or her candidacy.

(e) Each controlled committee of any candidate who is being audited pursuant to subdivision (b), (c), or (d).

(f) Each committee, other than a committee specified in subdivision (c) of Section 82013, primarily supporting or opposing a candidate who is being audited pursuant to subdivision (b), (c), or (d) if it is determined that the committee has expended more than ten thousand dollars ($10,000).

(g) Each committee, other than a committee specified in subdivision (c) of Section 82013, whose participation is primarily in support of or in opposition to a state measure or state measures if it is determined that the committee has expended more than ten thousand dollars ($10,000) on such measure or measures.

(h) Each committee, other than a committee defined in subdivision (c) of Section 82013, a controlled committee or a committee primarily supporting or opposing a state candidate or measure, if it is determined that the committee has raised or expended more than ten thousand dollars ($10,000) supporting or opposing state candidates or state measures during any calendar year, except that if the Commission determines from an audit report that a committee is in substantial compliance with the provisions of the act, the committee thereafter shall be subject to an audit on a random basis with each such committee having a 25-percent chance of being audited.

(i) (1) With respect to local candidates and their controlled committees, the Commission shall promulgate regulations which provide a method of selection for these audits.

(2) With respect to candidates for the Board of Administration of the Public Employees' Retirement System, the Commission shall promulgate regulations that provide a method for selection of these audits. The Public Employees' Retirement System shall reimburse the Commission for all reasonable expenses incurred pursuant to this section.

(j) In accordance with subdivisions (a), (b), (c), and (h), the Fair Political Practices Commission shall select by lot the persons or districts to be audited on a random basis. For campaign audits the selection shall be made in public after the last date for filing the first report or statement following the general or special election for which the candidate ran, or following the election at which the measure was adopted or defeated. For lobbying firm and lobbyist employer audits, the selection shall be made in public in February of odd-numbered years.

History: Amended by Stats. 1978, Ch. 1411; amended by Stats. 1979, Ch. 551; amended by Stats. 1984, Ch. 1368; amended by Stats. 1985, Ch. 1183, effective September 29, 1985; amended by Stats. 1986, Ch. 835; amended by Stats. 1994, Ch. 1139; amended by Stats. 1998, Ch. 923.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18453
2 Cal. Code of Regs. Section 18601
2 Cal. Code of Regs. Section 18991
2 Cal. Code of Regs. Section 18992
2 Cal. Code of Regs. Section 18993
2 Cal. Code of Regs. Section 18994
2 Cal. Code of Regs. Section 18995
2 Cal. Code of Regs. Section 18997

§ 90002. Audits and Investigations; Time.

(a) Audits and investigations of lobbying firms and lobbyist employers shall be performed on a biennial basis and shall cover reports filed during a period of two years.

(b) If a lobbying firm or lobbyist employer keeps a separate account for all receipts and payments for which reporting is required by this chapter, the requirement of an audit under subdivision (a) of Section 90001 shall be satisfied by an audit of that account and the supporting documentation required to be maintained by Section 86110.

(c) No audit or investigation of any candidate, controlled committee, or committee primarily supporting or opposing a candidate or a measure in connection with a report or statement required by Chapter 4 of this title, shall begin until after the last date for filing the first report or statement following the general, runoff or special election for the office for which the candidate ran, or following the election at which the measure was adopted or defeated, except that audits and investigations of statewide candidates, their controlled committees, and committees primarily supporting or opposing those statewide candidates who were defeated in the primary election and who are not required to file statements for the general election may begin after the last date for filing the first report or statement following the primary election. When the campaign statements or reports of a candidate, controlled committee, or a committee primarily supporting or opposing a candidate are audited and investigated pursuant to Section 90001, the audit and investigation shall cover all campaign statements and reports filed for the primary and general or special or runoff elections and any previous campaign statement or report filed pursuant to Section 84200 or 84200.5 since the last election for that office, but shall exclude any statements or reports which have previously been audited pursuant to Section 90001 or 90003. When the campaign statements or reports of a committee primarily supporting or opposing a measure are audited and investigated, the audit and investigation shall cover all campaign statements and reports from the beginning date of the first campaign statement filed by the committee in connection with the measure. For all other committees, the audit and investigation shall cover all campaign statements filed during the previous two calendar years.

History: Amended by Stats. 1976, Ch. 564; amended by Stats. 1977, Ch. 492; amended by Stats. 1978, Ch. 1411; amended by Stats. 1980, Ch. 289; operative January 1, 1982; amended by Stats. 1985, Ch. 1456; amended by Stats. 1986, Ch. 905; amended by Stats. 1988, Ch. 442; amended by Stats. 1994, Ch. 1139.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18996

§ 90003. Discretionary Audits.

In addition to the audits and investigations required by Section 90001, the Franchise Tax Board and the Commission may make investigations and audits with respect to any reports or statements required by Chapters 4 and 6 of this title.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18996

§ 90004. Periodic Reports; Public Documents.

The Franchise Tax Board shall periodically prepare reports which, except as otherwise provided in this section, shall be sent to the Commission, the Secretary of State, and the Attorney General. If the reports relate to candidates for or committees supporting or opposing candidates for the office of Attorney General, the reports shall be sent to the Commission, the Secretary of State and the District Attorneys of Los Angeles, Sacramento and San Francisco Counties. If the reports relate to local candidates and their controlled committees, the reports shall be sent to the Commission, the local filing officer with whom the candidate or committee is required to file the originals of campaign reports pursuant to Section 84215 and the district attorney for the candidate's county of domicile. The reports of the Franchise Tax Board shall be public documents and shall contain in detail the Franchise Tax Board's findings with respect to the accuracy and completeness of each report and statement reviewed and its findings with respect to any report or statement that should have been but was not filed. The Secretary of State and the local filing officer shall place the audit reports in the appropriate campaign statement or lobbying files.

History: Amended by Stats. 1976, Ch. 564; amended by Stats. 1979, Ch. 531; amended by Stats. 1987, Ch. 230.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18993
2 Cal. Code of Regs. Section 18995

§ 90005. Confidentiality; Exception.

No member, employee or agent of the Franchise Tax Board shall divulge or make known in any manner any particulars of any record, documents, or information which he receives by virtue of this chapter, except in furtherance of the work of the Franchise Tax Board or in connection with any court proceeding or any lawful investigation of any agency.

§ 90006. Audit and Investigation by Commission.

Audits and field investigations of candidates for Controller and member of the Board of Equalization and of committees supporting such candidates shall be made by the Commission instead of the Franchise Tax Board.

§ 90007. Auditing Guidelines and Standards.

(a) The Commission shall adopt auditing guidelines and standards which shall govern audits and field investigations conducted under Section 90001. The guidelines and standards shall be formulated to accomplish the following purposes:

(1) The audits should encourage compliance and detect violations of this title;

(2) The audits should be conducted with maximum efficiency in a cost-effective manner; and

(3) The audits should be as unobtrusive as possible consistent with the foregoing purposes.

(b) In adopting its guidelines and standards the Commission shall consider relevant guidelines and standards of the American Institute of Certified Public Accountants to the extent such guidelines and standards are applicable and consistent with the purposes set forth in this section.

History: Added by Stats. 1978, Ch. 779, effective September 18, 1978.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18993
2 Cal. Code of Regs. Section 18995

Chapter 11. Enforcement.
§ 91000 - 91015

§ 91000. Violations; Criminal.
§ 91000.5. Administrative Proceedings.
§ 91001. Responsibility for Enforcement.
§ 91001.5. Authority of City Attorneys of Charter Cities.
§ 91002. Effect of Conviction.
§ 91003. Injunction.
§ 91003.5. Conflicts of Interest Violation.
§ 91004. Violations of Reporting Requirements; Civil Liability.
§ 91005. Civil Liability for Campaign, Lobbyist, Conflict of Interest Violation.
§ 91005.5. Civil Penalties.
§ 91006. Joint and Several Liability.
§ 91007. Procedure for Civil Actions.
§ 91008. Judgment on the Merits; Precedence; Dismissal.
§ 91008.5. Civil Action Precluded by Commission Order.
§ 91009. Considerations; Liability.
§ 91010. Campaign Disclosure Violations; Request to Civil Prosecutor.
§ 91011. Statute of Limitations.
§ 91012. Costs; Attorney Fees; Bond.
§ 91013. Late Filing of Statement or Report; Fees.
§ 91013.5. Collection of Penalties.
§ 91014. Applicability of Other State Law.
§ 91015. Liability for Violations; Criminal and Civil. [Repealed]

§ 91000. Violations; Criminal.

(a) Any person who knowingly or willfully violates any provision of this title is guilty of a misdemeanor.

(b) In addition to other penalties provided by law, a fine of up to the greater of ten thousand dollars ($10,000) or three times the amount the person failed to report properly or unlawfully contributed, expended, gave or received may be imposed upon conviction for each violation.

(c) Prosecution for violation of this title must be commenced within four years after the date on which the violation occurred.

History: Amended by Stats. 1978, Ch. 1411; amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 91000.5. Administrative Proceedings.

No administrative action brought pursuant to Chapter 3 (commencing with Section 83100) alleging a violation of any of the provisions of this title shall be commenced more than five years after the date on which the violation occurred.

(a) The service of the probable cause hearing notice, as required by Section 83115.5, upon the person alleged to have violated this title shall constitute the commencement of the administrative action.

(b) If the person alleged to have violated this title engages in the fraudulent concealment of his or her acts or identity, the five-year period shall be tolled for the period of concealment. For purposes of this subdivision, “fraudulent concealment” means the person knows of material facts related to his or her duties under this title and knowingly conceals them in performing or omitting to perform those duties, for the purpose of defrauding the public of information to which it is entitled under this title.

(c) If, upon being ordered by a superior court to produce any documents sought by a subpoena in any administrative proceeding under Chapter 3 (commencing with Section 83100), the person alleged to have violated this title fails to produce documents in response to the order by the date ordered to comply therewith, the five-year period shall be tolled for the period of the delay from the date of filing of the motion to compel until the date of the documents are produced.

History: Added by Stats. 1997, Ch. 179.

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18610
2 Cal. Code of Regs. Section 18612
2 Cal. Code of Regs. Section 18615

§ 91001. Responsibility for Enforcement.

(a) The Attorney General is responsible for enforcing the criminal provisions of this title with respect to state agencies, lobbyists and state elections. The district attorney of any county in which a violation occurs has concurrent powers and responsibilities with the Attorney General.

(b) The civil prosecutor is primarily responsible for enforcement of the civil penalties and remedies of this title. The civil prosecutor is the Commission with respect to the state or any state agency, except itself. The Attorney General is the civil prosecutor with respect to the Commission. The district attorneys are the civil prosecutors with respect to any other agency. The civil prosecutor may bring any civil action under this title which could be brought by a voter or resident of the jurisdiction. Upon written authorization from a district attorney, the Commission may bring any civil action under this title which could be brought by a voter or resident of the jurisdiction. Under such circumstances, Section 91007 shall not apply to the Commission.

(c) Whether or not a violation is inadvertent, negligent or deliberate, and the presence or absence of good faith shall be considered in applying the remedies and sanctions of this title.

History: Amended by Stats. 1976, Ch. 1161; repealed and reenacted as amended by Stats. 1977, Ch. 230, effective July 7, 1977; amended by Stats. 1979, Ch. 357.

§ 91001.5. Authority of City Attorneys of Charter Cities.

In any case in which a district attorney could act as the civil or criminal prosecutor under the provisions of this title, the elected city attorney of any charter city may act as the civil or criminal prosecutor with respect to any violations of this title occurring within the city.

History: Added by Stats. 1976, Ch. 594, effective August 26, 1976.

§ 91002. Effect of Conviction.

No person convicted of a misdemeanor under this title shall be a candidate for any elective office or act as a lobbyist for a period of four years following the date of the conviction unless the court at the time of the sentencing specifically determines that this provision shall not be applicable. A plea of nolo contendere shall be deemed a conviction for purposes of this section. Any person violating this section is guilty of a felony.

§ 91003. Injunction.

(a) Any person residing in the jurisdiction may sue for injunctive relief to enjoin violations or to compel compliance with the provisions of this title. The court may in its discretion require any plaintiff other than the Commission to file a complaint with the Commission prior to seeking injunctive relief. The court may award to a plaintiff or defendant who prevails his costs of litigation, including reasonable attorney's fees.

(b) Upon a preliminary showing in an action brought by a person residing in the jurisdiction that a violation of Article 1 (commencing with Section 87100), Article 4 (commencing with Section 87400), or Article 4.5 (commencing with Section 87450) of Chapter 7 of this title or of a disqualification provision of a Conflict of Interest Code has occurred, the court may restrain the execution of any official action in relation to which such a violation occurred, pending final adjudication. If it is ultimately determined that a violation has occurred and that the official action might not otherwise have been taken or approved, the court may set the official action aside as void. The official actions covered by this subsection include, but are not limited to orders, permits, resolutions and contracts, but do not include the enactment of any state legislation. In considering the granting of preliminary or permanent relief under this subsection, the court shall accord due weight to any injury that may be suffered by innocent persons relying on the official action.

History: Amended by Stats. 1976, Ch. 1161; amended by Stats. of 1987, Ch. 628.

§ 91003.5. Conflicts of Interest Violation.

Any person who violates a provision of Article 2 (commencing with Section 87200), 3 (commencing with Section 87300), or 4.5 (commencing with Section 87450) of Chapter 7 is subject to discipline by his or her agency, including dismissal, consistent with any

applicable civil service or other personnel laws, regulations and procedures.

History: Amended by Stats. 1986, Ch. 653.

§ 91004. Violations of Reporting Requirements; Civil Liability.

Any person who intentionally or negligently violates any of the reporting requirements of this title shall be liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount not more than the amount or value not properly reported.

History: Amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18427

§ 91005. Civil Liability for Campaign, Lobbyist, Conflict of Interest Violation.

(a) Any person who makes or receives a contribution, gift, or expenditure in violation of Section 84300, 84304, 86203, or 86204 is liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount up to one thousand dollars ($1,000) or three times the amount of the unlawful contribution, gift, or expenditure, whichever amount is greater.

(b) Any designated employee or public official specified in Section 87200, except an elected state officer, who realizes an economic benefit as a result of a violation of Section 87100 or of a disqualification provision of a conflict of interest code is liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount up to three times the value of the benefit.

History: Amended by Stats. 1997, Ch. 455, effective September 24, 1997; amended by Stats. 2000, Ch. 130.

§ 91005.5. Civil Penalties.

Any person who violates any provision of this title, except Sections 84305, 84307, and 89001, for which no specific civil penalty is provided, shall be liable in a civil action brought by the commission or the district attorney pursuant to subdivision (b) of Section 91001, or the elected city attorney pursuant to Section 91001.5, for an amount up to five thousand dollars ($5,000) per violation.

No civil action alleging a violation of this title may be filed against a person pursuant to this section if the criminal prosecutor is maintaining a criminal action against that person pursuant to Section 91000.

The provisions of this section shall be applicable only as to violations occurring after the effective date of this section.

History: Amended by Stats. 1982, Ch. 727; amended by Proposition 208 of the November 1996 Statewide General Election; Repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 91006. Joint and Several Liability.

If two or more persons are responsible for any violation, they shall be jointly and severally liable.

History: Amended by Proposition 208 of the November 1996 Statewide General Election; repealed and added by Stats. 2000, Ch. 102 [Proposition 34 of the November Statewide General Election].

§ 91007. Procedure for Civil Actions.

(a) Any person, before filing a civil action pursuant to Sections 91004 and 91005, must first file with the civil prosecutor a written request for the civil prosecutor to commence the action. The request shall include a statement of the grounds for believing a cause of action exists. The civil prosecutor shall respond to the person in writing, indicating whether he or she intends to file a civil action.

(1) If the civil prosecutor responds in the affirmative and files suit within 120 days from receipt of the written request to commence the action, no other action may be brought unless the action brought by the civil prosecutor is dismissed without prejudice as provided for in Section 91008.

(2) If the civil prosecutor responds in the negative within 120 days from receipt of the written request to commence the action, the person requesting the action may proceed to file a civil action upon receipt of the response from the civil prosecutor. If, pursuant to this subdivision, the civil prosecutor does not respond within 120 days, the civil prosecutor shall be deemed to have provided a negative written response to the person requesting the action on the 120th day and the person shall be deemed to have received that response.

(3) The time period within which a civil action shall be commenced, as set forth in Section 91011, shall be tolled from the date of receipt by the civil prosecutor of the written request to either the date that the civil action is dismissed without prejudice, or the date of receipt by the person of the negative response from the civil prosecutor, but only for a civil action brought by the person who requested the civil prosecutor to commence the action.

(b) Any person filing a complaint, cross-complaint or other initial pleading in a civil action pursuant to Sections 91003, 91004, 91005, or 91005.5 shall, within 10 days of filing the complaint,

cross-complaint, or initial pleading, serve on the Commission a copy of the complaint, cross-complaint, or initial pleading or a notice containing all of the following:

(1) The full title and number of the case.

(2) The court in which the case is pending.

(3) The name and address of the attorney for the person filing the complaint, cross-complaint, or other initial pleading.

(4) A statement that the case raises issues under the Political Reform Act.

(c) No complaint, cross-complaint, or other initial pleading shall be dismissed for failure to comply with subdivision (b).

History: Amended by Stats. 1985, Ch. 1200; amended by Stats. 1999, Ch. 577, effective September 29, 1999.

§ 91008. Judgment on the Merits; Precedence; Dismissal.

Not more than one judgment on the merits with respect to any violation may be obtained under Sections 91004 and 91005. Actions brought for the same violation or violations shall have precedence for purposes of trial in order of the time filed. Such actions shall be dismissed once judgment has been entered or a settlement approved by the court in a previously filed action. The court may dismiss a pending action without prejudice to any other action for failure of the plaintiff to proceed diligently and in good faith. The action may be so dismissed on motion of the civil prosecutor or any plaintiff in an action based on the same violation.

§ 91008.5. Civil Action Precluded by Commission Order.

No civil action may be filed under Section 91004, 91005, or 91005.5 with regard to any person for any violations of this title after the Commission has issued an order pursuant to Section 83116 against that person for the same violation.

History: Added by Stats. 1984, Ch. 670.

§ 91009. Considerations; Liability.

In determining the amount of liability under Sections 91004 or 91005, the court may take into account the seriousness of the violation and the degree of culpability of the defendant. If a judgment is entered against the defendant or defendants in an action brought under Section 91004 or 91005, the plaintiff shall receive fifty percent of the amount recovered. The remaining fifty percent shall be deposited in the General Fund of the state. In an action brought by the civil prosecutor, the entire amount recovered shall be paid to the general fund or treasury of the jurisdiction.

§ 91010. Campaign Disclosure Violations; Request to Civil Prosecutor.

No request to the civil prosecutor pursuant to Section 91007 shall be made or filed in connection with a report or statement required by Chapter 4 (commencing with Section 84100) until the time when an audit and investigation could be begun under subdivision (c) Section 90002.

History: Amended by Stats. 1992, Ch. 405.

§ 91011. Statute of Limitations.

(a) No civil action alleging a violation in connection with a report or statement required by Chapter 4 (commencing with Section 84100) of this title shall be filed more than four years after an audit could begin as set forth in subdivision (c) of Section 90002.

(b) No civil action alleging a violation of any provisions of this title, other than those described in subdivision (a), shall be filed more than four years after the date the violation occurred.

History: Amended by Stats. 1978, Ch. 1411; amended by Stats. 1980, Ch. 742; amended by Stats. 1997, Ch. 455, effective September 24, 1997.

§ 91012. Costs; Attorney Fees; Bond.

The court may award to a plaintiff or defendant other than an agency, who prevails in any action authorized by this title his costs of litigation, including reasonable attorney's fees. On motion of any party, a court shall require a private plaintiff to post a bond in a reasonable amount at any stage of the litigation to guarantee payment of costs.

§ 91013. Late Filing of Statement or Report; Fees.

(a) If any person files an original statement or report after any deadline imposed by this act, he or she shall, in addition to any other penalties or remedies established by this act, be liable in the amount of ten dollars ($10) per day after the deadline until the statement or report is filed, to the officer with whom the statement or report is required to be filed. Liability need not be enforced by the filing officer if on an impartial basis he or she determines that the late filing was not willful and that enforcement of the liability will not further the purposes of the act, except that no liability shall be waived if a statement or report is not filed within 30 days for a statement of economic interest, other than a candidate's statement filed

pursuant to Section 87201, five days for a campaign statement required to be filed 12 days before an election, and 10 days for all other statements or reports, after the filing officer has sent specific written notice of the filing requirement.

(b) If any person files a copy of a statement or report after any deadline imposed by this act, he or she shall, in addition to any other penalties or remedies established by this chapter, be liable in the amount of ten dollars ($10) per day, starting 10 days, or five days in the case of a campaign statement required to be filed 12 days before an election, after the officer has sent specific written notice of the filing requirement and until the statement is filed.

(c) The officer shall deposit any funds received under this section into the general fund of the jurisdiction of which he or she is an officer. No liability under this section shall exceed the cumulative amount stated in the late statement or report, or one hundred dollars ($100), whichever is greater.

History: Amended by Stats. 1975, Ch. 915, effective September 20, 1975, operative January 7, 1975; amended by Stats. 1977, Ch. 555; amended by Stats. 1985, Ch. 1200; amended by Stats. 1993, Ch. 1140.

References at the time of publication (see page 3):

Opinions: In re Wood (2000) 13 FPPC Ops. 21
In re Layton (1975) 1 FPPC Ops. 113
In re Rundstrom (1975) 1 FPPC Ops. 188

§ 91013.5. Collection of Penalties.

In addition to any other available remedies, the Commission or the filing officer may bring a civil action and obtain a judgment in small claims, municipal, or superior court, depending on the jurisdictional amount, for the purpose of collecting any unpaid monetary penalties, fees, or civil penalties imposed pursuant to this title. The venue for this action shall be in the county where the monetary penalties, fees, or civil penalties were imposed by the Commission or the filing officer. In order to obtain a judgment in a proceeding under this section, the Commission or filing officer shall show, following the procedures and rules of evidence as applied in ordinary civil actions, all of the following:

(a) That the monetary penalties, fees, or civil penalties were imposed following the procedures set forth in this title and implementing regulations.

(b) That the defendant or defendants in the action were notified, by actual or constructive notice, of the imposition of the monetary penalties, fees, or civil penalties.

(c) That a demand for payment has been made by the Commission or the filing officer and full payment has not been received.

History: Added by Stats. 1984, Ch. 670.

§ 91014. Applicability of Other State Law.

Nothing in this chapter shall exempt any person from applicable provisions of any other laws of this state.

§ 91015. Liability for Violations; Criminal and Civil. [Repealed]

History: Added by Stats. 1984, Ch. 670; repealed by Proposition 208 of the November 1996 Statewide General Election.

APPENDIX I

Uncodified Sections of Proposition 34

SEC. 83.

This act shall become operative on January 1, 2001. However, Article 3 (commencing with Section 85300), except subdivisions (a) and (c) of Section 85309, Section 85319, Article 4 (commencing with Section 85400), and Article 6 (commencing with Section 85600), of Chapter 5 of Title 9 of the Government Code shall apply to candidates for statewide elective office beginning on and after November 6, 2002.

(Amended by Stats. 2001, Ch. 241, effective September 4, 2001.)

References at the time of publication (see page 3):

Regulations: 2 Cal. Code of Regs. Section 18531.6

SEC. 84.

The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 85.

(a) A special election is hereby called to be held throughout the state on November 7, 2000. The election shall be consolidated with the statewide general election to be held on that date. The consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot shall be used.

(b) Notwithstanding Section 9040 of the Elections Code or any other provision of law, the Secretary of State, pursuant to subdivision (b) of Section 81012 of the Government Code shall submit this act for approval to the voters at the November 7, 2000, statewide general election.

SEC. 86.

This is an act calling an election pursuant to paragraph (3) of subdivision (c) of Section 8 of Article IV of the California Constitution, and shall take effect immediately.

APPENDIX II

Summary of Opinions

Adams, Janet, California Coastal Alliance, Inc.
(1976) 2 FPPC Ops. 127 75-173

A lobbyist may perform volunteer personal services on behalf of an elected state officer who is campaigning for election to local office so long as, while doing so, the lobbyist does not engage in any of the activities prohibited by Section 86202. The definition of contribution excludes volunteer personal services and this exclusion is applicable to lobbyists.

Alperin, Anthony Saul, Deputy City Attorney, Los Angeles
(1977) 3 FPPC Ops. 77 76-084

Section 87309(c) prohibits code reviewing bodies from exceeding the requirements of Section 87302 by approving conflict of interest codes which designate positions that do not entail the "making or participating in the making of governmental decisions," or which require disclosure of financial interests that may not foreseeably be affected materially by the decisions made or participated in by employees holding any designated position.

Atlantic-Richfield Co.
(1975) 1 FPPC Ops. 147 75-078-A

The first lobbyist reports required to be filed under the Act must cover all of the activities of the lobbyist for the month in which the lobbyist first qualified or registered as a lobbyist.

Augustine, John H., Union Oil Co.
(1975) 1 FPPC Ops. 69 75-064

A committee is required to have a treasurer. However, there is no requirement that the person designated "committee treasurer" of a corporation who qualifies as a committee be the same person who for corporate purposes holds the title "treasurer." Any responsible person may be named for verifying and signing campaign reports.

Baty, David R., Municipal Court Judge, Marin County
(1979) 5 FPPC Ops. 10 77-011

The corporations in question are headquartered outside the state but have manufacturing or distribution facilities in the state and sell products throughout the state on a regular basis. Their duties qualify them as doing business in the jurisdiction and thus make investments of $1,000 or more in those corporations reportable.

Bell, Charles H., California Political Attorneys Assn.
(1988) 11 FPPC Ops. 1 88-002

Proposition 73, enacted by a greater number of affirmative votes, prevails over Proposition 68 where the two measures conflict. Contribution limits of Proposition 68 do not survive passage of Proposition 73.

Note: The Court of Appeal in Taxpayers to Limit Campaign Spending v. FPPC (Case No. B039177) ruled that numerous provisions of Proposition 68 are not in irreconcilable conflict with Proposition 73, and therefore survive passage of Proposition 73. The California Supreme Court in Taxpayers to Limit Campaign Spending v. FPPC, 51 Cal.3d 744 (1990), reversed the court of appeal and held that only the provisions of the measure receiving the highest affirmative vote became operative upon adoption; thus Proposition 68 was inoperative in its entirety.

Biondo, Vincent F. Carlsbad
(1975) 1 FPPC Ops. 54 75-036

A mayor who owns stock in a gas and electric company may not participate in decisions relating to the company. The mayor is prohibited from participating in decisions and from chairing meetings during consideration of such matters.

Chairing the meeting would constitute participation pursuant to Section 87100 and would be prohibited.

Blenkle, Joe, Western Fairs Assn.
(1975) 1 FPPC Ops. 37 75-023

A nonprofit organization which promotes fairs may continue to give gifts of lifetime fair credentials to public officials so long as the gifts are made by a board acting completely independently of the manager and executive secretary, who are registered as lobbyists for another organization. The lobbyists may not participate in the making of the gifts.

Board of Directors, Marin Municipal Water District
(1975) 1 FPPC Ops. 198 75-089

Directors of a municipal water district who hold significant interests in business entities which may be affected by the district's decisions on requests for variances and the lifting of a moratorium on new water

connections must disqualify themselves when the decisions will have a foreseeable material financial effect, distinguishable from their effect on the public generally, on the directors' interests.

Bonfa, Don, City Attorney, Huntington Beach
(1976) 2 FPPC Ops. 146 76-033

A project area committee is not a "local government agency" since it can neither initiate nor veto governmental action, but rather only makes nonbinding studies and recommendations; it does not have decision-making authority within the meaning of 2 Cal. Code of Regs. Section 18700(a)(1).

OVERRULED by Rotman, Doreet
10 FPPC 1 (No. 86-001, May 12,1987)

Boreman, Gilbert H., Registrar of Voters, San Francisco
(1975) 1 FPPC Ops. 101 75-056

A registrar of voters should accept a declaration of candidacy which is filed without the required financial disclosure statement, but should notify the candidate of the requirement to file a disclosure statement and of the penalties for filing late.

Brown, F. MacKenzie, City Attorney, San Clemente
(1978) 4 FPPC Ops. 19 77-024

Although ownership of land in a municipal improvement district may not result in disqualification in every case, under the facts of this case it is reasonably foreseeable that decisions concerning the formation of and assessment for the municipal improvement district will have a material financial effect, distinguishable from its effect on the public generally, on the financial interests of the council members who own property in the district. Therefore, the council members may not participate in any decisions concerning formation of or assessments for the district.

Downtown commercial property owners do not constitute a significant segment of the publicgenerally in a situation in which approximately 50 percent of the commercial property in the city is located outside the proposed downtown assessment district and in which downtown commercial property owners will reap direct benefits and incur direct costs that will not be shared by other commercial property owners in the city.

Brown, Willie, Assemblyman
(1975) 1 FPPC Ops. 67 75-055

Payments made to a legislator for transportation or attendance at various meetings connected with his political activities are not reportable on the candidate's campaign statements so long as they are made for bona fide political expenses and are reported by the campaign committee. Such payments are neither gifts nor income within the meaning of Section 87207.

Buchanan, Douglas, Attorney
(l979) 5 FPPC Ops. 14 78-013

When a candidate uses his personal funds to pay expenses for litigation aimed at maintaining his status as a candidate, the payments should be reported by the candidate as a contribution to himself.

Bunyan, S. Wyanne, Secretary of State's Office
(1976) 2 FPPC Ops. 10 76-003

If each voter receives a copy of the English language state ballot pamphlet, the minority language translations need not comply with the content and format requirements of the Political Reform Act; if the minority language translations are part of the ballot pamphlet, the requirements of Section 88005 must be observed. The purpose of providing a clear and understandable ballot pamphlet to the average voter would be frustrated if English, Spanish and Chinese provisions were intermingled.

Burciaga, Donald C. The Friends of Alex V. Garcia
(1976) 2 FPPC Ops. 17 75-161

A merchant who permits a candidate to distribute to the voters a coupon which provides price discounts when it is presented to the merchant in connection with the purchase of specific goods or services has not made a contribution because the merchant received full and adequate consideration in the form of free advertising, the prospect of volume sales and the possibility that customers will purchase other goods and services when redeeming their coupons.

All expenditures incurred in connection with the publication and distribution of the newsletter and accompanying coupons must be reported by the candidate on his campaign statement.

California Labor Federation, AFL-CIO
(1975) 1 FPPC Ops. 28 75-004

Organizations like the California Labor Federation are not lobbyists and, as employers of lobbyists, are not prohibited from making political campaign contributions. Officers of the Federation who are lobbyists may not participate in the making of Federation endorsements of candidates because the endorsement process is so closely related to the ultimate contributions as to constitute arranging contributions. A lobbyist may not serve as the chairman or director of an organization whose chief activities include the making of political contributions.

Note: The California Supreme Court in FPPC v. Superior Court (IGA), 25 Cal. 3d 33 (1979), ruled that Section 86202 which prohibited lobbyists from making political contributions is unconstitutional.

California Republican Party
(1999) 13 FPPC Ops. 1 0-99-047

Funds raised for a political party from an agreement with a credit card issuer may not be a "contribution" under the Political Reform Act if full and adequate "consideration" exists. Under these facts, consideration exists because as part of its agreement with the party, the credit card issuer receives mailing lists, a free booth at party conventions, and advertising space in party publications, and in exchange the party receives a licensing fee for each new account and a small percentage of each new customer's monthly credit card bill. This conclusion assumes that no party literature is sent with the credit card solicitations and the party does not receive terms more favorable than those received by other fund-raising sponsors involved in similar arrangements. There is no presumption that full and adequate consideration exists in business transactions such as the one between a political party and a credit card issuer.

Callanan, Sands and Hill
(1978) 4 FPPC Ops. 33 77-036

Industry members of the Funeral Board are not required to disqualify themselves from consideration of a motion to require consent of next of kin before embalming because the funeral industry constitutes a significant segment of the public and, consequently, the effect of the decision will not be distinguishable from its effect on the public generally.

Cannon, W. Dean, Jr., Committee for Support of ACA31
(1976) 2 FPPC Ops. 133 76-001

Certain payments made in connection with the mailing of political advertisements by savings and loan associations to their customers are expenditures and, therefore, are includable for the purpose of determining whether a member association is a committee. Certain payments made in connection with displaying counter signs are expenditures and, therefore, are includable for the purpose of determining whether a member association is a committee.

Carey, Scott T., Councilmember, Palo Alto
(1977) 3 FPPC Ops. 99 76-087

To determine the pro rata share of income from a real estate brokerage firm in order to determine whether the fee paid by any one client meets the $1,000 reporting threshold: (1) the percentage the firm pays to the salesperson who produced the commission may first be deducted; (2) overhead expenses incurred by the firm may not be deducted; and (3) the ownership interest percentage should be used.

Note: The California Supreme Court in Hays v. Wood, 25 Cal. 3d 772 (1979), ruled that Section 87207(b)(2) which required attorneys and brokers to disclose certain clients at the $1,000 threshold is unconstitutional.

Carothers, Wayne T., California Teachers Assn.
(1975) 1 FPPC Ops. 122 75-123

A lobbyist who runs for state office does not create any legal liabilities for his employer but may impose additional reporting requirements on the employer. The salary paid to the lobbyist is an exchange with a state candidate and must be reported. Thus, if the lobbyist continues to work as a lobbyist during the time he is running for elective state office, his employer must report salary payments to him both as exchanges with a state candidate and as a lobbyist's salary.

The unlawful gift prohibitions do not apply when a lobbyist running for elective state office makes, acts as an agent or intermediary in the making, or arranges for the making of a contribution to himself or his controlled committees.

Carson, John M., Attorney
(1975) 1 FPPC Ops. 46 75-031

The process of trademark registration is "quasi-judicial" rather than "quasi-legislative." Thus, an attorney's activities in registering clients' trademarks do not constitute attempting to influence administrative action and the attorney need not register as a lobbyist.

Christiansen, James R., Goleta Valley Today
(1975) 1 FPPC Ops. 170 75-082

A newspaper editorial is neither a contribution nor an expenditure. Therefore, a newspaper publisher is not required to file campaign statements by reason of publishing editorials. However, the costs of reproducing an editorial in an advertising circular, flyer or handbill which does not routinely contain news of a general character and of general interest may be reportable as an expenditure.

Cline, Robert C., Assemblyman
(1975) 1 FPPC Ops. 150 75-093

An exchange between a lobbyist and an official involving the breeding of their dogs does not need to be reported because the contract was entered into before the effective date of the Act.

Cohen, Les H., Advocation, Inc.
(1975) 1 FPPC Ops. 10 75-006

The selection of a contractor for the mailing of a legislator's newsletter does not constitute legislative action. Therefore, employees of the contract mailing firm are not required to register as lobbyists.

Cory, Kenneth, State Controller
(1975) 1 FPPC Ops. 99 75-047

The receipt of a parking pass from the California State University for use while on official business at any university or campus is a reportable gift and is valued at the fair market value of the item.

OVERRULED by Thomas
(1977) 3 FPPC Ops. 30

Cory, Kenneth, State Controller
(1976) 2 FPPC Ops. 48 75-094-A

Gifts received by the spouse of an elected state officer are the separate property of the spouse and do not have to be disclosed. Gifts to the children are not income to the state officer and do not have to be disclosed. However, a gift ostensibly made to the spouse or dependent child of an elected official will be considered a gift to the official if the nature of the gift is such that (1) the official is likely to enjoy direct benefit or use of the gift to at least the same extent as the donee; (2) the official in fact enjoys such direct benefits or use; and (3) there are no additional circumstances negating an intent to make an indirect gift to the official.

Cory, Ken, State Controller
(1975) 1 FPPC Ops. 153 75-094-B

A public official may determine the value of a unique gift by making a reasonable estimate based on a good faith effort; there is no need to retain the services of an outside appraiser.

Volunteer assistance received by a public official from a neighbor in repairing a fence or structure is not considered a gift.

Cory, Kenneth, State Controller
(1975) 1 FPPC Ops. 137 75-094-C

A public official has no reporting obligations by virtue of attending a political fund raising dinner at the invitation of the sponsors without purchasing a ticket. This conclusion is not altered by the fact that the public official attends the dinner for the specified purpose of making a speech.

In determining the value of unique items received as gifts by a public official, a reasonable estimate based on a good faith effort to ascertain the value of the gifts will suffice. There is no need to retain the services of an outside appraiser.

Curiel, Robert D., Humboldt County Counsel
(1983) 8 FPPC Ops. 1 83-003

An agency, other than a "legislative body" as defined in 2 Cal. Code of Regs. Section 18438. 1 (a), is a "quasi-judicial board or commission" within the meaning of Government Code Section 84308 when it engages in "quasi-judicial" proceedings, as that term has been defined by the courts.

Dennis-Strathmeyer, Jeffrey A.
(1976) 2 FPPC Ops. 61 75-117

Candidates for federal office are required to file copies of campaign statements only with those persons specified by federal law.

Dixon, Elliott J.
(1976) 2 FPPC Ops. 70 75-187

A lobbyist may perform volunteer personal services on behalf of an elected state officer who is campaigning for election to local office so long as, while doing so, the lobbyist does not engage in any of the activities prohibited by Section 86202. The definition of "contribution" excludes volunteer personal services and this exclusion is applicable to lobbyists.

Note: The California Supreme Court in FPPC v. Superior Court (IGA), 25 Cal. 3d 33 (1979), ruled that Section 86202 which prohibited lobbyists from making political contributions is unconstitutional.

Elmore, Gilbert E., Administrative Law Judge
(1978) 4 FPPC Ops. 8 77-021

Earnings of sums withheld from salary by the state pursuant to the retirement system and the various deferred compensation plan options held for ultimate distribution after retirement are not income.

Sums withheld by the state pursuant to the Public Employees Retirement System are not investments.

Evans, James L., United Transportation Union
(1978) 4 FPPC Ops. 54 78-008-A

(1) In determining whether an employee of an entity has become a lobbyist pursuant to 2 Cal. Code of Regs. Section 18239 or determining whether an employee has spent 10 percent of his compensated time in lobbying activity pursuant to 2 Cal. Code of Regs. Section 18620, all the time spent attending an administrative hearing should be counted. (2) Pursuant to 2 Cal. Code of Regs. Section 18239(e)(3)(B), a person becomes a lobbyist by spending a total of 40 hours in administrative testimony before one or more agencies and a total of one hour in direct contact with the officials of the agency or agencies to which the administrative testimony was directed.

In determining whether an employee of an entity has become a lobbyist, the time spent by an agent or other employee of that entity should be attributed to the employee only if the agent or other employee acts under the direct supervision or direct orders of the employee in order to aid or promote the employee's lobbying activity.

A state agency should be listed on a lobbyist's registration statement if it is foreseeable that the lobbyist will attempt to influence that agency.

A lobbyist employer must report lobbying activity and expenses of an employee in connection with attempts to influence an agency not listed on the registration statement of the employer's lobbyist if the lobbyist employer also qualifies as a $250 filer.

Note: Legislation has changed the Act so that only persons who spend $5,000 in a quarter (rather than $250 a month) need file.

Evans, J. L., United Transportation Union
(1978) 4 FPPC Ops. 84 78-008-B

Proceedings before the PUC involving Southern Pacific and Airportransit passenger service are not administrative action. However, under the circumstances presented here, the PUC proceedings pursuant to an Order Instituting Investigation and examining Southern Pacific commuter services are administrative actions. Because the Southern Pacific discontinuance proceedings are combined with proceedings pursuant to the Order Instituting Investigation, the discontinuance proceeding must be considered administrative action.

Ferraro, John, Councilmember, Los Angeles
(1978) 4 FPPC Ops. 62 78-009

The interests of owners of three or fewer rental units will not be affected by a rent control ordinance in a manner distinguishable from the effect upon a significant segment of the public generally, and therefore the councilmembers are not disqualified from participating in decisions regarding the rent control ordinance. Since each councilmember in this case owns only one rental unit, each may participate in and vote on the rent control ordinance.

Fontana, Mark, Isla Vista Community Council
(1976) 2 FPPC Ops. 25 75-162

A reorganization proposal which is not placed on the ballot until approved by the local agency formation commission and board of supervisors does not become a measure until the supervisors order it placed on the ballot. Consequently, expenditures in support of the proposal made prior to that time do not have to be reported. This conclusion would be the same whether or not the proposal ultimately is placed on the ballot.

Galligan, Joe, City Councilmember, Burlingame
(2000) 14 FPPC Ops. 1 0-00-045

On the facts presented, it was not reasonably foreseeable that a decision whether to certify an environmental impact report would have a material financial effect on a city council member's economic interest in the bank that held the mortgage on the subject property. Additionally, the Commission decided not to interpret Regulation 18706, which requires that the material financial effect occur *as a result* of the governmental decision, to require that the effect be one that would not occur but for the decision. Instead, the only causation required is that enunciated in *In re Thorner*: that a material financial effect be substantially likely. ((1975) FPPC Ops. 198.)

Gilchrist, John P.
(1975) 1 FPPC Ops. 82 75-014

No reporting requirements apply to the spouse of a lobbyist who is engaged in a business which provides a reception attended by legislators and state officials so long as the spouse does not act as the lobbyist's agent and does not arrange for gifts to the officials.

Gillies, Dugald, Calif. Assn. of Realtors
(1975) 1 FPPC Ops. 110 75-062

The California Association of Realtors is sponsoring a luncheon which will be attended by approximately 700 persons, including about 70 legislators. The legislators will be invited as guests of the association. The other attendees will pay for the cost of their luncheon tickets. The cost of the tickets will be set at an amount to offset the cost of the guests and other overhead. In reporting the cost of the luncheon, the association must report the name of each legislator who attended as a guest and the total amount paid for their benefit. The Act does not require an individual listing of the value accruing to each beneficiary. It is not necessary for the name of every person attending and participating to be listed as a beneficiary.

Note: The California Supreme Court in FPPC v. Superior Court (IGA), 25 Cal. 3d 33 (1979), ruled that former Section 86107(d) and (e) and former Section 86109(d) and (e), which required the reporting of exchanges, are unconstitutional.

Gillies, Dugald, Calif. Assn. of Realtors
(1975) 1 FPPC Ops. 165 75-063

A payment of $250 or more during a month made by a local board of realtors to reimburse individuals for expenses incurred in attending Legislation Day and an association board of directors meeting is a payment to influence legislative or administrative action. This conclusion is not altered by the fact that the legislator pays the cost of his own dinner.

Local real estate boards which spend $250 or more during a month to reimburse their members for expenses incurred in attending a Legislative Day sponsored by the California Association of Realtors and an association board of directors meeting would not become employers of lobbyists but would be required to file reports pursuant to former Section 86108(b) (now Section 86115(b)).

Note: Legislation has changed the Act so that only persons who spend $5,000 in a quarter (rather than $250 a month) need file.

Gillmor, Gary G., Mayor, Santa Clara
(1977) 3 FPPC Ops. 38 76-089

Redevelopment zones are created for the precise purpose of upgrading portions of a community and creating a positive financial impact on investments and property values in the zone. Thus it is intended and anticipated that redevelopment will have a financial impact on real property and businesses located in and near the redevelopment zone and such positive financial effects are therefore reasonably foreseeable.

Goddard, Merle J., Institute of Governmental Advocates
(1978) 4 FPPC Ops. 1 77-004

Luncheons sponsored by a lobbying organization do not constitute arrangement for gifts in excess of $10 per month. This is based on the fact that attendance at the luncheons by legislators was a random and infrequent occurrence. However, if the facts indicated an explicit or implicit agreement or understanding among the members to make gifts to an official totaling more than $10 per month, it would be a prohibited arrangement.

Goodwin, Robert E., Goleta County Water District
(1975) 1 FPPC Ops. 24 75-032

The words "compensation" and "salary" are equivalent. Elected officers are exempt from filing reports only if their actual average income for the previous six-month filing period is less than $100 per month.

Green, Donald C.
(1975) 1 FPPC Ops. 86 75-098

A lobbyist who advises his employer concerning the making of political campaign contributions has not

"arranged" for the making of a contribution unless (1) the lobbyist communicates with the employer with the intent of influencing the employer's decisions to make contributions and a contribution is made by the employer, and (2) the communication was an element in the making of the contribution. This test does not apply to factual material readily available to members of the public, such as voting and legislative records of public officials. Dissemination of factual information concerning a public official's voting record is not prohibited.

Grunsky, Donald L., Senator
(1975) 1 FPPC Ops. 158 75-115

A lobbyist employer must report exchanges with a business entity in which an elected official is a partner when the total value of such exchanges is $1,000 or more for that part of the calendar year that a lobbyist is employed.

Gutierrez, Annie M., Agricultural Labor Relations Board
(1977) 3 FPPC Ops. 44 76-081

By attending a reception given by a group of friends to celebrate his appointment to the bench, a judge received a gift which was equal to the per capita cost of giving the reception. In this case, the gift is not reportable because the per capita cost was less than $25 per person.

Hardie, George G., Golden State Greyhound Assn.
(1975) 1 FPPC Ops. 140 75-003

A person who receives no economic consideration, other than reimbursement for reasonable travel expenses, does not come under the definition of a lobbyist.

Hayes, Mayor Janet Gray, Dinner Committee
(1975) 1 FPPC Ops. 210 75-145

The proceeds from fundraising dinners retain their classification solely as campaign contributions and expenditures and are not gifts so long as they are used to support those activities related to the officeholder's responsibilities as an elected official and a future candidate.

Herr, Robert C., Del Monte Corporation
(1977) 3 FPPC Ops. 11 75-208

When salary payments to board members are reportable they are reportable as exchanges and not as payments to influence legislative or administrative action. Salary paid to an employee who serves on a board is an exchange if the board is a state agency because the member is an agency official. The exchange is reportable if the amount of salary paid to the employee exceeds $1,000 in a calendar year. The employer must report exchanges with other business entities which are represented on boards by their proprietors, partners, directors, officers, managers or persons having more than a 50 percent interest if the board is one which the employer attempts to influence within the meaning of 2 Cal. Code of Regs. Section 18600 and if the value of an exchange or exchanges with any such business entity exceeds $1,000 in a calendar year.

Public officials who are employees of Del Monte Corp. serving on agricultural boards and commissions are exempt, to the extent they are acting within the scope of their official duties, from the lobbyist reporting requirements. This exemption does not alter Del Monte's responsibility to report salary payments to such officials as exchanges.

Note: The California Supreme Court in FPPC v. Superior Court (IGA), 25 Cal. 3d. 33 (1979), ruled that former Section 86107(d) and (e), and Section 86109(d) and (e), which required reporting of exchanges, are unconstitutional.

Hicks, Joyce M., Assistant City Attorney, Oakland
(1999) 13 FPPC Ops. 11 0-99-314

The "rule of legally required participation" in Section 87101 does not apply to certain decisions made by the Mayor of Oakland pursuant to the City's Charter.

WITHDRAWN on November 3, 2000, in accordance with the writ of mandate issued by the First District Court of Appeal in the matter *Jerry Brown v. Fair Political Practices Commission*, (2000) 84 Cal.App.4th 137.

Hopkins, William P., City Attorney, Anaheim
(1977) 3 FPPC Ops. 107 77-022

Free tickets and passes which are customarily sent to city councilmembers and other city officials must be disclosed if they are worth $25 or more, unless they are not used at all and are returned to the donor within 30 days. This rule applies even if they are never used, used only occasionally or are given to some other person. The value of the tickets and passes is the fair market value; the Commission set forth factors to be considered in determining fair market value. The donor of a complimentary ticket which has a fair market value of

$250 or more is a source of income and, accordingly, the disqualification provisions would be applicable. The rule of necessity set forth in Section 87101 does not apply to a conflict of interest that arises because of gifts an official has accepted if it was reasonably foreseeable at the time the gift was received that the official would be asked to make or participate in a decision affecting the donor. The need for disqualification in these situations should be assessed under the standards set forth in Sections 87100 and 87103.

Horn, Rolf H., Del Monte Corp.
(1975) 1 FPPC Ops. 126 75-029

The pro rata share of a lobbyist's registration fee for a seminar which is used for honoraria for legislators and agency officials is not a gift or contribution because the seminar represented equal consideration for the registration fee. Furthermore, the registration/honoraria payments would not be reportable exchanges because they were independent transactions with the sponsors of the seminar. However, if the registration fee is paid through the lobbyist account it must be reported.

Hudson, Matthew, City Attorney, Anaheim
(1978) 4 FPPC Ops. 13 77-007

If a board cannot, as a result of board member disqualification, obtain a quorum in order to make decisions it is legally required to make, the board may bring back as many disqualified members as is necessary to establish a quorum. The preferred means of selecting which disqualified member should participate is by lot or other means of random selection. However, nothing in the Act prevents the use of other impartial and equitable means of selection.

Institute for Governmental Advocates
(1982) 7 FPPC Ops. 1 81-003

A lobbyist is acting as an agent in, or arranging for, the making of a gift by another when he or she: (1) takes any action involving contact with a third party which facilitates the making of the gift; (2) has any contact with the public official who is to be the recipient of the gift which facilitates the making of the gift.

Johnson, Ross
(1989) 12 FPPC Ops. 1 89-001

An Assembly member, who is a defendant in a civil lawsuit challenging the outcome of an election, will incur considerable legal expenses. Contributions raised to finance his legal defense are contributions subject to the limits of Proposition 73.

Juvinall, Ralph, Republican Consultants
(1976) 2 FPPC Ops.110 75-018-A

Once a person is a candidate, the mass mailing sender identification provisions apply regardless of whether the person has officially made a declaration of candidacy. Nothing in the Act prevents a candidate from delaying the declaration of candidacy to the 83rd day prior to the primary election, the last possible day on which a declaration must be filed.

The official newsletter of the Republican Central Committee of Orange County does not fall within the definition of "mass mailing" because it is sent only to subscribers who have requested it.

Kahn, Harry H., American Building, Maintenance Industries
(1976) 2 FPPC Ops. 151 75-185

When contributions are made by a parent corporation and its wholly owned subsidiaries, it is assumed that they are a "combination of persons." Accordingly, a parent corporation and its subsidiaries ordinarily must file campaign statements as a major donor committee if their combined contributions total $5,000 or more in a calendar year. A contrary conclusion can be reached only when it is clear from the surrounding circumstances that the parent corporation and its subsidiaries acted completely independently of each other. If the parent corporation made no contributions, the conclusion would be the same.

Kavanagh, Dennis, A-K Associates, Inc.
(1975) 1 FPPC Ops. 42 75-028

It is prohibited for four lobbyists to host one dinner per month for legislators, even though no lobbyist spends more than $10 per legislator per month because the dinners are arranged by the lobbyists jointly and the lobbyists would therefore be arranging for the making of a gift by other persons aggregating more than $10 per month per person.

Kelly, Carl A., County Clerk, El Dorado
(1975) 1 FPPC Ops. 162 75-134

The deposit of money with the clerk's office is an advance payment for services to be rendered and must be reported pursuant to Sections 84200, et seq., unless

the refund is received by the candidate prior to the closing date for filing the first campaign statement.

A person seeking elective office under the uniform District Election Law who is subsequently appointed to office need not file campaign statements unless funds are received or expended by that person or on his or her behalf with a view toward bringing about the person's nomination or election to office.

Kovall, Gary, Los Angeles County Bar Assn.
(1978) 4 FPPC Ops. 95 78-012

Expenses incurred by a county bar association in connection with direct communication with elective state or legislative officials concerning drafting or proposing legislation are reportable as payments to influence once there is direct communication with elective state or legislative officials concerning the legislation.

An employer's reimbursements for food, lodging and travel expenses of an employee who communicates directly with legislative officials as a member of a bar association's committee on legislation will not incur a reporting obligation if the employee's attempts to influence legislative action are not related to the work of the employer or if the employer has a uniform policy of allowing employees to engage in outside activities during normal working hours.

Layton, Rex E., City Clerk, Los Angeles
(1975) 1 FPPC Ops. 113 75-072

Late filing fees should not be assessed if a campaign statement is submitted on an incorrect form so long as all required information is included and the correct form is filed promptly. However, late filing fees should be assessed if unsigned forms are filed.

Leach, Charles F., Assistant City Attorney, Bakersfield
(1978) 4 FPPC Ops. 48 76-092

Neither the downtown business association nor the chamber of commerce is a local government agency. Therefore, neither organization need adopt a conflict of interest code. The employees and board members of these organizations are not consultants and need not be included in the city's conflict of interest code.

League of California Milk Producers
(1975) 1 FPPC Ops. 13 75-015

The employer of a lobbyist has not engaged in an exchange when its insurance company settles a claim arising from an auto accident between one of its employees and a legislator so long as the employee took no part in the settlement negotiations.

Legan, Thomas L. County Supervisor, Santa Clara County
(1985) 9 FPPC Ops. 1 85-001

An official's employer, which was a major landowner in the hillside zone, would be affected in a manner distinguishable from the effect upon the general public with respect to a pending decision to double the permissible density on hillside property. The effect upon the value of the employer's property was sufficiently large so as to be considered material.

Leonard, Carl A., Bay Area Rapid Transit
(1976) 2 FPPC Ops. 54 75-042

Persons engaged in representing Bay Area Rapid Transit in quasi-legislative proceedings before the Public Utilities Commission are attempting to influence administrative action. The safety director of BART is not a lobbyist as a result of communicating with the PUC staff in compliance with a PUC order.

Lucas, Steven S.
(2000) 14 FPPC Ops. 14 0-00-157

For purposes of the permanent ban on certain types of post-government employment, a former Deputy Director of the Board of Equalization has "participated" in a decision when the official has taken part "personally and substantially" in it through various enumerated means. Where the official was responsible primarily for creation and implementation of general policies and had no personal involvement in the individual audits conducted by subordinate agency employees, the official will not be deemed to have "participated" in those audits for purposes of the permanent ban.

Lui, Elwood, Associate Justice, Court of Appeal
(1987) 10 FPPC Ops. 10 87-001

A judge who, in 1985 or thereafter, makes any contributions from personal funds must file campaign statements for the year in which the contributions were made. Contributions made by the judge's spouse from community property funds are considered to be contributions made by the judge. The judge's campaign filing obligation exists regardless of whether the judge

was running for office or whether the contributions were related to the judge's own candidacy.

Lumsdon, Thomas G., Attorney
(1976) 2 FPPC Ops. 140 75-205

When an individual and a closely held corporation in which the individual is the majority shareholder make contributions of the type described in Section 82013(c), it is assumed that they are a "combination of persons" which is attempting to influence the voters for or against the nomination or election of a candidate or the passage or defeat of a measure.

Accordingly, the individual and the corporation ordinarily must file campaign statements as a major donor committee if their combined contributions total $5,000 or more. A corporation and an individual who is both the corporation president and a trustee in a foundation which owns the stock of the corporation need not cumulate contributions for the purpose of determining whether the corporation and the individual are a major donor committee unless there is an agreement or mutual understanding, expressed or implied, that corporate and personal funds will be contributed toward the accomplishment of a common goal.

Lunardi, Paul J.
(1975) 1 FPPC Ops. 97 75-046

A golf tournament held by a lobbyist and attended by public officials who pay their own entry fees does not constitute a gift so long as the entry fees paid by the officials cover the costs of the tournament.

Maloney, R. J., District Attorney, Glenn County
(1977) 3 FPPC Ops. 69 76-082

In performing engineering and survey work for the county on a contract basis, the county surveyor-engineer is not acting in the capacity of a "member, officer, employee or consultant of a state or local government agency," and therefore is not a "public official" subject to the conflict of interest provisions.

Masini, H. L., County Clerk, Fresno
(1976) 2 FPPC Ops. 38 75-171-B

The governing board of a district which pays or offers to pay for the cost of candidate qualification statements would not become a committee. The district would not become a committee by virtue of purchasing space in a voters' pamphlet for the purpose of presenting arguments on both sides of a ballot measure. Therefore, the district would not be required to file a statement of organization or campaign statements.

McCarthy, P. H., State Building and Construction Trades Council
(1975) 1 FPPC Ops. 50 75-035

The State Building and Construction Trades Council is a state body of affiliated local building and construction trade councils, craft councils and local unions which employs a lobbyist and participates in political activities and makes contributions. The council may continue its political activities. No restrictions are imposed on the elected officers of the council so long as they are not lobbyists. An employee who spends 40 hours lobbying in a two-month period is required to register as a lobbyist regardless of the amount of his compensation. The $1,000 test is an additional one applied to a person not spending 40 hours in lobbying activities.

McCormick, W. A., Los Angeles County Almanac
(1976) 2 FPPC Ops. 42 75-140

Donations received for the purpose of printing and distributing a political almanac are not contributions and, therefore, income from the sale of the almanacs should be reported by the committee as miscellaneous receipts.

Meyers, John, Republican Central Committee of Orange County
(1976) 2 FPPC Ops. 110 75-018

Once a person is a candidate, he is subject to the mass mailing sender identification provisions of the Act regardless of whether he has officially declared his candidacy.

The official newsletter of the Republican Central Committee of Orange County does not fall within the definition of "mass mailing" because it is sent only to subscribers who have requested it.

Miller, Anthony L., Secretary of State's Office
(1978) 4 FPPC Ops. 26 77-032

The Secretary of State is not prohibited from including signed arguments and rebuttals in the ballot pamphlet by virtue of the fact that she has filed a declaration of candidacy. With respect to materials bearing her name, the Secretary of State may include her own name on the "certificate of correctness" required to be inscribed in the pamphlet, but after she has filed a declaration of

candidacy she is prohibited from including a signed letter to the voters in the pamphlet. A majority of the Commission was unable to reach agreement with respect to inclusion of the Secretary of State's name on the cover of the pamphlet and therefore the Commission gave no advice with respect to this question.

Miller, Edwin L., District Attorney, San Diego
(1976) 2 FPPC Ops. 91 75-125

A chartered city does not have the authority to enact an ordinance which differs from and supersedes the campaign finance disclosure provisions of the Political Reform Act. A chartered city may, however, enact an ordinance which imposes additional disclosure requirements if such additional requirements do not prevent compliance with the Act.

Montoya, Joseph, Senator
(1989) 12 FPPC Ops. 7 89-006

Funds received by an elected officer to defend against a criminal indictment, where the criminal charges alleged in the indictment concern the elected officer's conduct in his capacity as an officeholder, are contributions, and subject to the limits of Proposition 73.

Moore, Richard J., County Counsel, Alameda
(1977) 3 FPPC Ops. 33 76-074

Pension benefits are salary from a local government agency and therefore are not income. Thus, the agency providing the pension benefits is not a source of income to the retired member.

A retired member of a county retirement board would not be prohibited from voting on various specified issues because the pension benefits are "salary" from a local government agency and therefore are not "income." Thus, the agency providing the pension benefits is not a source of income to the retired member and the retired member does not have a "financial interest" in the decisions.

Morgan, Claude D., Church State Council, Pacific Union Conference of Seventh-Day Adventists
(1975) 1 FPPC Ops. 177 75-005

The tenets of the Seventh-Day Adventist Church forbid members from joining labor unions. Thus, lobbying activities undertaken for the purpose of opposing the union shop are exempted from the reporting requirements of Chapter 6 because such activities protect the right of church members to practice the tenets of their religion. Lobbying activities or payments to influence legislative action directed at reducing penalties for marijuana possession are not within the exemption of Section 86300 because the law in question does not affect the right of church members to practice the tenets of their religion.

Morrissey, John C., Pacific Gas & Electric Co.
(1975) 1 FPPC Ops. 104 75-065-C

A lobbyist is required to report the expense of a meal for another lobbyist if the expense is incurred in connection with his activities as a lobbyist.

Morrissey, John C., Pacific Gas and Electric Co.
(1975) 1 FPPC Ops. 130 75-066

Salary payments made by PG&E to its employees, some of whom may be legislative officials, agency officials, state candidates, or members of their immediate families, are not payments to influence legislative or administrative action.

Salary payments to company employees who are also legislative officials, agency officials, state candidates or members of the immediate families of such officials are reportable exchanges if the total salary paid exceeds $1,000 in a calendar year. Routine fringe benefits are not included in determining whether the employee has received in excess of $1,000, although benefits in lieu of wages are included. Salary payments are not payments to influence legislative and administrative action. The employer has no affirmative obligation to determine which employees are specified persons but must report on the basis of information in possession of the employer at the time of filing.

Morrissey, John C., Pacific Gas & Electric Co.
(1976) 2 FPPC Ops. 84 75-099

A member of the Bay Conservation and Development Commission's citizens advisory committee is not an agency official; therefore, salary payments to a member of the committee are not payments to influence legislative or administrative action. An employee who serves as a member of the committee is not a lobbyist in this case because the employee's duties are solely advisory.

Morrissey, John C., Pacific Gas & Electric Co.
(1976) 2 FPPC Ops. 120 75-120

The term "consultant" as used in the definitions of "legislative official" and "agency official" includes any

natural person who, under contract, provides information, advice, recommendation or counsel to the Legislature or a state agency, but does not include a person who (a) conducts research and arrives at conclusions with respect to his or her rendition of information, advice, recommendation or counsel independent of the control and direction of the agency or of any agency official, other than normal contract monitoring; and (b) beyond the rendition of information, advice, recommendation or counsel. Accordingly, independent contractors may be "consultants" if they are not excluded by the foregoing exceptions.

Naylor, Robert, Standard Oil Company of California
(1976) 2 FPPC Ops. 65 75-172

Salary payments and reimbursed expenses paid to an employee who participates on an engineers' advisory committee are not payments to influence legislative or administrative action because the employee's participation in the committee is not direct communication with an agency official carried out for the purpose of influencing administrative or legislative action.

Nejedly, John A., Senator
(1976) 2 FPPC Ops. 46 75-190

A state legislator is not prohibited from soliciting contributions of food, money or services for nonprofit organizations nor obligated to report such activities. A lobbyist may not, however, make a gift to the organization in order to obtain influence with the legislator.

Nida, Robert H., Automobile Club of Southern California
(1976) 2 FPPC Ops. 1 75-075-A

(1) Reporting hazardous traffic locations by an automobile club to state agencies and recommending corrective action does not constitute an attempt to influence administrative action; (2) the furnishing of data or factual materials will be reportable under certain circumstances; (3) commenting on proposed regulations constitutes an attempt to influence administrative action regardless of whether the comment is in response to a request from the agency; (4) discussion of enforcement policies with Highway Patrol personnel may constitute an attempt to influence administrative action.

Collection of an insurance premium is not a reportable exchange. Payments of claims may be reportable exchanges when made to specified persons in amounts of $1,000 or more.

Note: The California Supreme Court in FPPC v. Superior Court (IGA), 25 Cal. 3d 33 (1979), ruled that former Section 86107(d) and (e), and former Section 86109(d) and (e), which required the reporting of exchanges are unconstitutional.

Nida, Robert H., Automobile Club of Southern California
(1977) 3 FPPC Ops. 1 75-075-B

The occasional giving of publications and maps to legislators and agency officials does not constitute a gift because the materials are informational. Under some circumstances, however, the material could involve a reportable payment to influence legislative or administrative action.

The occasional giving of publications and maps to legislators and agency officials would involve a payment to influence under the following circumstances: providing the materials to support or assist the club's lobbyist when he is attempting to influence a matter pending before the Legislature or a state agency; providing the material to a state agency (including the Legislature) or to an agency official at the request or suggestion of the lobbyist when it is related to an attempt to influence; providing the materials as part of an effort to influence some specific legislative or administrative action pending, regardless of whether the club's lobbyist is involved in the effort; providing the materials directly to an official for his or her personal benefit; or providing the materials to the official for distribution to the public.

Nielsen, Vigo G., Dobbs & Nielsen
(1979) 5 FPPC Ops. 18 79-002

A major donor committee that makes in-kind contributions to a recipient committee is not required to report the names, addresses and salaries of the employees whose services constituted the in-kind contribution. The contribution must be reported as a payment to the recipient.

Nord, Steven F., Merced City Attorney
(1983) 8 FPPC Ops. 6 83-004

A limited partner has an investment in the controlling general partner of the limited partnership, if the limited partnership is "closely held." This can require disqualification both as to decisions affecting the

general partner personally and as to decisions affecting "otherwise related business entities," which includes businesses also controlled by the controlling general partner.

Oglesby, Thomas W., City Manager, Antioch
(1975) 1 FPPC Ops. 71 75-083

A councilmember would be disqualified from participating in a decision regarding adoption of a redevelopment plan based on his ownership of property within the redevelopment plan combined with ownership of property near the plan and a financial interest in a real estate firm which may be involved in selling property within the plan.

Olson, Lance H., Esq., Counsel for the California Democratic Party
(2001) 15 FPPC Ops. 13 O-01-112

Local Los Angeles ordinances requiring the political parties to disclose "member communications" prior to an election are preempted by the Political Reform Act because they impose "additional or different" filing requirements on the state party committees in areas of statewide concern.

Olson, Thomas F., California Farm Bureau Federation
(1975) 1 FPPC Ops. 107 75-067

Lobbyists may attend a dinner given for elected officers and legislative and agency officials, but may not participate in making arrangements for the dinner. Lobbyists may participate in delivering gift packs of agricultural products to invitees who did not attend so long as the value of the gift packs does not exceed $10.

Overstreet, Martin, Berkeley Rent Stabilization Board
(1981) 6 FPPC Ops. 12 80-010

A Rent Control Board Member should not make, participate in making or use his official position to influence decisions which have a material financial effect on rental properties he owns distinguishable from their effects on a significant segment of the public generally. However, the rental property industry constitutes a significant segment of the public generally. The Commission also found that another board member should not make, participate in making or use her official position to influence decisions which would have a material financial effect on property she leases, distinguishable from the effect the decisions will have on a significant segment of the public generally. Tenants also, however, constitute a significant segment of the public with respect to decisions implementing the rent control measure.

Owen, William L., City Attorney, Davis
(1976) 2 FPPC Ops. 77 76-005

Effect of downtown "core area" redevelopment on residential property owners is speculative and may be spread among residential properties throughout the city as well as those near the "core area." Consequently, the effects of decisions concerning the "core area" on owners of residential property in or near the "core area" cannot be said to be distinguishable from the effects such decisions will have on a significant segment of the public generally. However, as the number of people owning buildings leased for commercial purposes is much smaller and as the effects on such persons and their interests will be much more direct and particular, the effects on such persons and their property are distinguishable from the effects on the public generally. Retail merchants lie somewhere between these two, but under the facts of this case, the official with such an interest may participate unless a particular aspect of the core area plan would have a singular effect on his business.

A planning commissioner who is a partner in a partnership which owns a vacant lot within the existing commercial zone of a core area and is in the process of constructing a commercial building thereon is disqualified from participating in decisions concerning the core area. A planning commissioner who owns a home which he uses as a residence across the street from one boundary of the core area in a neighborhood which is viewed as inextricably tied to the area in terms of planning considerations is not disqualified; and (3) a councilmember in a limited partnership in a retail business which leases space within an existing commercial building in the core area is not disqualified.

Pelham, LeeAnn, Executive Director, Los Angeles City Ethics Commission
(2001) 15 FPPC Ops. 1 O-00-274

1. A Los Angeles campaign ordinance prohibiting the deposit of campaign contributions until all donor information has been obtained does not conflict with Section 85700 ordering recipients of contributions to return the contribution within 60 days if all donor information has not been obtained. The Los Angeles

ordinance does not conflict with the Act because it does not impede compliance with the Act.

2. An elected state officer or candidate for elective state office may establish a legal defense fund under Section 85304 regardless of the individual's status as a local candidate or officeholder. However, if the individual establishes a legal defense fund created under the Los Angeles ordinance, that particular defense fund will be subject to the rules of that ordinance.

3. Under certain circumstances, the presumption that contributions received from minors are actually from the child's parents under Section 85308 may be overcome and a minor may be a contributor in his or her own right.

4. The City of Los Angeles may deposit laundered funds into its general fund when the action is brought under its local campaign finance law. The City of Los Angeles' ordinances are not preempted by state laws concerning the distribution of laundered funds because the state law only applies to violations of the state statutes.

Petris, Nicholas C., Senator
(1975) 1 FPPC Ops. 20 75-039

A candidate's controlled committee need not amend its statement of organization if it makes contributions to other candidates or propositions if the contributions are incidental to the general purposes of the controlled committee. The phrase "supports or opposes" in Section 84102(d) does not mean "incidental" support or opposition.

Presley, Robert, Senator
(1975) 1 FPPC Ops. 39 75-027

No conflict of interest arises because of an investment in a realty company unless at some time in the future the public official votes on a matter affecting his financial interest.

Rawlings, Katherine, Sacramento County Democratic Central Committee
(1975) 1 FPPC Ops. 62 75-053

It is unlawful for a registered lobbyist to contribute to or participate in a check-debiting plan which involves contributions to a political committee, and it is unlawful for the committee to knowingly receive such a contribution.

Reinhardt, Stephen, Winner/Wagner Assoc.
(1977) 3 FPPC Ops. 83 76-091

A consulting and campaign management firm which employs a lobbyist and has a lobbyist as a principal shareholder may manage a campaign of an elected state official seeking state office, and no prohibition exists so long as the firm and its employees adhere to the following conditions: (1) the firm must receive full and adequate consideration for any services it renders to the campaign; (2) the firm, acting through its employees, must not engage in any activities which would violate the prohibitions contained in Sections 86202, 86203 and 86205. This conclusion is applicable regardless of whether the candidate involved presently holds an elective office.

Note: The California Supreme Court in FPPC v. Superior Court (IGA), 25 Cal. 3d 33 (1979), ruled that Section 86202 which prohibited lobbyists from making political contributions is unconstitutional.

Rotman, Doreet
(1987) 10 FPPC Ops. 1 86-001

Members of redevelopment project area committees are "public officials" of a local governmental agency and are subject to the Act's disclosure and disqualification provisions. A statutory change requiring a two-thirds vote by legislative bodies to overrule recommendations by a project area committee makes the individuals who sit on project area committees "members" of local government agencies.

Rundstrom, Robert, Deputy County Counsel, Yolo County
(1975) 1 FPPC Ops. 188 75-084

Filing officers have discretionary authority in assessing late fines so long as their discretion is exercised on an impartial basis. However, once the filing officer provides written notice to the tardy filer he must, beginning five days after the mailing of the notice, assess a fine of $10 per day from the filing deadline to the date the statement is filed.

Russel, Blanche, Holiday Inn of Hollywood
(1975) 1 FPPC Ops. 191 75-135

There are no restrictions or reporting requirements imposed on those who offer discounts to all state employees or on public officials who take advantage of such discounts if the discounts are uniformly offered to all state employees. The state government rate

offered in this case has not been offered on a uniform basis and is, therefore, income to the elected officers who receive it.

Russell, Newton, Senator
(1975) 1 FPPC Ops. 135 75-085

A legislator may not keep a contribution which was arranged by a lobbyist prior to the effective date of the Act but which was not delivered until after the effective date of the Act. By analogy to the California Gift Law, "delivery" of the contribution is required to complete the gift. Because the contribution remained in the association's office until after the effective date of the Act, the gift was not properly completed prior to the effective date of the Act.

Sampson, Patrick J., City Attorney, Pomona
(1975) 1 FPPC Ops. 183 75-058

When a special, general or runoff election is held less than 60 days following the primary election, candidates for an office contested in the primary election whose names do not appear on the ballot in the special, general or runoff election are not required to file a campaign statement seven days before the special, general or runoff election. They must file campaign statements not later than 33 days before the primary election, seven days before the primary election, and 65 days after the general or runoff election. If the special, general or runoff election for an office is not held, candidates for that office who were required to file for the primary election must file a post election campaign statement not later than 65 days after the primary election.

The anniversary statement of economic interests filed in 1975 by a city councilmember who was elected to office before the effective date of the Political Reform Act should cover only the period from January 7, 1975 (the effective date of the Act) to the officeholder's anniversary date of assuming office.

Sankey, Iris, State Board of Equalization
(1976) 2 FPPC Ops. 157 76-071

A public official who has a 50 percent equity interest in a parcel of property which is leased to a utility company must disqualify herself from participating in the assessment of the parcel of property in which she has the interest, and she must also disqualify herself from participating in the assessment of other property owned by the company.

Schabarum, Peter F., Los Angeles County Supervisor
(1975) 1 FPPC Ops. 95 75-041

The disclosure of the book and page number of a deed is not an acceptable method of designating the location of a principal place of residence which is required to be reported on a statement of economic interests. In order to comply with the Act, the street address or lot number or precise location of the principal place of residence must be disclosed.

Note: The requirement of reporting the location of the principal place of residence on a statement of economic interests has been repealed by legislative amendment to Section 87206.

Sherwood, Richard E., Los Angeles County Museum of Art
(1976) 2 FPPC Ops. 168 76-038

The receipt of salary supplements and other monies from a non-profit museum corporation by employees of a county museum of art will not preclude those employees from making, participating in making or using their official position to influence most of the decisions related to the management and operation of the museum.

Siegel, Samuel, City Attorney, Pico Rivera
(1977) 3 FPPC Ops. 62 76-054

Members of a water development corporation, a non-profit corporation formed for the purpose of providing a financing mechanism for acquiring portions of the water system serving a city, are public officials because the water development corporation is a local government agency. The following criteria have been developed for determining whether a non-profit corporation is a local government agency: (1) whether the impetus for formation of the corporation originated with a government agency; (2) whether it is substantially funded by, or its primary source of funds is, a government agency; (3) whether one of the principal purposes for which it is formed is to provide services or undertake obligations which public agencies are legally authorized to perform and which, in fact, they traditionally have performed; and (4) whether the corporation is treated as a public entity by other statutory provisions.

Sloan, Edwin F., California Hotel and Motel Assn.
(1976) 2 FPPC Ops. 105 75-169

The fire safety coalition of California is not an industry, trade or professional organization within the meaning of

Section 86109(b)(3), but rather a group of organizations with a common economic interest within the meaning of Section 86109(b)(4) and is therefore not required to list the names of its members on lobbyist employer reports. Dues or similar payments for membership in a bona fide association, some portion of which is used to influence administrative or legislative action, need not be included in determining whether a person must file reports pursuant to Section 86108(b). In this case, however, because the coalition is not a bona fide association, payments to it are not "dues or similar payments for membership in a bona fide association," and these payments, therefore, must be counted in determining whether the coalition member is required to file reports pursuant to Section 86108(b). Any organization already filing reports pursuant to Section 86108 must report the pro rata share of payments that the coalition utilizes to influence legislative or administrative action if that pro rata share is $25 or more.

Smithers, Charles L., San Diego Gas & Electric Co.
(1975) 1 FPPC Ops. 42 75-028

It is prohibited for four lobbyists to host one dinner per month for legislators, even though no lobbyist spends more than $10 per legislator per month because the dinners are arranged by the lobbyists jointly and the lobbyists would therefore be arranging for the making of a gift by other persons aggregating more than $10 per month per person.

Sobieski, Ken, Long Beach Voter Registration Committee
(1976) 2 FPPC Ops. 73 75-204

The costs of distributing a voter registration mass mailing are expenditures when the materials are distributed by an official committee of a political party.

If 200 or more of voter registration materials are sent in a calendar month, the mailing is a "mass mailing." Moreover, the costs of distributing the mailing are expenditures because the materials are distributed by an official committee of a political party. Accordingly, the mass mailing must be identified and mailed as required by Section 84305. However, the mass mailing is not "in support of or in opposition to a state candidate," and a copy need not be mailed to the Commission.

Note: The requirement of sending copies of mass mailings to the Fair Political Practices Commission has been repealed by legislative amendment to Section 84305. A mass mailing is now over 200 pieces.

Solis, Hilda, L., State Senator
(2000) 14 FPPC Ops. 7 O-00-104

An elected state officer may accept a silver lantern worth from $8,000 - $10,000 as the recipient of the Profile in Courage Award from the John F. Kennedy Library Foundation, a nonprofit organization. The award meets the exception to the restrictions on gifts under FPPC Regulation 18946.5, because the award was won in a bona fide nationwide competition among statesmen unrelated to the recipient's status as a California official.

Spellman, John Stephen
(1975) 1 FPPC Ops. 16 75-026

A legislative official's participation in a tour of a nuclear power plant, arranged at the official's request, falls under the "informational material" exception of "gift," because informational materials include both tangible materials and intangible services which supply information in a useful form.

The entertainment of a lobbyist by a public official is not reportable.

Spero, Robert K., Addresses Unlimited
(1975) 1 FPPC Ops. 64 75-054

No filing requirements would be imposed on a company which provides mailing services to the Legislature by virtue of the fact that the company employs a sales representative who is also a registered lobbyist.

Stern, Ralph, The Big Five Association of Public School Districts
(1975) 1 FPPC Ops. 59 75-040

An association of five large school districts which is composed of members of their boards of education and their superintendents is not a lobbyist but is engaged in lobbying activity and must report under Section 86108(b).

Stone, Peter G., City Attorney, San Jose
(1977) 3 FPPC Ops. 52 77-003

Free air transportation provided to a public official may be a gift to the official's agency, rather than to the official if the agency accepts the gift in accordance with specified procedures. To determine the value of a gift of free air transportation provided to an official, the official should attempt to estimate the fair market value of the trip. Depending on the circumstances, the official may utilize the commercial air rate or the charter rate divided by the number of passengers as guideposts in

estimating the value of the flight. If the filer believes that this amount standing alone is misleading, he may attach an explanation to his statement of economic interests. Providing free transportation to an official may be a gesture of neighborliness or friendliness, but will be a "gift" within the meaning of the Act if the costs of the trip are deductible as a business expense, if the donor has or will have business before the official, or if the transportation is normally the subject of an economic transaction.

Stull, John, State Senator
(1976) 2 FPPC Ops. 110 75-049

Once a person is a candidate, the mass mailing sender identification provisions apply regardless of whether the person has officially made a declaration of candidacy. Nothing in the Act prevents a candidate from delaying the declaration of candidacy to the 83rd day prior to the primary election, the last possible day on which a declaration must be filed.

Thomas, William, Assemblyman
(1977) 3 FPPC Ops. 30 76-085

A parking pass received by an official for use while on official business would be a gift if it is used for personal purposes unrelated to the official's duties.

The value of the gift will be determined by the value derived from the use of the pass for personal purposes and the gift will be reportable if its value is $25 or more.

If used only in connection with official business a parking pass given by a state agency to a legislator would not constitute a gift. If used for personal purposes, however, it would be a gift and would be reportable if its value is $25 or more.

NOTE: The threshold for reporting gifts was increased by legislation from $25 or more to $50 or more.

Thorner, Tom, Marin Municipal Water District
(1975) 1 FPPC Ops. 198 75-089

Directors of a municipal water district who hold significant interests in business entities which may be affected by the district's decisions on requests for variances and the lifting of a moratorium on new water connections must disqualify themselves when the decisions will have a foreseeable material financial effect, distinguishable from their effect on the public generally, on the directors' interests.

Tobias, Kathryn J., California Integrated Waste Management Board
(1999) 13 FPPC Ops. 5 O-99-156

The spouse of a member of the California Integrated Waste Management Board owns stock in companies that may be subject to a board program that sets recycling rates. Under the Public Resources Code, the board is the only agency authorized to set the recycling rates, and must do so annually. At the time the recycling rates were to be set, the six-member board had two vacancies. Out of caution, the potentially disqualified member abstained from the decision to set the recycling rates. By abstaining, the board lacked the quorum necessary to set the recycling rates.

Under the "Rule of Legally Required Participation," which is a narrow exception to the Political Reform Act's conflict of interest rules, the member of the board may participate in the decision when there is no alternative source of decision. Here, there is no alternative source of decision because the decision cannot be delayed; the board is the only body authorized to make the decision; there is no indication when the vacancies will be filled; and the board has no authority to fill the vacant positions. This opinion is limited to the facts described therein.

Torres, Art, Assemblyman
(1976) 2 FPPC Ops. 31 75-163

Wedding gifts should be considered the property of both spouses unless they are peculiarly adaptable to the personal use of one spouse or specifically and unequivocally intended for use by one spouse. Therefore, wedding gifts may be reportable by the official even if they were received by the spouse prior to the wedding. The official must disclose only those gifts in which his interest exceeds the $25 threshold for reporting gifts. Therefore, only gifts, the total value of which is $50 or more will be reportable. When a single gift worth $50 or more is given by many donors, it is sufficient to describe in general terms those who gave it. The official must only report the name of each donor who contributed $50 or more.

Tuteur, John, Supervisor, Napa County
(1976) 2 FPPC Ops. 110 75-071

Payments made from personal funds by a public official for a newsletter to his or her constituents do not constitute an expenditure so long as the newsletter makes no reference to an upcoming election or to the official as a candidate.

Valdez, Joyce, Golden Circle of California
(1976) 2 FPPC Ops. 21 75-167

A copy of a mass mailing soliciting membership dues or campaign contributions, which money will be used in support of state candidates, must be sent to the Commission.

Note: The requirement of sending copies of mass mailings to the Fair Political Practices Commission has been repealed by legislative amendment to Section 84305.

Vonk, James J., State Compensation Insurance Fund
(1981) 6 FPPC Ops. 1 80-008

The State Compensation Insurance Fund is an agency within the meaning of Section 87300 and it makes governmental decisions within the meaning of Sections 87100 and 87302(a).

Wallace, L. T., Director of the Department of Food and Agriculture
(1975) 1 FPPC Ops. 118 75-087

Payments made by Del Monte Corp. to an employee of the Department of Food and Agriculture as compensation for research conducted on the employee's personal time and not directly related to his work for the agency are not reportable by Del Monte because the employee is not an agency official.

Salary payments by a lobbyist employer to a state employee retained on a part-time basis are not reportable because the employee is not an agency official since he does not participate in any administrative action.

Welsh, Melinda, Valley Oak Institute for Voter Registration
(1978) 4 FPPC Ops. 78 78-011

Organizations do not incur reporting obligations under the Political Reform Act by reason of nonpartisan voter registration activities.

Willmarth, Francis, California Democratic Council
(1976) 2 FPPC Ops. 130 75-188

Dues received by political clubs whose primary purpose is other than supporting candidates and/or ballot measures are not contributions unless the dues are "earmarked" for the making of contributions or expenditures. A payment is "earmarked" when the donor knows or has reason to know that the payment will be used to make contributions or expenditures.

Witt, John W., City Attorney, San Diego
(1975) 1 FPPC Ops. 1 75-044

Local government agencies are "persons" within the meaning of Section 86108, and local government agencies which employ lobbyists or which make payments to influence legislative or administrative action of $250 or more in value in any month, unless all of the payments are of the type described in Section 82045(c), are required to file statements under Section 86109.

Note: Legislation has amended the Act so that only persons who spend $5,000 in a quarter (rather than $250 a month) need file.

Witt, John W., City Attorney, San Diego
(1975) 1 FPPC Ops. 145 75-057

A gift of food and beverages to another lobbyist is reportable if it is made in connection with influencing legislative or administrative action. The lobbyist's employer must report the total amount of the payment to the lobbyist but need not duplicate the lobbyist's itemization of expenses.

Wood, William P., Chief Counsel, Secretary of State
(1999) 13 FPPC Ops. 21 O-99-315

For purposes of imposing penalties for late filing of a statement or report under Section 91013 of the Act, the paper version and the electronic version of a statement or report are each considered to be an original. The deadlines set out in Section 91013(a) apply to both the original electronic filing and the original paper filing submitted by a file.

Zenz, Robert L., California State Employees Assn.
(1975) 1 FPPC Ops. 195 75-156

An employee of a legislative advocate who is supervised by a lobbyist may not make or arrange a contribution or gift which the lobbyist would be prohibited from making unless it is clear that the contribution or gift is not intended to further the goals of the lobbyist and is outside the scope of the agency relationship.

Note: The California Supreme Court in FPPC v. Superior Court (IGA), 25 Cal. 3d 33 (1979), ruled that Section 86202 which prohibited lobbyists from making political contributions is unconstitutional.

APPENDIX III

Summary of Enforcement Decisions

24 HOUR FITNESS, INC., SI-2001/232 (2001)

84200 – One (1) count
$400 fine

24 Hour Fitness, Inc., of Pleasanton failed to file a major donor campaign statement during 2000.

303 ALMADEN PARTNERS AND WILLIAM WILSON & ASSOCIATES, SI-96/245 (1996)

84300 and 84301 - Nine (9) counts
$15,300 fine

303 Almaden Partners, a limited partnership in the real estate development business in San Jose, and its general partner, William Wilson, laundered contributions made to candidates in the area.

AB&I FOUNDRY, SI-2001/136 (2001)

84200 – One (1) count
$400 fine

AB&I Foundry of Oakland failed to file a major donor campaign statement during 2000.

ABRAHAM, WALDEMAR P., SI-91/201 (1993)

87200 and 87206 - Four (4) counts
87200 and 87207 - Three (3) counts
$14,000 fine

Walt Abraham, former Riverside County Supervisor, committed personal financial disclosure violations. On his 1989 through 1992 Statements of Economic Interests, Abraham failed to fully disclose a source of income and failed to disclose names of sources of income to a business entity in which he held a 10% or greater interest. Abraham also failed to fully disclose various real property interests held by a business entity in which he held interest.

A C NIELSEN, SI-99/380 (2000)

84200 - One (1) count
$400 fine

A C Nielsen located in Allentown, PA, failed to timely file a major donor campaign statement for a contribution made to Lungren Committee for Common Sense Conservatism in 1998.

ACE PARKING MANAGEMENT; TERMINAL AUTO PARKS, SI-98/488; SI-98/485 (1999)

84200 - One (1) count
$2,000 fine

Ace Parking Management in San Diego and Terminal Auto Parks, an affiliated entity, failed to file a semi-annual campaign statement for contributions made to Lungren for Governor, a controlled committee, in 1998.

ACEVEDO, MARY, SI-99/810 (2000)

87300 and 87302 – One (1) count
$1,000 fine

Mary Acevedo, a Commissioner of the Trade and Commerce Agency, failed to timely file her 1998 annual Statement of Economic Interests.

ADAMS, BRIAN, SI-87/14 (1987)

87300 - Three (3) counts
$2,000 fine
$1,500 waived

Brian Adams, a member of the Department of Consumer Affairs' Board of Accountancy, violated the department's conflict-of-interest code and Chapter 7 of the Political Reform Act by failing to file annual Statements of Economic Interests for the years 1983, 1984, and 1985.

AFFORDABLE HOUSING ALLIANCE POLITICAL ACTION COMMITTEE, SI-94/65 (1997)

84220 - One (1) count
84305.5 - One (1) count
$2,000 fine

Affordable Housing Alliance Political Action Committee, a low income tenant's rights organization located in San Francisco, failed to report a late payment for a slate mailer received in 1993 and failed to include a "Notice to Voters" disclaimer and to designate by an asterisk (*) candidates and ballot measures which paid to appear in a slate mailer.

AGNOS, ART, SI-87/152, SI-88/398 (1989)

84305 - One (1) count
87206 and 87207 - Two (2) counts

$7,000 fine

San Francisco mayor Art Agnos committed financial disclosure violations while a state assembly member and did not provide proper sender identification on a local campaign mass mailing in 1988. The financial disclosure violations involved the failure to adequately disclose $441,521 in income from the sale of investments or interests in real property in 1986.

Over half of the unreported income came from the sale of his interest in "Meiss Road Partnership," which owned real estate, to Sacramento developer Angelo Tsakopoulos for $275,000 in December 1986. Mr. Agnos failed to disclose the $275,000 income and the name and address of the source of income on his Statement of Economic Interests. He also failed to disclose $1,521 in income realized from the partnership.

Mr. Agnos also failed to report income of $155,000 from the sale of a Sacramento duplex.

Additionally, Mr. Agnos failed to disclose the acquisition of a 10% interest in a partnership from AKT Development Corporation for $10,000 in 1986 and the sale of the investment during the same year.

The mass mailing violation involved the failure of Mr. Agnos' committee, San Franciscans for Yes on Proposition R, to provide proper sender identification on 325 identical letters sent in September 1988 urging passage of the measure.

AGOLD CORPORATION, MA LI KUO, SU YUEH LIN, ZHOU JIAN YU, SI-92/483 (1997 - CIVIL SUIT)

84302, 84300(c), 84200, 84301
$23,000 fine

Agold Corporation, a California corporation with its principal place of business in Mountain View, failed to disclose the true source of a contribution made to Santa Clara Citizens Seeking a Vote (SCC). Agold Corporation also failed to disclose that it was an intermediary for the contribution.

Zhou Jian Yu, Santa Clara restaurant owner, failed to provide a check containing his name when he used a cashier's check to make a contribution through Agold Corporation. Zhou Jian Yu also failed to file major donor statements for three contributions made to SCC in 1992.

Ma Li Kuo, corporate secretary and agent for service of process for Agold Corporation, failed to disclose that she was the true source of one contribution made to SCC in 1992.

AITKEN, WYLIE & BETTE, SI-2001/237 (2001)

84200 – One (1) count
$600 fine

Wylie and Bette Aitken of Santa Ana failed to file a major donor campaign statement during 2000.

A-K ASSOCIATES, SI-87/226 (1989)

86203 - One (1) count
$1,000 fine

A-K Associates, a Sacramento lobbying firm, illegally arranged for the making of a gift to a person in excess of $10 in a calendar month. The violation resulted when A-K Associates allowed the use of its offices for a reception hosted by one of their clients, the California Ambulance Association. Among other guests, 36 state senators, assembly members and legislative staff attended the function. An employee of A-K Associates acted as the contact for responses from invitees who planned to attend. The cost was valued at $18.72 per attendee with the Ambulance Association paying the costs.

ALATORRE, RICHARD, FC-86/530 (1988)

87100 - One (1) count
$2,000 fine

Los Angeles Councilmember Richard Alatorre committed a conflict of interest violation arising from his attempt to influence a council decision on a $722,500 Eastside Community Transit contract. Mr. Alatorre sought in late July and early August 1986 to steer the transit contract to the East Los Angeles Community Union (TELACU) who had paid a $1,000 speaking honorarium to the councilmember in June.

ALATORRE, RICHARD, SI-97/268 (1997)

87100 - One (1) count
$2,000 fine

Richard Alatorre, member of the Los Angeles City Council, violated the conflict of interest provisions when he used his official position to influence a governmental decision resulting in a professional fundraising company being granted a retroactive extension of its expired license, a company in which he had an economic interest through his spouse's source of income.

ALBY, BARBARA, ALBY FOR ASSEMBLY 1993, AND LORA SMITH, TREASURER, SI-95/23 (1996)

84211 - Two (2) counts
$3,000 fine

Barbara Alby, candidate for the California State Assembly in 1993, and her controlled committee and its treasurer, Lora Smith, failed to timely report non-monetary contributions from the California Republican Party on campaign statements in 1993.

ALIOTO, ANGELA, ANGELA ALIOTO FOR SUPERVISOR, SI-91/9 (1991)

84203 - Two (2) counts
$2,500 fine

Angela Alioto, San Francisco City and County Supervisor, and the Angela Alioto for Supervisor Committee failed to file late contribution reports for two loans which Ms. Alioto made to her campaign during the last two weeks before the 1988 election.

Ms. Alioto made a $35,500 loan from her personal funds and an additional loan of $14,300 to her committee and only reported them in semi-annual campaign statements filed after the election.

ALIOTO, MICHELA A.D., MICHELA ALIOTO FOR CALIFORNIA SECRETARY OF STATE, AND LINDA T. BLUM, TREASURER, SI-2000/65 (2001)

84303 – One (1) count
$2,000 fine

Michela A.D. Alioto, unsuccessful Novato candidate for Secretary of State, her controlled committee, Michela Alioto for California Secretary of State, and Linda T. Blum, treasurer, failed to timely report subvendor information for expenditures made in 1998.

ALLEN, BARRY, SI-96/401 (1998)

87100 - Five (5) counts
$5,000 fine

Barry Allen, Area Supervisor of Office Machine Repair Services for the Department of General Services, violated the conflict of interest provisions when he signed purchase orders to receive computer parts from a company that was a source of income to him.

ALLEN, MORTON, MORT ALLEN FOR CITY COUNCIL, SI-80/58 (1982)

84211 - Two (2) counts
84213 - Two (2) counts
$8,000 fine

The Commission adopted an administrative law judge's recommendation that found that former Los Angeles City Council candidate Mort Allen and his campaign committee knowingly and willingly concealed a $50,000 loan during his 1979 council campaign.

In January of 1979, Allen received a $50,000 loan from Martin and Gladys Robbins, parents of Senator Alan Robbins. When the loan was made, Allen was already a city council candidate and intended to use the loan for his campaign. Instead of turning the loan over to his campaign committee, however, he placed the proceeds into personal and business accounts. He then paid over $20,000 to his campaign committee, representing the money as a loan from himself. Later in the campaign, Allen transferred the remaining $30,000 received from the Robbins' to his campaign in the form of a loan from Allen Realty. In two separate campaign statements, Allen stated that the loans were from himself and his company.

ALLEN, PENNY, SI-94/138 (1995)

87100 - One (1) count
87300 - Three (3) counts
$3,500 fine

Penny Allen, member of the Chula Vista Economic Development Commission, violated conflict of interest disqualification provisions when she voted on a decision in 1993, which would have a material financial effect on a source of income to her. In addition, she failed to timely disclose this source of income on her annual Statement of Economic Interests for three consecutive years.

ALLIANCE FOR MISSION VIEJO - YES ON MEASURE A, YES ON RECALL, SI-90/163 (1990)

84305 - One (1) count
$2,000 fine

Alliance for Mission Viejo - Yes on Measure A, Yes on Recall failed to provide proper sender identification on a last-minute mailer. The mass mailing in question involved some 24,000 copies of a one-page letter supporting Measure A, signed by Orange County Supervisor Thomas F. Riley. The mailing gave the misleading impression that its sender was Supervisor Riley rather than Alliance. They were sent six days before the election in envelopes displaying the supervisor's name on the outside as the sender.

ALLIANCE TO REVITALIZE CALIFORNIA, A COMMITTEE FOR PROPOSITIONS 200, 201 AND 202; VIRGINIA BOYD, TREASURER, AND THOMAS PROULX, CHAIRMAN, SI-96/89 (1997)

84305 and 84107 - One (1) count
$2,000 fine

Alliance to Revitalize California, a committee for Propositions 200, 201 and 202; Virginia Boyd, Treasurer, and Thomas Proulx, Chairman, failed to include proper sender identification on a mass mailing sent in 1996 by omitting the names of the committee's proponents and the specific ballot measures supported.

ALMEIDA, THOMAS CHRISTOPHER, SI-96/453 (1999)

87302 - Seven (7) counts
$14,000 fine

Thomas Christopher Almeida, administrative manager at the California State Department of Education (CDE), in the Career Vocational Education Division during 1992 through 1995, failed to disclose sources of income, investment interests, and business positions he held over several years on his annual Statements of Economic Interests.

ALONGI, GEORGE, SI-95/112 (1997)

87100 - Four (4) counts
$6,500 fine

The Commission adopted an administrative law judge's proposed decision in the matter of George Alongi, a Lake Elsinore City Councilman, who violated the conflict of interest provisions in 1994 and 1995 when he participated in two governmental decisions and used his official position on two other separate occasions in an attempt to influence decisions in which he knew he had a financial interest.

ALSTERLIND, PAMELA, SI-2000/540 (2001)

87300 - One (1) count
$600 fine

Pamela Alsterlind, consultant to the California Public Employees' Retirement System, failed to file a 1999 annual Statement of Economic Interests.

ALVARADO, PABLO, SI-2000/575 (2000)

87300 and 87302 – One (1) count
$300 fine

Pablo Alvarado, a Commissioner for the City of Pasadena, failed to timely file both his assuming office and 1999 annual Statements of Economic Interests.

ALVES, RAMONA, SI-2001/5 (2001)

84200 - One (1) count
$600 fine

Ramona Alves of Tiburon failed to file a major donor campaign statement during 2000.

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, THE SI-91/206 (1991)

84200.5 - Two (2) counts
84200 - One (1) count
$4,000 fine

The American Federation of State, County and Municipal Employees, AFL-CIO, a general purpose recipient committee during 1990, failed to timely file two pre-election campaign statements and one semi-annual campaign statement reporting $52,100 in contributions received and expenditures made in the identical amount.

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO I.D. #745604, AND WILLIAM LUCY, TREASURER, SI-93/404 (1994)

84203 - Three (3) counts
$5,000 fine

The American Federation of State, County and Municipal Employees, AFL-CIO I.D. #745604, and Wiliam Lucy, Treasurer, failed to disclose eleven contributions totaling $56,500 made to various California candidates and committees in 1989 and 1990.

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AND WILLIAM LUCY, TREASURER, SI-95/304 (1995)

84200.5(d) - One (1) count
84203 - Seven (7) counts
$15,000 fine

The AFSCME, a general purpose recipient committee during 1991-1992, failed to timely file a campaign statement and seven late contribution reports for contributions made amounting to $75,000.

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AFL-CIO DISTRICT COUNCIL 36, ARTHUR POND, CLARENCE PALMER, KARLENE GEORGE, JEAN NICHOLAS, RALPH MILLER, DENA WEBB, SANDRA MACATEE, ALICE GOFF, AND JOHN WYROUGH, SI-96/264 (1998)

84200 - Eleven (11) counts
84200.7 - Nine (9) counts
84202.5 - One (1) count
84203 - Four (4) counts
84204 - Three (3) counts
84211 - Eighteen (18) counts
$85,000 fine

The American Federation of State, County and Municipal Employees AFL-CIO District Council 36, a council of local unions headquartered in Los Angeles, with affiliated local unions in eight southern California counties, and its president, Arthur Pond, and officers, Clarence Palmer, Karlene George, Jean Nicholas, Ralph Miller, Dena Webb, Sandra Macatee, Alice Goff, and Executive Director John Wyrough, failed to file campaign statements and reports and failed to report expenditures made of $100 or more, including contributions made to candidates for elective office and ballot measure committees, and contributions received between 1991 and 1997.

AMERICAN FIDELITY LIFE INSURANCE, SI-2001/6 (2001)

84200 - One (1) count
$400 fine

American Fidelity Life Insurance of Pensacola, Florida, failed to file a major donor campaign statement during 2000.

AMERICAN TELEPHONE AND TELEGRAPH COMPANY, SI-91/341 (1991)

84203 - One (1) count
$2,000 fine

The American Telephone and Telegraph Company failed to timely file a late contribution report in 1990 for a contribution of $10,000 made to “Los Angeles Taxpayers for Clean Government,” a committee supporting Los Angeles Ballot Measure H.

ANDEN GROUP, THE, MD-92/119 (1993)

84200(b) - Two (2) counts
$3,500 fine

The Anden Group, a Southern California residential real estate company, failed to timely file major donor campaign statements for contributions totaling $36,250 made in 1990. The Anden Group had a prior filing history and also paid a $500 late filing penalty to the Secretary of State.

ANDERSON, DAVID, SI-89/77 (1991)

84200 (a) - Three (3) counts
$4,000 fine

The Commission issued a Default Decision and Order against David Anderson, director of the Oakland Unified School Board, who failed to timely file three campaign disclosure statements during 1988 and 1989, despite repeated notices by the Oakland City Clerk’s office and the Commission staff. The statements were filed from five to 17 months late.

ANDERSON, DOUGLAS, SI-96/174 (2000)

87402 – Four (4) counts
$8,000 fine

Douglas Anderson, former employee of the Franchise Tax Board (FTB), violated the revolving door provisions in 1995 and 1996 when he assisted in representing a client in filing claims for a refund of taxes in a proceeding in which he had participated while still employed by FTB.

ANDERSON, MICHAEL A., SI-90/667 (1993)

87300 - One (1) count
$2,000 fine

The Commission took no action on an administrative law judge's recommendation for a $2,000 fine against Michael Anderson, a member of the California State Board of Forestry, who failed to disclose Georgia-Pacific Corporation as a source of income on his 1989 Statement of Economic Interests. As a result, that recommendation took effect in 30 days.

ANDERSON, THOMAS, SI-2001/7 (2001)

84200 – One (1) count
$600 fine

Thomas Anderson of Indio failed to file a major donor campaign statement during 2000.

ANTWIH, ANDREW, SI-99/544 (2000)

87300 - One (1) count
$500 fine

Andrew Antwih, a senior consultant for the California State Assembly, failed to timely file his 1998 annual Statement of Economic Interests.

ANZA BORREGO FOUNDATION, SI-200/507 (2000)

84203 – One (1) count
$1,500 fine

Anza Borrego Foundation located in Borrego Springs failed to file a late contribution report during the March 7, 2000, primary election.

APLIN, PHILIP, SI-99/337 (2000)

87203 - One (1) count
$500 fine

Philip Aplin, member of the Grass Valley Design Review Board, failed to timely file his 1997 annual Statement of Economic Interests.

ARB, INC., SI-98/501 (1999)

84200 - One (1) count
84203 - One (1) count
$2,500 fine

ARB, Inc., of Lake Forest failed to file a semi-annual campaign statement and a late contribution report for contributions made to Lungren for Governor, a controlled committee, in 1998.

ARCHULETTA, GILBERT, SI-93/486 (1994)

83116.5 - Eight (8) counts
$16,000 fine

Gilbert Archuletta, a professional lobbyist in the City of Los Angeles, was given money for reimbursement of contributions totaling $5,000 he made in his own name to various local candidates in Los Angeles during 1989-1991 rather than the names of the true sources.

ARNOLD CONSTRUCTION COMPANY, BROOKHURST SHOPPING CENTER, MIRA MESA SHOPPING CENTER, AND PERRIS PROPERTY PARTNERSHIP, SI-92/110 (1993)

84300 and 84301 - Six (6) counts
$10,000 fine

Arnold Construction Company, an Anaheim based construction and shopping center development firm, laundered contributions made to six city, county, and state candidates during 1989-1990. The funds used were drawn from one of three partnership accounts.

ARROWHEAD GENERAL INSURANCE AGENCY, INC., SI-2001/8 (2001)

84200 – One (1) count
$400 fine

Arrowhead General Insurance Agency, Inc., of San Diego failed to file a major donor campaign statement during 2000.

ASHER, HAROLD, SI-2000/471 (2000)

84203 – One (1) count
$2,000 fine

Harold Asher of Encino failed to file a late contribution report during the March 7, 2000, primary election.

ASHWILL, BRUCE, SI-84/43 (1985)

See also, John Doolittle, et al., (1987)

84301 - One (1) count
$2,000 fine

Bruce Ashwill, a real estate executive, agreed to help Senator John Doolittle by making a contribution to a rival candidate Jack Hornsby, in December 1984. Hornsby was the Democratic candidate in a three-way race for the First Senate District that included Doolittle and incumbent Senator Ray Johnson, running as an independent.

Ashwill, a long-time Republican supporter, was concerned about contributing to a Democrat and decided to have one of his employees make the contribution for him. A $2,000 contribution was made by an Ashwill employee and Ashwill reimbursed the employee for the contribution. Ashwill did not disclose to the Hornsby campaign that he was the true source of the contribution.

ASIA PACIFIC INVESTMENTS AND DEVELOPMENTS CORPORATION, SI-94/534 (1995)

84302 - Twelve (12) counts
$24,000 fine

The Commission issued a Default Decision and Order against the Asia Pacific Investments and Developments Corporation (APID), a California corporation located in Pasadena, who recruited "strawmen" contributors and distributed $5,500 on behalf of Grand Sunrise and failed to disclose the true source of the contributions to candidates for Los Angeles City Council in 1991.

ASIA PACIFIC REALTY, SI-94/534 (1995)

84302 - Ten (10) counts
$20,000 fine

The Commission issued a Default Decision and Order against Asia Pacific Realty, a real estate investment and development corporation located in Pasadena, who laundered contributions totaling $5,000 on behalf of Grand Sunrise and failed to disclose the true source of the contributions to candidates for Los Angeles City Council in 1991.

ASSAGAI, MEL, SI-97/125 (1998)

86205(f) - One (1) count
$2,000 fine

Mel Assagai, former Senior Executive for Governmental Affairs with the State Bar of California (State Bar) and presently owner of a lobbying firm, violated the Act when he entered into a contract with the State Bar in 1996, which included a bonus contingent upon the enactment of proposed legislation.

ASSOCIATION FOR CALIFORNIA TORT REFORM POLITICAL ACTION COM. DENNIS O'REILLY, SI-89/07 (1989)

84200(a) - Two (2) counts
84200.5(d) - Two (2) counts
$4,000 fine

Association for California Tort Reform Political Action Committee and its treasurer, Dennis O'Reilly, failed to timely file four disclosure statements for campaign activities in 1985 and failed to timely file four disclosure statements required for campaign receipts of $10,366 and expenditures of $23,829 during 1986. There were mitigating circumstances for part of the delay since committee records were destroyed by fire.

AU, KAREN, SI-92/286 (1995)

84300 and 84301 - Four (4) counts
$6,500 fine

Karen Au, a partner and officer of Eagle International, a firm engaged in the business of trading and land development, laundered four $99 campaign contributions in the names of her employees to a Monterey Park City

Council candidate. At times during 1990 through 1992, Eagle International had potential commercial and residential development projects pending in the City of Monterey Park.

AUTHENTIC FITNESS CORPORATION, SI-99/318 (2000)

84200 - One (1) count
$400 fine

Authentic Fitness Corporation, located in Los Angeles, failed to timely file a major donor campaign statement for a contribution made to Californians for Gray Davis committee in 1998.

AUTOZONE, INC., AUTOZONE, INC., COMMITTEE FOR BETTER GOVERNMENT, SI-98/500 (1999)

84200 - One (1) count
$1,250 fine

AutoZone, Inc., of Memphis, Tennessee, and the AutoZone, Inc., Committee for Better Government, an affiliated entity, failed to file a semi-annual campaign statement for contributions made to Lungren for Governor, a controlled committee, in 1998.

AVERY DENNISON CORPORATION, SI-98/502 (1999)

84200 - One (1) count
$500 fine

Avery Dennison Corporation of Pasadena failed to file a semi-annual campaign statement with the Secretary of State's office for a contribution made to the Governor Pete Wilson Committee in 1998. Campaign statements were, however, filed with three other filing officers.

AZEVEDO, ANTHONY, C-78/16 (1980)

87206 - Seven (7) counts
87207 - Seven (7) counts
$2,000 fine
$750 waived

Following a hearing before an administrative law judge, Fremont City Councilman Anthony D. Azevedo was found to have failed to disclose $348,000 in property investments and income from real estate transactions. Azevedo failed to disclose a $70,000 investment in 1975 in the Olive Heights Tract by the firm, Preitas and Azevedo; he failed to disclose the source of his $11,000 share of income from sale of a lot in the tract in 1976; he failed to disclose the source of income of $100,250 from the sale of ten more lots in 1977, including eight to Garrick Development, Inc., and he failed to disclose the source of rental income in 1978 of about $16,950 to the Azevedo Commercial Center.

BACA, JOE, JOE BACA ASSEMBLY '92, FRIENDS OF JOE BACA, AND WILLIAM P. SMITH, TREASURER, SI-96/281 (1997)

84104 - One (1) count
84211 - Two (2) counts
84203 - One (1) count
$6,500 fine

Joe Baca, a member of the California State Assembly, and his controlled committees, Joe Baca Assembly '92 and Friends of Joe Baca, and their treasurer, William P. Smith, failed to maintain records for travel expenses paid, failed to disclose occupation and employer information for contributions received on campaign statements filed between 1993 and 1994 and failed to timely file a late contribution report. In addition, reimbursements from the State of California for travel expenses paid by the committees were not disclosed. These violations were uncovered through a Franchise Tax Board audit of the committee.

BAILEY, PAUL, SI-96/163 (1997)

87100 - Three (3) counts
$4,000 fine

Paul Bailey, Mayor and member of the Pismo Beach City Council from 1994 until his recall in July 1996, violated the conflict of interest provisions when he voted on a decision to reject the certificates of sufficiency for a recall election against himself and another councilmember and refused to call the recall election.

BALLY'S CASINO HOLDINGS, SI-98/554 (1999)

84200 - One (1) count
$2,000 fine

Bally's Casino Holdings failed to file a semi-annual campaign statement for contributions made to the Democratic State Central Committee in 1996.

BAMERT, TOM, AND THE BAMERT CAMPAIGN COMMITTEE, SI-96/660 (1998)

84305 - One (1) count
$1,750 fine

Tom Bamert, successful candidate for reelection as a member of the Amador County Board of Supervisors, District 2, and the Bamert Campaign Committee, his controlled committee, failed to include proper sender identification on a mass mailing sent in 1996.

BAMIEH, SAM, SI-97/1 (1997)

84300 and 84301 - Two (2) counts
$3,200 fine

Sam Bamieh, a businessman and resident of the City of San Mateo, laundered two campaign contributions to the Committee to Re-Elect Frank Jordan for Mayor in 1995.

BAN GILLNETS, COMMITTEE TO, KENNETH KUKUDA, SI-87/117 (1988)

84101 (a) - One (1) count
84200.5(f)(1) - One (1) count
84200(a) - Two (2) counts
$8,000 fine
$3,000 waived

The Committee to Ban Gillnets and Kenneth Kukuda, who in November 1986 began circulating petitions for a proposed statewide initiative to ban ocean net fishing, failed to file a statement of organization within the required 10 days after qualifying as a campaign committee and failed to file three required campaign disclosure statements.

BANK OF AMERICA CA PAC, SI-2000/505 (2000)

84203 – Five (5) counts
$2,400 fine

Bank of America CA PAC located in Atlanta, GA , failed to file late contribution reports during the March 7, 2000, primary election.

BARNETT, DONALD, AND COMMITTEE TO ELECT DONALD BARNETT, SI-96/612 (1998)

84101 - One (1) count
84200.5 and 84200.7 - One (1) count
84203 - One (1) count
$5,000 fine

Donald Barnett, unsuccessful candidate for Los Angeles County Superior Court Judge, and his Committee to Elect Donald Barnett, failed to timely file campaign statements in 1994.

BARON & BUDD, P.C., SI-2001/236 (2001)

84200 – One (1) count
$600 fine

Baron & Budd, P.C., of Dallas, Texas, failed to file a major donor campaign statement during 2000.

BARRY, RICHARD K., SI-95/82 (1995)

84301 - Eight (8) counts
$13,600 fine

Richard K. Barry, a volunteer on the finance committee of Frank Jordan's 1991 San Francisco mayoral campaign, laundered contributions to the candidate when he purchased a table of ten seats for the "Jordan Birthday Celebration" and wrote in the names of eight friends and family members on the cashier's checks.

BARSTOW COLLEGE FACULTY ASSOCIATION, SI-2000/135 (2001)

84301 – Nineteen (19) counts
$32,900 fine

Barstow College Faculty Association laundered campaign contributions in 1999 to two candidates for the Barstow Community College Board of Trustees.

BARTEL, ARTHUR, SI-90/504 (1992)

87100 - Two (2) counts
$4,000 fine

Arthur Bartel, Mayor of the City of Hanford, violated the conflict of interest provisions by failing to disqualify himself from two governmental decisions which had a foreseeable material financial effect on an individual who had loaned him $5,500 twelve months prior to the decisions.

BASHORE, R. WAYNE, SI-87/106 (1987)

87100 and 87103 - Three (3) counts
$3,500 fine

Willits Mayor Wayne Bashore voted in late 1982 on three city council measures that involved a source of income.

Bashore acknowledged that passage of the three council measures regarding annexation and rezoning of property owned by Margie Handley would benefit Ms. Handley, owner of Hot Rocks, Inc., which was a source of more than $1,500 in income to the mayor.

BASIC AMERICAN FOODS, MD-87/352 (1988)

84200(b) - Two (2) counts
84203(b) - Three (3) counts
$3,500 fine

Basic American Foods of San Francisco failed to file major donor committee campaign statements disclosing various contributions totaling $40,500 in 1986 and failed to file late contribution reports for three donations of $1,000 or more made during the 16 days before the election.

BASSETT UNIFIED SCHOOL DISTRICT, SI-96/694 (1999)

89001 - Two (2) counts
$4,000 fine

Bassett Unified School District located in La Puente improperly sent two mass mailings at public expense when it distributed a letter in 1995 directed to parents which was signed by and prominently featured the school board president and another mailing in 1996 which included a photograph which featured three of the five elected school district board members.

BATTIN, JAMES F., JR., SI-96/686 (1998)

87207 - One (1) count
89503 - Six (6) counts
$14,000 fine

James F. Battin, Jr., successful candidate for California State Assembly in 1994, violated the gift limit prohibition when he accepted gifts with a total value of over $280 in 1995. In addition, Battin failed to disclose the receipt of these gifts on his 1995 annual Statement of Economic Interests.

BAUGH, SCOTT R., BAUGH FOR ASSEMBLY '98 AND DAVID BAUER, SI-99/363 (1999)

84203 - One (1) count
$2,000 fine

Scott R. Baugh, successful candidate in the 67th Assembly District, his controlled committee, Baugh for Assembly '98, and its treasurer, David Bauer, failed to file a required late contribution report disclosing the receipt of a $30,000 monetary contribution from Phillip Morris, Inc., in 1998.

BAUGH, SCOTT R., BAUGH FOR ASSEMBLY, DANIEL A. TRAXLER, AND ADEL ZEIDAN, SI-99/187 (CIVIL SUIT - 1999)

84200
84300
84211
84104
84105
84203
85201
$47,900 fine - Scott Baugh, et al.
$5,000 fine - Adel Zeidan

Scott R. Baugh, a special election candidate for State Assembly in the 67th District, his committee, Baugh for Assembly, and its treasurer, Daniel A. Traxler, improperly accepted a cash contribution, made a cash expenditure, failed to properly disclose various campaign contributions and expenditures, failed to maintain adequate records, and failed to deposit contributions in the committee bank account. Adel Zeidan made an illegal cash contribution to candidate Baugh and failed to timely file a major donor campaign statement.

BAY MEADOWS OPERATING COMPANY, SI-2000/362 (2001)

84200 – One (1) count
$2,000 fine

Bay Meadows Operating Company of San Mateo failed to timely file a major donor campaign statement in 1998.

BAZILE, LEO, SI-88/295 (1990)

84200 and 84200.5 - Five (5) counts
87203 and 87300 - One (1) count
$8,000 fine

Leo Bazile, Oakland City Councilmember, committed campaign reporting and financial disclosure violations involving the failure to timely file six disclosure statements required in 1987 and 1988 and the failure to file a 1987 Statement of Economic Interests timely for his position on the Oakland City Council and the Association of Bay Area Governments. Mr. Bazile had consistently failed to file campaign statements in a timely manner, despite repeated notification of his filing obligations.

BAZILE, LEO, LEO BAZILE FOR MAYOR; FRIENDS TO RE-ELECT LEO BAZILE CITY COUNCIL DIST. #7; JOHN HARRISON, TREASURER; AND VIRTUAL MURRELL, CAMPAIGN CONSULTANT, SI-90/813 (1995)

84211(f) - Sixteen (16) counts
84211 and 84216 - One (1) count
84211(f) and 81004 - Six (6) counts
84211(j) - One (1) count
$36,000 fine

Leo Bazile, Oakland City Councilman from 1983 to 1991 and unsuccessful candidate for Mayor of Oakland in 1990 and city council in 1991, omitted and failed to report itemized information about campaign contributions, loans, loan repayments, and expenditures during 1989-1991.

BE, VIET, SI-94/594 (1997)

87100 - Four (4) counts
$8,000 fine

The Commission adopted an administrative law judge's proposed decision in the matter of Viet Be, Director of Admissions and Records; Director of Computer Services; and Vice-President of Student Services at Cerritos College in Norwalk, who violated the conflict of interest provisions in 1993 and 1994 when he failed to disqualify himself in four governmental decisions in which he knew he had a financial interest.

BECK, BOB, SI-88/452 (1989)

87100 - One (1) count
$2,000 fine

Calistoga City Councilman Bob Beck committed a conflict of interest violation when he voted in May and June of 1988 on a subdivision proposed by developer Pat Brogan, who had provided a $15,000 loan to the official during the 12 months prior to the decision.

BECKER, NEWTON, MD-87/389 (1989)

84200(b) - One (1) count
$1,000 fine

Newton Becker failed to file a major donor campaign statement for contributions totaling $15,350 in 1986. His campaign statements due in July 1986 were not filed until November 1988.

BELL CAB, INC., SI-92/278 (1995)

84300(c) and 84301 - Thirty-two (32) counts
$45,000 fine

Bell Cab, who operates a taxicab cooperative within the City of Los Angeles, laundered 32 political contributions made in the names of its employees to Los Angeles City Council members and candidates for City Council.

BELL GARDENS, CITY OF, SI-96/187 (1997)

89001 - One (1) count
$2,000 fine

The City of Bell Gardens violated the Act when they sent a letter at public expense which contained the signatures of four elected officials.

BELL GARDENS BICYCLE CLUB, THE; GEORGE HARDIE, TAMMY GRANT, CHARLES GERALD WESTLUND, JR., PARK PLACE ASSOCIATES, THE HARDIE FINANCIAL GROUP, INC./ HARDIE GROUP, INC./ THE HARDIE GROUP, INC., DAVID GOULD, CALIFORNIANS FOR FAIR BUSINESS PRACTICES, CALIFORNIA SPORTS, ENTERTAINMENT AND GAMING ASSOCIATION, ALLIANCE FOR SAFE COMMUNITIES, RESIDENTS TO PROTECT OUR NEIGHBORHOODS, CONCERNED TAXPAYERS OF CALIFORNIA, CALIFORNIANS AGAINST GAMING EXPANSION, SAVE OUR NEIGHBORHOODS, AND PUBLIC INFORMATION SERVICE, SI-95/464 (1999 CIVIL SUIT)

84106
84211
84305

$142,000 Fine

The Bell Gardens Bicycle Club, a joint venture with its principal place of business in Bell Gardens; David Gould, treasurer for Californians for Fair Business Practices, California Sports, Entertainment and Gaming Association, Alliance for Safe Communities, Residents to Protect Our Neighborhoods, Concerned Taxpayers of California, Californians Against Gaming Expansion, Save Our Neighborhoods, and Public Information Service, committees sponsored by the casino and formed to campaign against voter approval for card casinos during the 1993 and 1995 elections in the cities of Cypress, Pico Rivera, Compton, Stanton, West Hollywood, Bellflower, Lynwood, South El Monte, Pomona, Irwindale, Ontario, South San Francisco, Hawaiian Gardens, Azusa, Colton, and Stockton, failed to disclose the sponsor of the committees, and failed to disclose expenditures on major donor statements.

BELLI, LIA, CAESAR BELLI AND LIA BELLI FOR STATE SENATE COMMITTEE, SI-84/298 (1988-CIVIL SUIT SETTLEMENT)

84301
84206
84211
84104
84300
$75,000 fine

Lia Belli was an unsuccessful candidate for State Senate in the 1984 election. During the campaign, Ms. Belli made contributions of $85,000 to her committee through two other individuals and failed to report herself as the source. In addition, Ms. Belli and the committee failed to report late contributions received totaling $231,900, failed to itemize contributions received, failed to itemize expenditures made and made a prohibited cash expenditure. Lia Belli and Caesar Belli failed to maintain adequate records.

BELTRAM, DEBBIE, SI-87/579 (1988)

87300 - Two (2) counts
$600 fine

Debbie Beltram, a state assembly aide, failed to file two required financial disclosure statements for 1986 until 1988. The assembly aide failed to file the assuming office and annual financial disclosure statements as required by the conflict of interest code of the California State Assembly despite repeated notifications by the Commission.

BELTRAN, ABE E., SI-94/227 (1999)

87100 - Eight (8) counts
$16,000 fine

Abe E. Beltran, former member of the Colton City Council and of the Redevelopment Agency for the City of Colton, violated the conflict of interest provisions when he made numerous decisions in 1993 and 1994 on two projects involving a local developer, who was a source of income to him.

BENITEZ, ROGER, COMMITTEE TO ELECT ROGER BENITEZ, AND BILLY CARVER, SI-96/282 (1997)

84203 - One (1) count
84211 - Two (2) counts
$3,500 fine

Roger Benitez, an unsuccessful judicial candidate for Imperial County Superior Court in 1994, The Committee to Elect Roger Benitez, his controlled committee, and its treasurer, Billy Carver, a certified public accountant, failed to file late contribution reports, failed to disclose subvendor payments, and failed to report accrued expenditures on campaign statements.

BENVENUTI, DANIEL, JR., SI-89/142 (1989)

84301 and 84300 (c) - Four (4) counts
$8,000 fine

Daniel Benvenuti, Sacramento builder, laundered four $1,000 contributions to the David Knowles for Assembly Committee when he reimbursed four employees who had written contribution checks to the candidate. Mr. Knowles was not aware of the true source of the contributions until notified by Benvenuti in a letter.

BERDING & WEIL, LLP, SI-2000/500 (2000)

84203 – One (1) count
$1,500 fine

Berding & Weil, LLP located in Alamo failed to file a late contribution report during the March 7, 2000, primary election.

BERMEJO, ELMY, SI-99/548 (2000)

87300 – Two (2) counts
$600 fine

Elmy Bermejo, a field representative for Senator John Burton, failed to timely file both a 1997 and a 1998 annual Statement of Economic Interests.

BERRY, JOSEPH C., SI-91/18 (1996)

87100 - Five (5) counts
$10,000 fine

Joseph C. Berry, a Live Oak City Councilmember, violated the conflict of interest provisions in 1990 and 1991 when he participated in five governmental decisions in which he knew he had a financial interest.

BGP AIRPORT ASSOCIATES, SI-96/472 (1999)

84308 - Three (3) counts
$6,000 fine

BGP Airport Associates, a joint venture in Pasadena formed to seek a multi-million dollar contract with the Burbank-Glendale-Pasadena Airport Authority (Authority), made campaign contributions of more than $250 to an officer of the Authority while a proceeding was pending before the Authority and failed to disclose the contributions on the record of the proceedings between 1994 and 1997.

BIANCHI, PETER, SI-98/121 (1999)

87300 and 87302 - One (1) count
$1,000 fine

Peter Bianchi, a Lassen County Deputy Public Defender, failed to timely file an initial Statement of Economic Interests in 1997.

BLACK & VEATCH CORPORATION, SI-2001/9 (2001)

84200 - One (1) count
$600 fine

Black & Veatch Corporation of Overland Park, Kansas, failed to file a major donor campaign statement during 2000.

BLACKHAWK CORPORATION, MD-87/354 (1988)

84200(b) - Two (2) counts
84203(b) - Three (3) counts
84211 - Two (2) counts
$5,500 fine

Blackhawk Corporation of Danville failed to file two major donor campaign statements and three late contribution reports. The company made 24 contributions totaling $86,000 in 1986.

BLACKHAWK CORPORATION, DBA BLACKHAWK DEVELOPMENT COMPANY, SI-97/633 (1998)

84301 and 84300 - Thirteen (13) counts
$26,000 fine

Blackhawk Corporation, dba Blackhawk Development Company, a real property developer located in Danville and doing business in California, laundered thirteen campaign contributions made between 1992 and 1996 to Contra Costa County Supervisor Gayle Bishop's campaign committee.

BLANCO, SALVADOR M., SI-2000/672 (2001)

87302 – Two (2) counts
$4,000 fine

The Commission adopted an administrative law judge's proposed decision in the matter Salvador M. Blanco, a member of the Central Region Hearing Board, an attorney position for the San Joaquin Valley Air Pollution Control District in Fresno, who failed to timely file his 1998 and 1999 annual Statements of Economic Interests.

BLEIER, LEO, SI-2001/266 (2001)

87300 – One (1) count
$200 fine

Leo Bleier, member of the Board of Education of the Ukiah Unified School District, failed to timely file a 2000 annual Statement of Economic Interests.

BLOSSOM VALLEY LANDSCAPING, INC., SI-95/567 (1996)

84300 and 84301 - Four (4) counts
$8,000 fine

Blossom Valley Landscaping, Inc., a contractor located in San Jose and engaged in landscaping and irrigation, laundered four campaign contributions to San Jose City Council candidate Pat Dando in 1995.

BONE, WILLIAM, MD-87/290 (1989)

84200(b) - Three (3) counts
$3,000 fine

William Bone failed to properly file three campaign statements disclosing contributions made through seven affiliated business entities that totaled $50,750 in 1985 and $53,170 in 1986.

BORCALLI, AMELIA, SI-93/321 (1995)

87100 - Two (2) counts
$2,500 fine

Amelia Borcalli, a member of the Weed City Council, failed to disqualify herself from governmental decisions during 1993, which had a financial effect on a source of income to her business.

BORDONARO, JR., TOM, BORDONARO FOR STATE ASSEMBLY, AND DAVID L. REDMAN, SI-96/76 (1997)

84211 and 84216 - One (1) count
$1,250 fine

Tom Bordonaro, Jr., candidate for California State Assembly in 1994, and his committee, Bordonaro for State Assembly, and its treasurer, David L. Redman, failed to properly disclose the source of two loans received. This finding was uncovered during a Franchise Tax Board audit of the committee.

BOSSEN, DAVID A., SI-98/294 (1998)

84203 - One (1) count
$1,250 fine

David A. Bossen of Palo Alto failed to file a late contribution report for a contribution made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

BOSTWICK, JAMES, SI-2001/228 (2001)

84200 – One (1) count
$400 fine

James Bostwick of San Francisco failed to file a major donor campaign statement during 2000.

BOURSEAU, ROBERT I., SI-95/496 (1998)

84300 and 84302 - Three (3) counts
$6,000 fine

Robert I. Bourseau, a businessman in Rosemead, failed to disclose accurate and complete information about the true source of contributions when he arranged the purchase of three cashiers checks with funds from his company's account to make contributions to two candidates for San Fernando City Council in 1994 and failed to identify the contributor on the checks.

BRADLEY, TOM, SI-88/417 (1990)

84308 (c) - One (1) count
$2,000 fine

Los Angeles Mayor Tom Bradley, while serving as an appointed member of the Los Angeles Transportation Commission, failed to disclose campaign contributions of $260 or more received during the preceding 12 months from a party seeking a non-competitive bidding contract and to disqualify himself from participation in the decision affecting the campaign contributor, Gruen Associates.

BRANN, RICHARD, SI-88/109 (1990)

84203 - One (1) count
84303 and 84211 (j) - One (1) count
$3,000 fine

Richard Brann, former Solano County Supervisor and unsuccessful candidate for state senate in 1986, committed campaign reporting violations, which were discovered during a mandatory state audit of the Brann for Senate Committee. The violations involved the failure of the candidate to report late contributions totaling $36,075 and the failure to properly disclose subvendors

who received payments of $100 or more from the committee.

BRAUN, KARL, SI-86/364 (1988)

87100 - One (1) count
87206 and 87207 - One (1) count
$2,200 fine

Karl Braun, Lompoc City Councilman, violated conflict of interest provisions and failed to disclose reportable interests on his Statement of Economic Interests. Mr. Braun had financial interests in commercial property in downtown Lompoc, but participated in discussions and voted to allocate funds to improve the parking situation and make the downtown area more attractive to developers and investors. He also failed to disclose his interest in commercial property.

BRAYTON, GISVOLD & HARLEY, SI-97/651 (1998)

84300 and 84301 - Five (5) counts
$9,000 fine

Brayton, Gisvold & Harley, a law firm located in Novato, laundered five campaign contributions to the San Francisco mayoral campaign of Willie Brown in 1995.

BRAZIL, LIONEL, AND BRAZIL DAIRY, SI-90/341 (1995)

84300 (c) and 84302 - Nine (9) counts
$13,000 fine

Lionel Brazil, a developer in Merced County in 1990 and his business, Brazil Dairy, acted as intermediaries for nine campaign contributions made to the campaign of an unsuccessful candidate in the Santa Clara County Board of Supervisors election in 1990.

BRIGGS, MARK, SI-2000/385 (2001)

87300 and 87302 – One (1) count
$1,000 fine

The Commission issued a Default Decision and Order against Mark Briggs, a member of the Commission on HIV Health Services, who failed to file a 1999 annual Statement of Economic Interests.

BRITZ FERTILIZERS, INC., SI-2001/10 (2001)

84200 - One (1) count
$400 fine

Britz Fertilizers, Inc., of Fresno failed to file a major donor campaign statement during 2000.

BROOKS, JOHN, SI-96/456 (1999)

87406 - One (1) count
$2,000 fine

John Brooks, Waste Management Specialist and Associate Waste Management Specialist in the Governmental and Regulatory Affairs Division, California Integrated Waste Management Board, from 1990 to 1996, made written communications to his former state agency on behalf of his new employer for the purpose of influencing an action involving the awarding of a grant within one year after leaving state service.

BROOKS, MARIE K., SI-96/250 (1997)

84300 and 84301 - Eight (8) counts
$14,400 fine

Marie K. Brooks, principal owner of Ellis Brooks Chevrolet, a car dealership located in San Francisco, laundered contributions made to the campaign of incumbent San Francisco Mayor Frank Jordan in 1995.

BROWN, DONALD K., SI-98/505 (2001)

84300 and 84301 – Fourteen (14) counts
86113 – Two (2) counts
$32,000 fine

Donald K. BrOwn, a lobbyist and Chairman of the Board of Advocation, Inc., a lobbying firm in Sacramento, laundered 14 campaign contributions to two candidates for Chula Vista City Council and one candidate for state Senate, and also failed to disclose two contributions made to state candidates on his lobbyist form in 1996.

BROWN, HARVEY, SI-84/349 (1986)

87100 and 87103 - One (1) count
87200 and 87206 - Two (2) counts
87207 - One (1) count
$4,000 fine

The Commission accepted an administrative law judge's recommended findings that Dr. Harvey Brown, a former Rancho Palos Verdes Planning Commissioner, violated the conflict of interest and personal financial disclosure provisions in September 1983, when he voted to approve a coastal permit which allowed a local construction firm to build a 25-unit residential project. The construction firm, Burrell, Ltd., had agreed in August 1983 to loan Brown over $100,000 to purchase a lot on which Burrell, Ltd. was to design and build a home for him.

Brown should have disqualified himself from participating in the permit decision and should have disclosed Burrell, Ltd. as a source of income on his 1983 annual Statement of Economic Interests.

BROWN, KATHLEEN, FRIENDS OF KATHLEEN BROWN, AND MARY ELLEN PADILLA, TREASURER, SI-97/84 (1999)

84211 - Nine (9) counts
84203 - Eight (8) counts
$24,000 fine

Kathleen Brown, candidate for Governor in 1994, her controlled committee, Friends of Kathleen Brown, and Mary Ellen Padilla, its treasurer, failed to itemize campaign contributions and failed to file late contribution reports for contributions totaling over $1.2 million received between 1993 and 1994.

BRUNNER, JANE, AND THE FRIENDS OF JANE BRUNNER COMMITTEE, SI-96/190 (1998)

84305- One (1) count
$1,750 fine

Jane Brunner, successful candidate for the Oakland City Council, District 1, and her controlled committee, Friends of Jane Brunner, sent a political mass mailing in 1995 which did not have proper sender identification.

BRUNS BELMONT CONSTRUCTION, INC., SI-95/567 (1996)

84300 and 84301 - Five (5) counts
$10,000 fine

Bruns Belmont Construction, Inc., a San Jose based company providing general contractor services, laundered five campaign contributions to San Jose City Council candidate Pat Dando in 1995.

BRYAN, CURTIS V., SI-93/275 (1996)

87100 - One (1) count
87203 - One (1) count
$3,000 fine

Curtis V. Bryan, Ridgecrest City Councilmember, in his official capacity influenced the reconsideration of a denied application for annexation in which he had a financial interest based on income. Bryan also failed to disclose this income on his annual Statement of Economic Interests.

BRYAN, WILLIAM, BRYAN FOR SUPERVISOR COMMITTEE AND PATRICIA BRYAN, SI-83/03 (1988 - CIVIL SUIT SETTLEMENT)

87206
87207
84211
$292,500 fine

William Bryan was a member of the Sacramento County Board of Supervisors who failed to disclose numerous gifts, loans, real property interests, and investments on his Statements of Economic Interests covering 1981 through 1983. In addition, several disclosure violations were committed regarding Mr. Bryan's campaign statements.

BTR, INC., JILL LEDERER, YES! REMOVE ELOIS ZEANAH COMMITTEE, AND LINDA TUCKER, TREASURER, SI-97/524 (2000)

84200 – One (1) count
84305 – Two (2) counts
84203 – Three (3) counts
84211 – Five (5) counts
84106 – One (1) count
$18,000 fine

BTR, Inc., a pizza franchise business located in Thousand Oaks and its owner, Jill Lederer, failed to timely file a major donor campaign statement, failed to file late contribution reports, and failed to include proper sender identification on two mass mailings sent in 1996, all in connection with their support of a local ballot measure. In addition, BTR, Inc., Jill Lederer, the Yes Remove Elois Zeanah Committee, and its treasurer, Linda Tucker, failed to timely disclose contributions, failed to file late contribution reports, and failed to disclose the sponsored

committee status in connection with their support of a recall in 1997.

BUCHANAN, ANGELA, "BAY" AND BUCHANAN FOR TREASURER 1990, SI-92/52 (1994)

84211 - Three (3) counts
84303 - Three (3) counts
$9,000 fine

Angela "Bay" Buchanan, candidate for State Treasurer in 1990, and her controlled committee Buchanan for Treasurer 1990, failed to itemize the source of $41,100 in contributions for two reporting periods. Buchanan also failed to report, for a significant number of contributors, the occupation and employer or name of business of contributors for one reporting period and failed to disclose significant subvendor information totaling $222,998 on three campaign statements for the reporting periods from January 1, 1990, to June 30, 1990.

BUCK, DAVID, SI-80/20 (1980)

87300 - Four (4) counts
$2,000 fine

David Buck, former executive secretary of the State Board of Funeral Directors and Embalmers, committed violations occurring in a special senatorial election held in Santa Clara County. Buck failed to report on his Statement of Economic Interests a $30,000 loan received from Melvin Hilgenfeld, president and manager of the Hilgenfeld Mortuary, on December 27, 1978, and a $65,000 loan received from the Green Acres Memorial Park Cemetery Endowment Care Fund on May 8, 1979. Buck also failed to report an investment in the BruneTalmage Company acquired on December 29, 1978.

BUFORD, ALESCIA, SE-89/396 (1990)

87300 - One (1) count
$1,500 fine

Alescia Buford, an Assembly consultant, failed to provide timely disclosure of her financial interests in 1989. Ms. Buford did not file her Statement of Economic Interests until after being notified repeatedly by the Commission. The statement disclosed income of more than $10,000 from her public relations firm and an investment in real property in Sherman Oaks. A year earlier, Ms. Buford filed her statement 63 days late, paying a $100 late filing fine in August 1988.

BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY, SI-97/202 (1999)

84200 - One (1) count
84204 - One (1) count
$3,000 fine

Burbank-Glendale-Pasadena Airport Authority, a public entity which was formed under a Joint Powers Agreement, qualified as an independent expenditure committee by sending mailers to voters urging a "No" vote in a local ballot measure election, but failed to timely file a campaign statement and a late independent expenditure report in 1997.

BURKE, YVONNE BRATHWAITE, COMMITTEE TO ELECT YVONNE BRATHWAITE BURKE SUPERVISOR L.A. COUNTY, SI-95/182 (1996)

84203 - Two (2) counts
84211 - Three (3) counts
$9,000 fine

Yvonne Brathwaite Burke, a Los Angeles County Supervisor, and her controlled committee, failed to timely report in-kind contributions received from Nestle USA, Inc., during the November 1992 election.

BUSH, LARRY E., SI-87/59 (1987)

87300 - Two (2) counts
$1,900 fine

Larry Bush, an administrative aide to Assemblyman Art Agnos of San Francisco, failed to timely file required annual financial disclosure statements in 1985 and 1986 despite prior notification of his obligations by the Commission.

BYRNE, E. BLAKE, SI-2000/458 (2000)

84203 – One (1) count
$1,500 fine

E. Blake Byrne of Los Angeles failed to file a late contribution report during the March 7, 2000, primary election.

CALDERON, CHARLES, CALDERON CAMPAIGN COMMITTEE, CHARLES CALDERON FOR SENATE 90/SPECIAL, CALDERON FOR SENATE 90, CHARLES CALDERON FOR SUPERVISOR, SI-91/159 (1995)

84303 - Nine (9) counts
89513 - Three (3) counts
$15,000 fine

Charles Calderon, as an Assembly member, 59th Assembly District or a Senate member, 26th Senate District, and his controlled committees failed to disclose subvendors for expenditures totaling $32,407.44. In addition, Charles Calderon and his controlled committees improperly used campaign funds for modeling photographs, a costumed entertainer and a tennis outfit that were not related to campaign purposes.

CALDERON, CHARLES, CALDERON FOR SENATE '98, CALDERON FOR ATTORNEY GENERAL, AND PHILLIP PACE, SI-2000/61 (2001)

89513 – Three (3) count
84200.5- Two (2) counts
83116.5 and 89503 – One (1) count
85201 – One (1) count
89516 – One (1) count
84303 – Two (2) counts
$18,000 fine

Charles Calderon, former member of the California State Senate, 30th District, and candidate for State Attorney General in 1998, his controlled committees, Calderon for Senate '98, its treasurer, Phillip Pace, and Calderon for Attorney General, made improper expenditures of campaign funds for personal travel, vehicle, and clothing expenses, failed to file pre-election campaign statements, caused an elected state officer to accept an illegal gift, failed to deposit personal funds into the campaign bank account, and failed to disclose subvendor information during 1996 to 1998.

CALEGARI, GREGOIRE, FC-84/300 (1987)

84211 and 84300 - Numerous counts
$1,500 fine

Senator Quentin Kopp and his controlled campaign committee, Friends of Quentin Kopp, and Gregoire Calegari, the volunteer treasurer, failed to disclose certain contributor, vendor and expenditure information on nine campaign statements filed between 1982 and 1984 in connection with Kopp's campaign for county supervisor.

The Friends of Quentin Kopp committee also received unlawful cash contributions of $100 or more during 1982.

CALIFORNIA ASSISTED LIVING FACILITIES ASSOCIATION, SI-2001/494 (2001)

86116 and 86117 - Eleven (11) counts
$11,000 fine

California Assisted Living Facilities Association, a lobbyist employer in Sacramento, failed to timely file eleven quarterly lobbyist employer reports during 1997 to 2000.

CALIFORNIA ASSOCIATION OF DRINKING DRIVER TREATMENT PROGRAMS AND MICHAEL WOOD, SI-99/814 (2000)

84200.5 and 84200.7 - Two (2) counts
$2,500 fine

California Association of Drinking Driver Treatment Programs, a general purpose committee, and its treasurer, Michael Wood, failed to timely file first and second pre-election statements in connection with the 1996 general election.

CALIFORNIA ASSOCIATION OF LOCAL CONSERVATION CORPS, SI-2001/259 (2001)

84200 – One (1) count
$600 fine

California Association of Local Conservation Corps of Mill Valley failed to file a major donor campaign statement during 2000.

CALIFORNIA ASSOCIATION OF SHEET METAL AND AIR CONDITIONING CONTRACTORS PAC, AND CYNDI MARSHALL, TREASURER, SI-99/88 (2000)

84300 – Three (3) counts
$5,400 fine

California Association of Sheet Metal and Air Conditioning Contractors PAC, a general purpose committee organized in Sacramento, and Cyndi Marshall,

its treasurer, illegally received cash contributions of one hundred dollars or more in 1995 and 1996 totaling $6,050.

CALIFORNIA AUTOBODY REPAIR POLITICAL ACTION COMMITTEE; JOHN SUTHERLAND III, TREASURER, SI-2001/243 (2001)

84200.7 – Four (4) counts
84200.8 – Two (2) counts
84203 - One (1) count
$10,000 fine

California Autobody Repair Political Action Committee, a recipient committee in Sacramento, and John Sutherland III, its treasurer, failed to file six pre-election campaign statements and one late contribution report in 1998.

CALIFORNIA CEMENT PROMOTION COUNCIL, SI-2000/396 (2000)

84203 – One (1) count
$1,500 fine

California Cement Promotion Council of Danville failed to file a late contribution report during the March 7, 2000, primary election.

CALIFORNIA COALITION FOR IMMIGRATION REFORM, AND BARBARA ANNE COE, TREASURER, SI-94/651 (1998)

84200.8 - One (1) count
84203.5 - One (1) count
84204 - One (1) count
$3,250 fine

California Coalition for Immigration Reform, Huntington Beach, and Barbara Anne Coe, its treasurer, failed to timely file an independent and a late independent expenditure report disclosing expenditures made in support of Proposition 187 during 1994. In addition, the Coalition and Ms. Coe failed to file a semi-annual campaign statement.

CALIFORNIA COMMERCE CLUB, SI-95/506 (1997 - CIVIL SUIT SETTLEMENT)

84200, 84211, 84203.3
$24,000 fine

California Commerce Club (CCC), a California corporation with its principal place of business in Commerce, failed to file major donor statements to timely disclose in-kind contributions made to Just Say No to Casinos, a committee opposing Measure B in a June 1995 Pico Rivera election.

CCC also retained and paid a consultant, who used part of the monies to produce mailers on CCC's behalf, which identified the Save Our City committee as the sender.

CALIFORNIA COMMERCE CLUB, INC. (1999 CIVIL SUIT)

84200
84203.5
84211
$85,000 fine

California Commerce Club, Inc., a California corporation with its principal place of business in Commerce, failed to report independent expenditures on semi-annual and supplemental independent expenditure campaign statements filed in 1995 and failed to disclose sponsorship of a committee.

CALIFORNIA COOPERATIVE CREAMERY STATE PAC, SI-99/818 (2000)

84200.5 - Two (2) counts
$3,000 fine

The California Cooperative Creamery State PAC in Petaluma failed to file two preelection campaign statements in 1996.

CALIFORNIA CREDIT UNION LEAGUE AND RICHARD MERSEREAU, SI-95/48 (1995)

86113 and 86117 - Nine (9) counts
$13,000 fine

Richard Mersereau, a lobbyist, and the California Credit Union League, his employer, failed to timely file nine quarterly lobbyist and lobbyist employer reports from 1992 and 1994.

CALIFORNIA DEMOCRATIC VOTER CHECKLIST AND CLINTON REILLY, SI-92/687 (1996)

84220 and 84203 - Forty (40) counts

84218 - One (1) count
$42,000 fine

The California Democratic Voter Checklist, a slate mailer organization located in San Francisco, which primarily endorses Democratic candidates and ballot measures in local, state, and federal elections, and Clinton Reilly, treasurer, failed to timely file a campaign statement and late payment reports in 1992 and 1994.

CALIFORNIA HEALTHCARE COMMITTEE ON ISSUES, SPONSORED BY CALIFORNIA HEALTHCARE ASSOCIATION, AND DOUG HITCHCOCK, SI-99/85 (2000)

84203 - One (1) count
$2,000 fine

California Healthcare Committee on Issues, Sponsored by California Healthcare Association, a state general purpose committee domiciled in Sacramento, and its treasurer, Doug Hitchcock, failed to file a late contribution report in 1996.

CALIFORNIA INDEPENDENT PUBLIC EMPLOYEES LEGISLATIVE COUNCIL PAC, SI-99/817 (2000)

84200.5 - Two (2) counts
$2,500 fine

California Independent Public Employees Legislative Council PAC, of Sacramento, failed to file preelection campaign statements in 1996.

CALIFORNIA INSURANCE GROUP, SI-99/506 (2000)

84200 - One (1) count
84203 - One (1) count
$1,000 fine

California Insurance Group, located in Monterey, failed to timely file a major donor campaign statement and a late contribution report disclosing a contribution made to Charles W. Quackenbush Re-election Committee in 1998.

CALIFORNIA JUDGES ASSOCIATION-COMMITTEE FOR PUBLIC RESPONSIBILITY, SI-89/186 (1990)

84203 - One (1) count
84305 - One (1) count
$4,000 fine

The California Judges Association - Committee for Public Responsibility, committed two campaign reporting violations in 1986. The violations involved the failure of the political committee to provide proper sender identification on a mass mailing and to report $8,500 in late contributions received during the 1986 general election. The case resulted from a mandatory state audit of campaign statements filed by the committee primarily formed to oppose Proposition 61, a government salary limitation measure defeated in the fall election.

CALIFORNIA LEAGUE OF CONSERVATION VOTERS AND FREDRIC D. WOOCHER, SI-98/734 (2001)

84203 – Five (5) counts
84203.5 – One (1) count
84211 – One (1) count
$14,000 fine

California League of Conservation Voters, a general purpose committee in San Francisco, and Fredric D. Woocher, its treasurer, failed to timely file late contribution reports and independent expenditure reports and failed to disclose and itemize contributions of $100 or more in 1996.

CALIFORNIA LEAGUE OF CONSERVATION VOTERS AND JAMES COMPTON, TREASURER, SI-90/9 (1991)

84204 - One (1) count
84211 (f) - One (1) count
$4,000 fine

California League of Conservation Voters and James Compton, its treasurer, failed to disclose a $50,000 contribution received and five late independent expenditures made, each amounting to $1,927.60, in connection with mailing a statewide “Voters Guide” in 1986.

CALIFORNIA MARKET AND RICHARD RHEE, SI-95/61 (1996)

84200 - One (1) count
$2,000 fine

California Market, a market based in Los Angeles, Garden Grove, and Gardena, and its Executive President Richard Rhee, failed to file a major donor committee campaign

statement for a $50,000 contribution made to the Ira Reiner for District Attorney Committee in 1992.

CALIFORNIA PHYSICIANS FOR A LOGICAL AIDS RESPONSE AND BRETT BARBRE, TREASURER, SI-88/454 (1991)

84101 (a) - One (1) count
84200 - Four (4) counts
84200.5 (b) - Two (2) counts
$10,000 fine

The Commission accepted an administrative law judge's recommended findings that the California Physicians for a Logical AIDS Response (CPLAR) and Brett Barbre, treasurer, failed to file campaign disclosure statements in connection with its support of Proposition 102 (the AIDS reporting initiative) on the November 1988 statewide ballot. When the statements were filed a year later in November 1989, it was disclosed that CPLAR had raised over $160,000 in campaign contributions.

CALIFORNIA PODIATRY POLITICAL ACTION COMMITTEE, SI-91/207 (1992)

84200(a) - Four (4) counts
84200.5(d) and 84200.7 - Four (4) counts
84202.7 - One (1) count
$9,000 fine

The California Podiatry Political Action Committee failed to file campaign statements in 1988, 1989, and 1990, disclosing receipts and expenditures made to numerous candidates. After discovering the reports had not been filed, the PAC's sponsoring organization, California Podiatric Medical Association, hired an accounting firm to audit its records, and the statements were filed in December 1990. The Secretary of State fined the PAC $7,000 for the late filings.

CALIFORNIA PRO BUSINESS COMMITTEE AND RAVINDER MEHTA, SI-2000/51 (2001 CIVIL LAWSUIT)

84200
84211
89512.5
$23,000 fine

California Pro Business Committee, a recipient committee, and its treasurer, Ravinder Mehta, failed to timely disclose accrued expenditures on campaign statements, made expenditures that conferred a substantial personal benefit to Mehta, and failed to timely itemize information about this payment on campaign statements in 1998.

CALIFORNIA PRO LIFE COUNCIL, INC., SI-97/582 (1998)

84211 - One (1) count
84200 - One (1) count
$3,000 fine

California Pro Life Council, Inc., a general purpose committee audited by the Franchise Tax Board for the years 1993 and 1994, failed to list contributor occupation and employer information and failed to timely file a semi-annual campaign statement.

CALIFORNIA REFUSE REMOVAL COUNCIL NORTH POLITICAL ACTION COMMITTEE, SI-99/816 (2000)

84200.7 and 84200.8 – Three (3) counts
84202.7 – One (1) count
$5,750 fine

California Refuse Removal Council North Political Action Committee, a state general purpose committee, failed to timely file three pre-election campaign statements and one odd-year campaign report in 1995 and 1996.

CALIFORNIA REPUBLICAN ASSEMBLY COMMITTEE AGAINST TAX INCREASES AND JAMES HARNSBERGER, SI-96/305 (2000)

84200 - Five (5) counts
84202.3 - One (1) count
84200.5 and 84200.7 - Two (2) counts
$13,000 fine

The Commission issued a Default Decision and Order against the California Republican Assembly Committee Against Tax Increases, a ballot measure committee primarily formed to qualify a tax-cut initiative for the November 1996 election in the City of El Cajon, and its treasurer, James Harnsberger, who failed to timely file campaign statements in 1996.

CALIFORNIA REPUBLICAN ASSEMBLY MEMBERSHIP ACTION COMMITTEE, JAMES D. SMITH, TREASURER, SI-99/427 (2001)

84200 and 84211- Four (4) counts
$4,000 fine

California Republican Assembly Membership Action Committee, a general purpose committee based in Huntington Beach, and its treasurer, James D. Smith, failed to disclose contributions made and received on their semi-annual campaign report for a 1998 reporting period.

CALIFORNIA REPUBLICAN ASSOCIATION, MEMBER ACTION COMMITTEE, SI-2000/443 (2000)

84203 – Two (2) counts
$2,527.11 fine

California Republican Association, Member Action Committee, located in Huntington Beach failed to file late contribution reports during the March 7, 2000, primary election.

CALIFORNIA REPUBLICAN PARTY, SI-96/374 (1998)

84203.5 - One (1) count
84204 - One (1) count
$3,000 fine

The California Republican Party failed to file a late independent expenditure report within 24 hours of the time the independent expenditure was made and failed to file a supplemental independent expenditure report for a mass mailing sent in 1996, which was directed to Republican voters in the 40th Assembly District, including the cities of Fresno and Bakersfield, opposing Assemblyman Brian Setencich for Assembly.

CALIFORNIA REPUBLICAN PARTY AND SHAWN STEEL, TREASURER, SI-2000/160 (2001)

84303 – Fourteen (14) counts
84203 – Two (2) counts
84211 – Four (4) counts
$31,000 fine

California Republican Party, a state general purpose campaign committee, and its treasurer, Shawn Steel, failed to disclose subvendor information for payments totaling $4,158,383, failed to report accrued expenditures totaling $822,392, and failed to file a late contribution report during 1995 to 1996.

CALIFORNIA REPUBLICAN PARTY, PAUL D. HANCOCK, TREASURER, AND JOE WEBER; JOHN DOOLITTLE, FRIENDS OF JOHN DOOLITTLE, AND DAVID LOPEZ; ROBERT "TIM" LESLIE, TIM LESLIE FOR SENATE/1991, AND JOHN B. ALLARD II, SI-93/250 (1994)

83116.5 - One (1) count
84211 - Three (3) counts
84300(c) and 84301 - One (1) count
$8,000 fine

In 1991, Friends of John Doolittle (Friends) issued a check for $1,750 to the California Republican Party (CRP), which was actually intended for Tim Leslie for Senate/1991. After receiving this check, the CRP then issued a check for $1,750 to the Leslie campaign. The Tim Leslie for Senate Committee failed to properly report that Friends was the true source of this $1,750 campaign contribution. The committee reported that the contribution came from the CRP, which was only an intermediary, not the actual source of the funds. Both friends and the CRP also incorrectly reported this transaction on their campaign statements.

CALIFORNIA REPUBLICAN PARTY/VICTORY 1990 CAL PLAN COMMITTEE, AND PAUL HANCOCK, TREASURER, SI-93/331 (1994)

84202.5 - One (1) count
84203 - Ten (10) counts
84211 - Three (3) counts
$25,500 fine

The California Republican Party/Victory 1990 Cal Plan Committee, and Paul Hancock, Treasurer, who actively supported various Republican candidates for legislative office in 1989 and 1990 failed to timely report late non-monetary contributions totaling $555,144 made to seven legislative candidates and failed to report non-monetary contributions to two legislative candidates totaling $43,024 on pre-election campaign statements. The committee also failed to file a pre-election campaign statement reporting non-monetary contributions totaling $18,411 to one legislative candidate.

CALIFORNIA REPUBLICAN PARTY/VICTORY 1990 STATE OPERATING ACCOUNT, SI-94/77 (1996)

84202.5 - Two (2) counts
84203 - Twenty-Three (23) counts
84211 - One (1) count
84305 - Five (5) counts
$56,000 fine

California Republican Party/Victory 1990 State Operating Account failed to timely file two pre-election campaign statements in connection with 1991 special elections and 23 late contribution reports for late non-monetary contributions totaling $270,977 made to four legislative candidates. The committee also failed to properly report the guarantor of a $100,000 loan made to the committee in 1991 and to include proper sender identification on five mass mailings which were sent in 1992.

CALIFORNIA SOCIETY OF PLASTIC SURGEONS PAC, SI-92/374 (1995)

84200(a) - Six (6) counts
84200.5(d) and 84200.7 - Two (2) counts
84203 - Three (3) counts
$9,500 fine

The California Society of Plastic Surgeons Political Action Committee failed to timely file various campaign reports to disclose contributions received and expenditures made, mostly to members of the California State Legislature or candidates for state constitutional office from 1987 to 1991. These statements included six semi-annual statements, two pre-election statements, and three late contribution reports.

CALIFORNIA THOROUGHBRED BREEDERS ASSOCIATION POLITICAL ACTION COMMITTEE, AND RODNEY F. PITTS AND NATHANIEL B. WESS, TREASURERS, SI-92/734 (1994)

84211 - Three (3) counts
84200.5 - Three (3) counts
$9,000 fine

California Thoroughbred Breeders Association Political Action Committee and Rodney F. Pitts, treasurer, failed to itemize contributions amounting to $43,492 and expenditures amounting to $31,536 during the campaign reporting period from July 1, 1989, through December 31, 1989. The committee and its subsequent treasurer, respondent Nathaniel B. Wess, failed to timely file three pre-election statements for reporting periods in 1990. The committee also failed to itemize contributions of $27,600 on the semi-annual campaign statement that was due on June 30, 1990.

CALIFORNIA VICTORY FUND SPONSORED BY THE NATIONAL REPUBLICAN SENATORIAL COMMITTEE AND MARY M. DOTTER, TREASURER, SI-98/289 (1998)

84102, 84106, 84211 - One (1) count
84203 - Two (2) counts
$5,000 fine

The California Victory Fund, a committee established by the National Republican Senatorial Committee located in Washington, D.C., and Mary M. Dotter, its treasurer, failed to identify its sponsor and to include the name of its sponsor in the name of the committee on its statement of organization and on its semi-annual campaign statement. In addition, it failed to file late contribution reports for a contribution made and received in 1998.

CALIFORNIA WASTE REMOVAL SYSTEMS, INC., ALSO KNOWN AS CALIFORNIA WASTE RECOVERY SYSTEMS, INC., SI-97/252 (1998)

84301 - Ninety (90) counts
$150,000 fine

California Waste Removal Systems, Inc., also known as California Waste Recovery Systems, Inc., a family owned and operated refuse and recycling business, laundered ninety campaign contributions made to the campaigns of several local candidates in San Joaquin and Sacramento Counties in 1994 and 1996.

CALIFORNIA YOUNG REPUBLICANS PAC, E. DANIEL DELLICOMPAGNI, TREASURER, SI-87/228 (1990)

84200 - Five (5) counts
94200.5 (d) - Three (3) counts
$16,000 fine

The California Young Republicans PAC and its treasurer, E. Daniel Dellicompagni, failed to file six semi-annual campaign statements and two pre-election campaign statements by the deadlines in 1986, 1987, 1988, and 1989.

The committee only disclosed its pre-election campaign activities in a semi-annual statement filed June 4, 1987. The required campaign disclosures failed to be provided despite notices from the Secretary of State and the Commission.

Information made available by the treasurer during the investigation showed expenditures by the committee of nearly $145,750, including a payment of $67,881 to a company for the telephone solicitation of contributions for the group and $18,360 to candidates.

CALIFORNIANS AGAINST CORRUPTION, CARL RUSSELL HOWARD, TREASURER, AND STEPHEN J. CICERO, TREASURER, SI-93/336 (1995)

84200 and 83116.5 - Two (2) counts
84203 and 83116.5 - One (1) count
84211(a) and 83116.5 - One (1) count
84211(b) and 83116.5 - One (1) count
84211(f) and 83116.5 - Three Hundred Fifty-Two (352) counts
84211(j) and 83116.5 - Thirty-Nine (39) counts
84105 and 93116.5 - One (1) count
84104 and 83116.5 - Seven (7) counts
$808,000 fine

The Commission issued a Default Decision and Order against the Californians Against Corruption, Carl Russell Howard, Treasurer, and Stephen J. Cicero, Treasurer, who substantially failed to comply with the disclosure and/or recordkeeping provisions and failed to file or timely file required campaign reports.

CALIFORNIANS AGAINST UNFAIR TAX INCREASES/NO ON PROPOSITION 99, AND PHILIP MORRIS, U.S.A., SI-89/508 (1992 - CIVIL SUIT SETTLEMENT)

84203
$125,000 fine

Prior to the November 1988 election, Philip Morris and the Californians Against Unfair Tax Increases (CAUTI) filed late contribution reports to disclose approximately $700,000 of non-monetary contributions which Philip Morris was planning to make in opposition to Proposition 99, which would increase the cigarette tax. However, during the late contribution period, Philip Morris actually made late contributions totaling $2.5 million, so the reported amount was understated by $1.8 million. Neither-CAUTI nor Philip Morris filed reports to disclose this additional amount of late contributions.

CALIFORNIANS FOR HEALTH SECURITY, HOWARD OWENS, VISHWANATH LINGAPPA, AND PAUL MILNE, SI-97/86 (1999)

84105 - Five (5) counts
84203 - One (1) count
84211 - Six (6) counts
84104 - One (1) count
$21,000 fine

Californians for Health Security, located in Sacramento, Howard Owens, its treasurer, Vishwanath Lingappa, the state proponent, and Paul Milne, its campaign manager, failed to send notification letters to major contributors, failed to disclose occupation and employer information for individual contributors, failed to timely disclose contributions, and failed to maintain adequate records for non-monetary contributions received during 1993 and 1994.

CALIFORNIANS FOR HIGHER EDUCATION AND CHARLES H. BELL, JR., TREASURER, SI-91/575 (1992)

84211 (f) - Two (2) counts
$2,000 fine

Californians for Higher Education and Charles H. Bell, Jr., treasurer, failed to timely disclose non-monetary contributions on two separate pre-election campaign statements. This committee supported Proposition 111 and Proposition 121 in the June 1990 election and Proposition 143 in the November 1990 election. It failed to report $61,985 in non-monetary contributions on campaign statements due May 24, 1990, from 18 university alumni and faculty associations. On another report due October 25, 1990, it failed to disclose $66,525 received in non-monetary contributions from 20 university alumni and faculty associations.

CAMERON, TERRY W., AND T.C. CONSTRUCTION COMPANY, INC., SI-2000/140 (2000)

84300 and 84301 – Thirty-eight (38) counts
$70,000 fine

Terry W. Cameron, president and owner of T.C. Construction Company, Inc., a general contracting company headquartered in the City of Santee, laundered campaign contributions to candidates for the Santee City Council in 1998.

CAMP, DRESSER & MCKEE, INC., SI-2001/11 (2001)

84200 - One (1) count
$400 fine

Camp, Dresser & McKee, Inc., of Cambridge, Massachusetts, failed to file a major donor campaign statement during 2000.

CAMPBELL FOR CONTROLLER COMMITTEE, SENATOR WILLIAM CAMPBELL AND KENNETH RAMMELL, TREASURER, SI-88/210 (1990)

84203 - One (1) count
84303 - One (1) count
$4,000 fine

Former state Senator William Campbell and his committee failed to file late contribution reports for $30,767 or 26 percent of the total received during the final two weeks of the November 1988 election. His committee and its treasurer, Kenneth Rammell, also failed to itemize each of the subvendors to whom payments totaling $100 or more were made.

CANTRALL, PATRICIA, SI-82/10 (1983)

87300 - One (1) count
$2,100 fine
$2,000 waived

Patricia Cantrall, board member of the Modoc Joint Unified School District, failed to file her 1980 annual Statement of Economic Interests until 289 days after the filing deadline.

CARCIONE, JOSEPH, SI-2001/12 (2001)

84200 - One (1) count
$600 fine

Joseph Carcione of Redwood City failed to file a major donor campaign statement during 2000.

CARDELUCCI, SAM, AND NATIONAL ENVIRONMENTAL WASTE CORPORATION, SI-2000/5 (2001)

84204 – Seven (7) counts
84203.5 - Seven (7) counts
84200 – Two (2) counts
$16,000 fine

Sam Cardelucci, president of National Environmental Waste Corporation of Riverside, failed to timely file late independent expenditure reports, supplemental independent expenditure reports, and semi-annual campaign statements during 1997 through 2000.

CARE ENTERPRISES, MD-90/380 (1991)

84200 (b) - One (1) count
$1,750 fine

Care Enterprises, Inc., owners and operators of skilled nursing facilities, failed to timely file a campaign disclosure statement. During the first half of 1988, Care Enterprises made contributions totaling $21,500 to political candidates and committees and failed to report these contributions on a major donor statement.

CARPENTER, PAUL, SI-84/296 (1985)

84305 - One (1) count
$2,000 fine

Senator Paul Carpenter sent two mailings just before the November 1984 election that lacked sender identification. One of the mailings was an attack on his opponent Margaret Vineyard.

Several proofs of the campaign mailings that were checked by the committee contained Senator Carpenter's name and address as required. However, the committee was negligent by not examining the final proof and allowing the mailings to be sent to voters with no sender identification.

CARPENTER, PAUL, SENATOR PAUL CARPENTER COMMITTEE, FC-87/122 (1989)

84203 - One (1) count
$2,000 fine

Former state Senator Paul Carpenter, a Democrat elected to the state Board of Equalization in November 1986,

failed to properly report a late contribution of $5,000 from his controlled committee, made less than a week before the special election in Senate District 33. The contribution was paid to a committee that was formed for the sole purpose of opposing the republican candidate in the special election held March 17, 1987. The contribution paid for a last minute mailer critical of the republican candidate.

The Senator Carpenter Committee filed a late report three days after the election, reporting the contribution made on March 20, 1987. However, records showed that the contribution should have been reported by March 15, 1987.

CARTER, DOUG, SI-88/443 (1990)

84104 - One (1) count
$1,000 fine

Doug Carter, 1988 candidate for San Joaquin County Supervisor, failed to properly document $9,320 in expenditures made by his controlled committee, Friends of Doug Carter. The expenditures by the committee involved more than 55 checks of $25 or more which were made to or cashed by the candidate. The failure to maintain adequate records made it impossible to determine whether any one person received payments of $100 or more so as to require disclosure on campaign statements.

CARTER, DOUG, FRIENDS OF CARTER COMMITTEE, SI-78/121 (1981)

84201 (currently 84200.5) - One (1) count
84214 (currently 84203) - One (1) count
84300 - One (1) count
$1,500 fine
$1,000 waived

Doug Carter, an unsuccessful candidate for the 26th Assembly District in 1978, failed to timely file pre-election campaign statements, failed to report late contributions totaling $43,000, and accepted cash loans and made cash payments in excess of the then $50 limitation.

CASILLAS, JUAN, SI-79/69 (1980)

81005.2 - (currently 87500) - One (1) count
$250 fine

Dr. Juan F. Casillas of Los Angeles failed to file a personal financial disclosure statement for 1978 with the Department of Consumer Affairs. Casillas served as a member of the Board of Examiners in Veterinary Medicine in the department.

CEDAR VALLEY HOLDING COMPANY, SI-94/22 (1995)

84301 - Fifty-seven (57) counts
$96,900 fine

The Cedar Valley Holding Company, with various businesses and real property in Contra Costa County, laundered contributions in the names of various individuals associated with the company to candidates for supervisor in Contra Costa County, two ballot measure campaigns, and candidates to the East Bay Municipal Utility District during 1990 through 1992.

CEMENT MASONS LOCAL 400, SI-2001/13 (2001)

84200 - One (1) count
$400 fine

Cement Masons Local 400 of Sacramento failed to file a major donor campaign statement during 2000.

CENTRAL CALIFORNIA DISTRICT COUNCIL OF CARPENTERS, HARVEY H. LANDRY, JR., AND J.H. LEE ACCOUNTANCY CORPORATION, SI-97/369 (1999)

84200.5 - Two (2) counts
$2,500 fine

Central California District Council of Carpenters, a general purpose committee, and its treasurers, Harvey H. Landry, Jr., and J.H. Lee Accountancy Corporation, failed to file the first and second pre-election statements during 1994.

CENTRAL FINANCIAL ACCEPTANCE CORP., SI-2000/449 (2000)

84203 – One (1) count
$2,000 fine

Central Financial Acceptance Corp. of Commerce failed to file a late contribution report during the March 7, 2000, primary election.

CENTURY PACIFIC EQUITY CORPORATION, SI-99/322 (2000)

84200 - One (1) count
$400 fine

Century Pacific Equity Corporation, located in Los Angeles, failed to timely file a major donor campaign statement for contributions made to Californians for Gray Davis committee in 1998.

CERTE MANAGEMENT GROUP, MD-87/251 (1989)

84200 (b) - One (1) count
$2,000 fine

Certe Management Group of La Jolla failed to file a major donor campaign statement. This firm and its Kentucky-based affiliated entity, Cobra Oil & Gas, made two contributions totaling $17,500 to an unsuccessful statewide candidate. The company failed to file the required campaign statement despite repeated notices from the Commission and notification earlier by the candidate receiving the contributions.

CERVANTES, LORRAINE, AND THE COMMITTEE TO ELECT LORRAINE CERVANTES, SI-95/286 (1999)

84200 - One (1) count
84200.5 and 84200.8 - Two (2) counts
$2,500 fine

Lorraine Cervantes, unsuccessful candidate for Compton City Council in 1995, and her controlled committee, Committee to Elect Lorraine Cervantes, failed to file two pre-election campaign statements and a semi-annual campaign statement in 1995.

CHACON, MARIA; RAMIRO MORALES, ELIZABETH CORONA, AND COMMITTEE TO RE-ELECT CHACON AND MORALES, SI-99/246 (2000)

84200.5 – Two (2) counts
84203 – Three (3) counts
$8,500 fine

Maria Chacon and Ramiro Morales, members of the City of Bell Gardens City Council, their controlled committee, Committee To Re-Elect Chacon and Morales, and its treasurer, Elizabeth Corona, failed to timely file pre-election campaign statements and late contribution reports in 1999.

CHACON, PETER, PETE CHACON 1990 COMMITTEE, AND JEAN CHACON, TREASURER, SI-91/424 (1993)

84211 - Six (6) counts
84104 - One (1) count
87207 - One (1) count
$14,000 fine

Former State Assemblyman Peter Chacon, his campaign committee, and its treasurer committed campaign disclosure violations when they misreported campaign expenditures on Chacon's 1989 semi-annual statements. Chacon also failed to report personal gifts received from his campaign committee on his 1989 Statement of Economic Interests.

Chacon improperly reported the nature of credit card expenditures made in 1989. Over $20,000 in expenditures were not travel related as reported, but instead were for purchases at department stores, mail order companies, and building supply houses. Chacon and his committee also failed to maintain proper source documentation for credit card purchases.

CHAMLIAN, VAL, SI-99/505 (2000)

84200 - One (1) count
84203 - One (1) count
$1,000 fine

Val Chamlian of Fresno failed to timely file a major donor campaign statement and a late contribution report disclosing a contribution made to Charles W. Quackenbush Re-election Committee in 1998.

CHAMPS OPERATING GROUP, INC., AND LEO CHU, SI-95/437 (1998)

84204 - Four (4) counts
$7,500 fine

Champs Operating Group, Inc., and Leo Chu, the designated responsible officer, made late independent expenditures for and against candidates in the City of Pomona in 1995 and failed to file late independent expenditure reports.

CHAPMAN, BOB, SI-2000/763 (2001)

87200 and 87203 - One (1) count
$300 fine

Bob Chapman, City of Laguna Beach Planning Commissioner, failed to timely file a 1999 annual Statement of Economic Interests.

CHARLES, ZORA, SI-2000/422 (2000)

84203 – One (1) count
$1,500 fine

Zora Charles of Beverly Hills failed to file a late contribution report during the March 7, 2000, primary election.

CHEAP, JAMES, SI-95/49 (1998)

87406 - One (1) count
$2,000 fine

James Cheap, a data processing manager with the California State Lottery Commission (CSLC) from 1986 until 1993, then a retired annuitant from January 1993 until March 31, 1994, violated the revolving door provisions when he submitted a bid to contract with the CSLC within one year of leaving his employment with this agency.

CHEN, CHI MAY, SI-93/75 (1993)

84302 - Nineteen (19) counts
$38,000 fine

Chi May Chen acted as an agent or intermediary for another party in the making of contributions without disclosing the actual contributor to the recipient. With the money of another person, Chen reimbursed four individuals for 14 campaign contributions to various Los Angeles City Councilmembers and other candidates since 1990. Chen also made an additional five campaign contributions in her own name for which she was illegally reimbursed.

CHRISTIANI, LARRY D., SI-97/647 (1998)

84301 and 84300 - Six (6) counts
$11,000 fine

Larry D. Christiani, a Los Gatos general building contractor and principal owner of a construction company, laundered six campaign contributions to the Committee to Elect Pete Sinclair, candidate for the Woodside City Council in 1995.

CHRONICLE PUBLISHING COMPANY, SI-2001/42 (2001)

84200 - One (1) count
$600 fine

The Chronicle Publishing Company of Oakland failed to file a major donor campaign statement during 2000.

CITIZENS AGAINST MORE TRAFFIC - NO ON G COMMITTEE AND SUNSET DEVELOPMENT COMPANY, SI-89/221 (1990)

84102 - One (1) count
84305 - Four (4) counts
$9,000 fine

Citizens Against More Traffic - No on G Committee failed to disclose on its statement of organization and on four mass mailings that it was sponsored by a developer who opposed a “slow-growth” measure in Walnut Creek. The committee raised $31,000 and sent four mass mailings opposing the measure within the last two weeks before the June 8, 1989, election.

Sunset Development Company qualified as the committee’s sponsor by setting fundraising policies and providing all or nearly all of the administrative services for the committee.

CITIZENS FOR A BETTER FAIRFIELD, SI-99/724 (2000)

84305 – One (1) count
$1,200 fine

Citizens for a Better Fairfield, a general purpose city committee, failed to include proper sender identification on a mass mailing sent in 1999.

CITIZENS FOR A LIVABLE LOS ANGELES SEYMOUR LAURETZ, TREASURER, ZEV YAROSLAVSKY, AND MARVIN BRAUDE, SI-88/384 (1990)

84303 - Two (2) counts
$3,000 fine

Citizens for a Livable Los Angeles, a city ballot measure committee controlled by Los Angeles Councilmembers Zev Yaroslavsky and Marvin Braude failed to properly report expenditures of $1.84 million, which amounted to 70% of the total expenditures during two reporting periods, made for broadcast advertising during the November 1988 local election on two competing oil drilling ballot measures. The controlled committee was primarily formed to support passage of Measure O, which opposed oil drilling off the coast of Los Angeles County. The competing Measure P was defeated.

CITIZENS FOR A STRONG CHULA VISTA AND CHRIS MILLER, TREASURER, SI-90/887 (1992)

84204 - One (1) count
$2,000 fine

Citizens for a Strong Chula Vista and Chris Miller, its treasurer, failed to timely file a late independent expenditure report disclosing $3,047 spent to produce a mailer supporting Leonard Moore for reelection to the Chula Vista City Council.

CITIZENS FOR CARDROOM REFERENDUM, AND TED FRAZIER, AKA THEO FRAZIER, TREASURER, SI-92/483 (1997)

89517 - Two (2) counts
89513(f) - Three (3) counts
84200 and 84200.5 - One (1) count
$3,000 fine

The Commission issued a Default Decision and Order against Citizens for Cardroom Referendum, and Ted Frazier, its treasurer, who failed to file campaign statements in 1992 and 1995. Frazier also violated the personal use provisions by using campaign funds to pay rent on his and another person's apartment and use of personal and other persons' residential phone services, and purchased a television set for another person.

CITIZENS FOR HONEST GOVERNMENT AND CECILIA B. HERNANDEZ, SI-96/703 (1999)

84200.5 and 84200.8 - Two (2) counts
$1,500 fine

The Commission issued a Default Decision and Order against Citizens for Honest Government, a Colton City general purpose committee, and its treasurer, Cecilia B. Hernandez, for failure to timely file the first and second pre-election statements in connection with the 1996 General Election.

CITIZENS FOR LEGAL IMMIGRATION REFORM/SAVE OUR STATE, RON PRINCE, AND BETTY PRESLEY, SI-95/281 (1997)

84105 - One (1) count
$1,000 fine

Citizens for Legal Immigration Reform/Save Our State, a state ballot measure committee formed to support the passage of Proposition 187, its principal officer, Ron Prince, and its treasurer, Betty Presley, failed to notify a contributor of $5,000 or more that she may be required to file major donor campaign statements in 1994.

CITIZENS FOR RESPONSIBLE LOCAL REPRESENTATION, AND SCOTT C. BEARD, TREASURER, SI-92/700 (1994)

84200 - Two (2) counts
84204 - One (1) count
$4,000 fine

Citizens for Responsible Local Representation, a noncontrolled recipient committee formed to support various candidates for local governmental offices within San Bernardino County, and Scott C. Beard, Treasurer, failed to timely file semi-annual statements and late independent expenditure reports for $4,315 of postage in conjunction with mailers distributed in 1992.

CITIZENS TO PROTECT OUR COMMUNITY AND HAROLD S. TRUBO, SI-96/411 (1998)

84211 - One (1) count
84203 - Three (3) counts
$4,000 fine

Citizens to Protect Our Community, a recipient committee primarily formed to support Utility Tax Measure "O" in the city of Moreno Valley, and its treasurer, Harold S. Trubo, failed to disclose contributions on campaign statements and failed to file late contribution reports in 1996.

CITY OF BURBANK, BILL WIGGINS, BOB KRAMER, DAVE GOLONSKI, TED MCCONKEY, SUSAN SPANOS, AND STACEY MURPHY, SI-97/194 (2000)

89001 – Three (3) counts
$6,000 fine

The Commission adopted an administrative law judge's proposed decision in the matter of City of Burbank, Bill Wiggins, Bob Kramer, Dave Golonski, Ted McConkey, Susan Spanos, and Stacey Murphy, who, acting in their official capacities as members of the Burbank City Council, sent three mass mailings which contained their signatures to residents in Glendale and Pasadena at public expense in 1997.

CLEM, LORI, SI-2001/138 (2001)

84200 – One (1) count
$400 fine

Lori Clem of Brea failed to file a major donor campaign statement during 2000.

CLIFT, MARY LOU, FRIENDS OF MARY LOU CLIFT, AND LAURA A. DUNLAP, TREASURER, SI-97/145, SI-97/145 (2000 CIVIL SUIT)

84300
84304
84203
84211
84104
$9,100 fine

Mary Lou Clift, an unsuccessful candidate for Vista City Council in 1996, received and deposited an illegal, anonymous cash contribution. Ms. Clift, her committee Friends of Mary Lou Clift, and its treasurer, Laura A. Dunlap, failed to properly report the receipt of this contribution and also failed to maintain other required records.

COALITION TO ACHIEVE RESPONSIBLE ENFORCEMENT AND SARAH SKINNER, TREASURER, SI-95/196 (1997)

84203 - Three (3) counts
$3,000 fine

The Coalition to Achieve Responsible Enforcement, a local ballot measure committee in San Francisco formed to oppose the passage of Proposition G, the Building Inspection Commission charter amendment, and its treasurer, Sarah Skinner, failed to file late contribution reports in 1994.

COBOS, ALFRED, AND COMMITTEE TO ELECT AL COBOS, SI-97/326 (1998)

84200.5 and 84200.8 - One (1) count
84200 - Two (2) counts
85201 - One (1) count
$4,000 fine

Alfred Cobos, member of the Bassett Unified School District Board of Directors in Los Angeles County, and his Committee to Elect Al Cobos, failed to timely file a preelection campaign statement in 1993, failed to file semi-annual campaign statements in 1993 and 1994, and failed to deposit all contributions or loans made to himself or his committee into, and failed to make campaign expenditures from, the campaign bank account.

COCA-COLA COMPANY, THE, SI-91/238 (1991)

84203 - One (1) count
$1,750 fine

The Coca-Cola Company failed to timely file a late contribution report for a $25,000 contribution made on October 25, 1990, to the "No on 128 - The Hayden Initiative," a committee opposing the statewide initiative commonly known as "Big Green."

COHEN MEDICAL CORPORATION, SI-2000/450 (2000)

84203 – Three (3) counts
$4,425 fine

Cohen Medical Corporation of Long Beach failed to file a late contribution report during the March 7, 2000, primary election.

COHEN MEDICAL GROUP, SI-2001/14 (2001)

84200 – One (1) count
$600 fine

Cohen Medical Group of Long Beach failed to file a major donor campaign statement during 2000.

COHN, JEROLD, SI-94/209 (1996)

89503 - One (1) count
87206 and 87207 - Five (5) counts
$7,000 fine

Jerold Cohn, a workers' compensation appeals judge with the Department of Industrial Relations, violated the conflict of interest provisions of the Act when he accepted a honorarium for a speech given in 1991 from a law firm which appeared before the Workers' Compensation Appeals Board. Cohn also failed to timely file his annual Statements of Economic Interests for 1991 and 1992, and did not disclose complete information on his statements filed for 1993-1995.

COLEMAN, LEWIS W., SI-98/319 (1998)

84203 - One (1) count
84200 - One (1) count
$2,500 fine

Lewis W. Coleman of San Francisco failed to file a late contribution report and failed to file a semi-annual campaign statement for contributions made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

COLLIS, CONWAY, MD-90/391 (1991)

84200 (b) and 83116.5 - Two (2) counts
$2,500 fine

Conway Collis, former member, Board of Equalization, caused Martin Massman, a major donor, to violate campaign reporting requirements. Collis promised to have his controlled committee take full responsibility for the filing of Mr. Massman's two 1989 major donor statements and subsequently failed to file the statements.

COLLIS, CONWAY, CITIZENS FOR COLLIS, ALBERT GERSTEN, JR., THE GERSTEN COMPANIES, AND THOMAS HOUSE, SI-82/24 (1984)

84200 - Three (3) counts
84211 - Fifteen (15) counts
84213 - One (1) count
$12,000 fine - Conway Collis and Citizens for Collis $2,000 fine - Albert Gersten, Jr. and The Gersten Companies
$1,000 fine - Thomas House

Board of Equalization member Conway Collis, Albert Gersten, one of Collis' major campaign contributors, and Thomas House, a campaign accountant, committed multiple campaign reporting violations during the 1982 primary election. The most serious violations involved intentional over reporting of campaign contributions to the Citizens for Collis campaign committee by $145,000 during the primary period because Collis felt he needed to catch up with his fundraising if he was to have a shot at getting endorsements from Howard Berman and because of his desire to make a strong showing of his ability to raise funds on his own behalf by showing at least $300,000 on his campaign statement at the end of 1981.

Collis reported cash on hand of $280,485 on his December 11, 1981, campaign statement - $145,000 more than the committee had in the bank as of that date. Five checks in that amount to the Collis committee were dishonored, four because payment had been stopped by the contributors and one because of insufficient funds.

Tom House, the accountant for Citizens for Collis committee, Albert Gersten, Jr., and The Gersten Companies, failed to report contributions to Collis.

Gersten failed to timely report a $25,000 contribution made to Citizens for Collis in 1982.

COLLISHAW CONSTRUCTION, INC., SI-95/567 (1996)

84300 and 84301 - Six (6) counts
$12,000 fine

Collishaw Construction, Inc., located in San Jose and engaged in construction and development, laundered six campaign contributions to San Jose City Council candidate Pat Dando in 1995.

COMBS, JESSE, SI-84/322 (1987)

87100 - Six (6) counts
87206 - One (1) count
87207 - Five (5) counts
$12,000 fine

Former Lake County Supervisor Jesse Combs committed violations by voting on matters that clearly benefited business partners and developers who were sources of income. These same sources of income were not disclosed on his Statement of Economic Interests. The conflicts of interest centered on a development project

known as Lakeside Heights, expansion of the Lampson Airport, and contracts with Ruzicka Engineering. In several of the conflicts, Combs provided the requisite third vote.

Combs participated in the governmental decisions despite contrary advice from the county counsel and the Fair Political Practices Commission. Combs failed to disclose on his 1983 and 1984 Statements of Economic Interests several sources of income of $10,000 or more to his construction company and his 50% investment in Lake County property.

COMMITTEE FOR EXCELLENCE IN EDUCATION, PHILIP ARNOLD, JIM HUTCHERSON, AND TAL COWAN, SI-95/189 (1997)

84200.5 and 84200.7 - Five (5) counts
84203 - One (1) count
$6,000 fine

Philip Arnold, Jim Hutcherson, and Tal Cowan, candidates for the Board of Trustees for the Fallbrook Union High School District, and the Committee for Excellence in Education, their controlled committee, failed to file preelection statements until after the election in 1994 and failed to file a late contribution report.

COMMITTEE FOR FAIR LAWYERS FEES, SPONSORED BY THE INSURANCE INDUSTRY, SI-88/247 (1990)

84106 and 84305 - One (1) count
$2,000 fine

The Committee for Fair Lawyers Fees, Sponsored by the Insurance Industry, failed to provide proper sender identification on its mass mailing sent while trying to qualify what became unsuccessful Proposition 106 on the November 1988 statewide ballot.

The mass mailing was designed to look like an official government publication but nowhere on the outside envelope or on any of the enclosures of the committee mailing was the sponsorship of the committee identified.

COMMITTEE FOR LOCAL AWARENESS AND ARMEN TASHJIAN, SI-99/711 (2000)

84200.5 and 84200.7 - One (1) count
84204 - Two (2) counts
$5,000 fine

Committee for Local Awareness, a committee formed to oppose Hawthorne City Council candidates in the November 1999 election, and its treasurer, Armen Tashjian, failed to timely file a preelection campaign statement and two late independent expenditure reports in 1999.

COMMITTEE FOR RESPONSIBLE WOODSIDE TOWN GOVERNMENT AND RALPH OSWALD, SI-95/552 (1998)

84102 - One (1) count
84200.5 and 84200.8 - One (1) count
84203 - One (1) count
84203.5 - One (1) count
84204 - One (1) count
84211 - Two (2) counts
$14,000 fine

Committee for Responsible Woodside Town Government, formed to support the candidacies of four individuals running for Woodside Town Council, and its organizer, Ralph Oswald, failed to timely file a preelection campaign statement, supplemental independent expenditure reports, late contributions reports, and a late independent expenditure report, failed to itemize contributions received, and also failed to truthfully report information on a statement of organization in 1995.

COMMUNICATION WORKERS OF AMERICA, DISTRICT 9 POLITICAL EDUCATION COMMITTEE, WILLIAM QUIRK AND ANTHONY BIXLER, SI-99/642 (2001)

84200 – Eight (8) counts
84200.5 – Three (3) counts
84203 – Two (2) counts
84211 – One (1) count
$26,500 fine

Communication Workers of America, District 9 Political Education Committee, a general purpose committee located in Burlingame, its assistant treasurer, William Quirk, and treasurer, Anthony Bixler, failed to timely file eight semi-annual campaign statements, three pre-election campaign statements, two late contribution reports, and failed to report a $25,000 contribution made during the 1997-1998 reporting period.

CONROY, MICKEY, AND MICKEY CONROY FOR ASSEMBLY 1994, SI-95/537 (1998)

89513 - One (1) count
$2,000 fine

Mickey Conroy, member of the California State Assembly, and his committee, Mickey Conroy for Assembly 1994, made an illegal expenditure of campaign funds in 1994 to reimburse a penalty imposed upon his chief of staff for sexual harassment in the legislative office.

CONSTRUCTION CONTROL SERVICES CORPORATION AND DR. RONALD ROHADFOX, SI-96/2 (1997)

84300(c) and 84301 - Ten (10) counts
$20,000 fine

Construction Control Services Corporation, a North Carolina corporation with offices in Los Angeles, and Dr. Ronald Rohadfox, its president, laundered contributions made to Los Angeles city and county officials in 1992 through 1994.

CONSUMER ATTORNEYS ISSUES PAC AND JOSEPHINE DE SHIELL, TREASURER, SI-98/737 (2001)

84216 – One (1) count
$1,750 fine

Consumer Attorneys Issues PAC, a committee active in opposing state Propositions 200, 201 and 202 in the 1996 primary election and supporting Proposition 207 in the 1996 general election, and Josephine De Shiell, its treasurer, failed to timely and properly report a $300,000 nonmonetary loan from the Citizens for Retirement Protection and Security.

CONTRA COSTA COMMUNITY COLLEGE DISTRICT, SI-96/520 (1998)

84211 - Three (3) counts
84211 and 84203.5 - One (1) count
84203 - Three (3) counts
84105 - One (1) count
$16,000 fine

Contra Costa Community College District, comprising three colleges, placed Measure D, a $145 million bond measure to finance reconstruction, repairs, and a rehabilitation program for district institutions, on the ballot in the November 1996 election. Prior to the election, the District failed to disclose the receipt of any contributions and failed to fully disclose certain of its expenditures.

COOMBS, INC., SI-96/149 (1998 CIVIL SUIT)

84200
$2,000 fine

Coombs, Inc., made contributions to California Gaming Control Committee sponsored by Palm Springs Gaming Corporation in 1996 and failed to file a major donor campaign statement.

CORBALEY, CAREY, SI-94/305 (1997)

87100 - Two (2) counts
$3,600 fine

Carey Corbaley, a member of the Benecia City Council, and past Vice Mayor, violated the conflict of interest provisions in 1994 when she participated in a governmental decision and used her official position in an attempt to influence a decision in which she had a financial interest.

CORCORAN, THOMAS, SI-82/09 (1984)

87100 - Two (2) counts
87200, 87203, and 87206 - One (1) count
87300 - Five (5) counts
$15,000 fine

A conflict of interest violation occurred in March 1982, when Thomas J. Corcoran, as mayor of Richmond, participated in and voted on a decision allowing Standard Oil to proceed with construction of a $600 million lube oil plant in his city. It was one of the largest such projects ever undertaken by the oil company. The decision also had a material financial effect on Pacific Gas & Electric Co., which was required to provide substantial amounts of new electrical power to the lube oil plant. Corcoran held approximately $40,000 in PG&E stock at the time and should have disqualified himself for that reason alone. Additionally, he held an investment interest in Standard Oil, his former employer, worth more than $100,000.

The second conflict of interest violation occurred in December 1980, when Corcoran participated in a Richmond City Council decision allowing Standard Oil to convert its 560-acre Hilltop Tank Farm property, adjacent to the Richmond Golf and Country Club, into an office building complex.

In addition to the conflict of interest votes, Corcoran failed to properly disclose all of his financial interests required by law in his role as an elected Richmond city official and as an appointed member of the Association of Bay Area Governments (ABAG) and the Bay Area Air Quality Management District (BAAQMD).

Corcoran failed to report in a timely fashion investments, which for each of three years, 1980 through 1982, averaged 30,081 shares with a value of approximately $337,960.

CORDOVA, RAYMOND, SI-99/293 (2000)

87302 - Two (2) counts
$4,000 fine

The Commission issued a Default Decision and Order against Raymond Cordova, field representative, California State Senate Rules Committee, who failed to timely file both a 1997 annual and a 1999 leaving office Statement of Economic Interests.

CORE PARTNERS, SI-2000/451 (2001)

84203 - One (1) count
$1,500 fine

Core Partners, located in Beverly Hills, failed to file a late contribution report during the March 7, 2000, primary election.

CORL, CECELIA, ALSO KNOWN AS CECELIA CORL-UBER, SE-91/258 (1994)

87200 One (1) count
$2,000 fine

The Commission issued a Default Decision and Order against Cecelia Corl-Uber, City of Fillmore Planning Commissioner, who failed to timely file her annual Statement of Economic Interests (SEI) covering 1990, filing the SEI over 14 months late. Even after having been interviewed by an enforcement staff investigator, Corl-Uber took almost four additional months before filing the SEI.

CORNELIUS, ANN, SI-99/435 (1999)

87300 - One (1) count
$500 fine

Ann Cornelius, Provost of Eleanor Roosevelt College at the University of California in San Diego, failed to timely file her 1998 annual Statement of Economic Interests.

CORTES, MARCO POLO, AND CORTES 2000, SI-2000/109 (2001)

84200.5 – One (1) count
$750 fine

Marco Polo Cortes, an unsuccessful candidate for Chula Vista City Council, and Cortes 2000, his controlled committee, failed to timely file a second pre-election campaign statement in 2000.

COUNTY ALLIANCE FOR A RESPONSIBLE EDUCATION SYSTEM AND KATHY FRASCA, SI-99/352 (2001)

84204 - One (1) count
$1,500 fine

County Alliance for a Responsible Education System, a state general purpose committee, and its treasurer, Kathy Frasca, failed to file a late independent expenditure report in 1996.

COURTRIGHT, DONNA; DONNA COURTRIGHT FOR STATE ASSEMBLY #24, AND MICHAEL ERICKSON, SI-98/202 (2000)

84200 – One (1) count
84200.5 and 84200.7 – One (1) count
84203 – Four (4) counts
$9,000 fine

Donna Courtright, an unsuccessful candidate for the Assembly in 1998, her controlled committee, Donna Courtright for State Assembly #24, and its treasurer, Michael Erickson, failed to timely file both a pre-election and a semi-annual campaign statement and failed to file late contribution reports.

COVINGTON, DALLAS, SI-97/283 (1998)

87100 - One (1) count
$2,000 fine

Dallas Covington, a Commissioner on the Redondo Beach Harbor Commission and a self-employed general contractor, violated the conflict of interest provisions when he gave a presentation requesting a conditional use permit on behalf of his client during a meeting of the commission in 1997.

COX COMMUNICATIONS BAKERSFIELD, INC., SI-95/538 (1995)

84300(c) and 84301 - Seven (7) counts
$11,000 fine

Cox Communications Bakersfield, Inc., a subsidiary company providing cable television service, laundered contributions in the names of two executive employees to a Bakersfield city councilperson, two Kern County board of supervisor candidates, and two state candidates between 1993 and 1995.

COX COMMUNICATIONS SAN DIEGO, INC., SI-93/151 (1995)

84300(c) and 84301 - Twenty-four (24) counts
$42,000 fine

Cox Communications San Diego, Inc., a subsidiary company providing cable television service, laundered contributions in the names of seven executive employees and the spouse of one employee to city councilpersons in San Diego and other statewide candidates between 1991 and 1992.

CRABTREE, KARLEN AND ARZOO, SANDRA EVERINGHAM, SI-86/576 (1988)

84203, 84211(f), and 84211(j) - Numerous counts $3,000 fine - Crabtree, Karlen and Arzoo and Sandra Everingham $1,500 fine - Crabtree, Karlen and Arzoo

The Riverside accounting firm of Crabtree, Karlen and Arzoo and its employee, Sandra Everingham, failed to accurately report developer Louis Laramore as the source of more than $7,000 in contributions to Mr. Digati's unsuccessful 1984 campaign and for erroneously reporting campaign refunds of $8,500 in the final weeks of the November runoff election.

CRAIG, GLENDON B., SI-97/368 (1998)

84104 - One (1) count
84200 - One (1) count
84211 - One (1) count
$5,000 fine

Glendon B. Craig, sheriff of Sacramento County, failed to report occupation and employer information for contributions received, failed to maintain detailed accounts, records, bills, and receipts, and failed to file a semiannual campaign statement from 1990 - 1994.

CRANE, PATRICK, MD-87/444 (1989)

84200(b) - One (1) count
84203 - One (1) count
$3,500 fine

Patrick Crane failed to file a major donor campaign report and late contribution report. Mr. Crane qualified as a major donor by making four contributions in 1986 totaling $66,750. He also failed to file a late contribution report for a $50,000 contribution made during the final two weeks of the election.

CRESSEL, FRED, AND COMMITTEE TO ELECT FRED CRESSEL, SI-95/286 (1998)

84200 - One (1) count
84200.5 and 84200.8 - Five (5) counts
$12,000 fine

Fred Cressel, successful candidate in the 1995 election for Compton City Council and unsuccessful candidate for Mayor in 1997, and his committee, Committee to Elect Fred Cressel, failed to timely file campaign statements in 1995 and 1997.

CROMARTIE, TIM, SI-99/756 (2000)

87300 - One (1) count
$300 fine

Tim Cromartie, Legislative Assistant, California State Assembly, failed to timely file his assuming office Statement of Economic Interests.

CRONK, WILLIAM F., SI-98/493 (1999)

84200 - One (1) count

$1,250 fine

William F. Cronk of Lafayette failed to file a semi-annual campaign statement in 1998 for a contribution made to the Governor Pete Wilson Committee.

CROSBY, MEAD, BENTON & ASSOCIATES, SI-98/635 (2000)

84300 and 84301 - Sixteen (16) counts
$29,000 fine

Crosby, Mead, Benton & Associates, an engineering firm that does work on subdivisions, primarily for developers, and headquartered in Santa Ana, laundered campaign contributions to two Santee City Council candidates in 1998.

CUNNINGHAM, KIRK, SI-99/704 (2001)

87300 - Two (2) counts
$800 fine

Kirk Cunningham, a member of the Del Mar Finance Committee, failed to timely file assuming office and 1998 annual Statements of Economic Interests.

CUNNINGHAM, WILLIAM, SI-92/323 (1996)

87100 - Two (2) counts
$3,000 fine

William Cunningham, a member of the Redlands City Council, violated the conflict of interest provisions by voting on two separate matters which effected property within 300 feet of his property.

CURB, MIKE, MIKE CURB COMMITTEE, AND CHARLES M. CURB, TREASURER, SI-89/370 (1990)

84203 - One (1) count
$2,000 fine

Mike Curb, candidate for lieutenant governor in 1986, his campaign committee, and its treasurer failed to disclose three late contributions. The contributions were received on the same day and comprised 33 percent of the late contributions received by the committee.

CURLEY, GEORGE, SI-98/740 (2000)

87300 - One (1) count
$600 fine

George Curley, an Associate Civil Engineer with the Waste Management Division of the County of Sacramento, failed to timely file his 1997 annual Statement of Economic Interests.

DACLISON, RHODA ANN, SI-99/795 (2000)

87200 – One (1) count
$250 fine

Rhoda Ann Daclison, a field representative for Assemblywoman Elaine Alquist, failed to timely file an assuming office Statement of Economic Interests in 1999.

DAILY, SUSAN, SI-86/314 (1987)

87500 - Two (2) counts
$500 fine
$300 waived*

Susan Daily, the elected city clerk of Maricopa, repeatedly delayed transmittals to the Commission of financial disclosure statements filed by city officials.

*The Commission waived this portion of the fine on condition that Daily not violate the Act for two years and that she attend a Commission seminar for filing officials within six months of the stipulation. During 1991 we determined that Susan Daily had not complied with the Commission's Decision and Order dated September 15, 1987. As a result, the Commission issued an order imposing the waived portion of the fine.

DAILY, SUSAN, SI-89/422 (1991)

87500 - One (1) count
$2,000 fine

The Commission issued a Default Decision and Order against Susan Daily, Maricopa City Clerk, regarding her failure to forward to the Commission two Statements of Economic Interests received by the April 3, 1989, deadline. Although required to be forwarded within five days of the filing deadline, the financial disclosure statements were received by the Commission in October 1989. The statements were received after two city councilmembers were asked to refile their statements with

the Commission. The city clerk ignored repeated notices concerning her duties under the Act.

DAIRY PRODUCERS ENVIRONMENTAL FOUNDATION, SI-2001/15 (2001)

84200 - One (1) count
$400 fine

Dairy Producers Environmental Foundation of Ontario failed to file a major donor campaign statement during 2000.

DAIRYMEN'S COOPERATIVE CREAMERY ASSOCIATION; SUSAN BROWN, TREASURER, SI-97/370 (1998)

84211 - Five (5) counts
$8,000 fine

Dairymen's Cooperative Creamery Association consisting of dairy farmers who market their milk through the cooperative located in Tulare, and Susan Brown, its treasurer, failed to disclose the true names, addresses, occupations, and employers of contributors to the committee during 1994.

DAL PORTO, DAVID, SI-98/774 (2000)

87300 – One (1) count
$250 fine

David Dal Porto, an elected Trustee on the Contra Costa County Reclamation District No. 799 Board, failed to timely file a 1997 annual Statement of Economic Interests.

DALLAS, WILLIAM, SI-90/813 (1993 - CIVIL SUIT SETTLEMENT)

84200
84300
84301
$772,000 fine

Lucas Dallas, Inc., a real estate development company and William Dallas, a partner and president of Lucas Dallas, Inc., laundered campaign contributions in 1990 totaling $132,500 to candidates for Oakland City Council and failed to file major donor campaign statements to disclose the contributions.

DAMON, GARY, MD-87/353 (1988)

84200(b) - Two (2) counts
$2,250 fine

Gary Damon, a Sacramento lawyer, failed to file two required major donor campaign statements for client Bill Dutra Leasing. The company in 1986 made 22 contributions totaling $18,552.

DAVIDSON, JOAN, BARRY HILDEBRAND, "JOAN DAVIDSON FOR SCHOOL BOARD" COMMITTEE AND "HILDEBRAND FOR SCHOOL BOARD" COMMITTEE, SI-95/590 (1997)

84305 - Three (3) counts
$3,000 fine

Joan Davidson and Barry Hildebrand, incumbent candidates for the 1995 campaign for trustees of the Palos Verdes Peninsula Unified School District and their controlled committees, failed to include proper sender identification on three mass mailers sent out as a joint project.

DAVIS, JOHN, SI-98/28 (2000)

84211 - Four (4) counts
84300 - One (1) count
$6,000 fine

John Davis, member of the Encinitas City Council between 1990 and 1998, accepted cash contributions of $100 or more and failed to properly disclose information regarding campaign contributors during 1994 and 1995.

DAVIS, JOSEPH GRAY, CALIFORNIANS FOR GRAY DAVIS, AND STEVEN GOURLEY, TREASURER, SI-2000/56 (2001)

84105 – One (1) count
84203 – Seventeen (17) counts
84211 – Three (3) counts
84211 and 84303 – Four (4) counts
$50,000 fine

Joseph Gray Davis, successful 1998 candidate for Governor, his controlled committee, Californians for Gray Davis, and its treasurer, Steven Gourley, failed to maintain records of major donor letters, failed to timely file late contribution reports, failed to itemize all contributions of

$100 or more, and failed to disclose subvendor information for expenditures in campaign statements.

DAVIS, MARVIN, MD-87/445 (1988)

84200(b) - One (1) count
84203(b) - One (1) count
$2,000 fine

Marvin Davis of Los Angeles failed to file a required major donor statement for contributions of $12,400 to four campaign committees, which included a late contribution of $5,000 to Assembly candidate Tom Hayden during the final 16 days before the 1986 election.

DAY, ROBERT A., SI-92/121 (1993)

84200(b) - Three (3) counts
84203 - One (1) count
$4,500 fine

Robert Day, a New York resident, failed to timely file three major donor reports covering reporting periods in 1990 and 1991. During those reporting periods Day made contributions to California campaigns totaling $76,250. Day also failed to file a late contribution report disclosing that he made a $2,000 contribution to the Tom Hayes for Treasurer Committee in 1990.

DE LA FUENTE, ROQUE, SI-84/40 (1985 - CIVIL SUIT SETTLEMENT)

84300
94301
$9,000 fine

During 1982 and 1983, Mr. De La Fuente made 13 contributions totaling $3,000 in the names of other individuals to the campaign of former San Diego Mayor Roger Hedgecock, without disclosing himself as the true contributor.

DE LOS SANTOS, MARCIE, AND JOSEPH DE LOS SANTOS, SI-97/454 (1999)

84302 - One (1) count
$2,000 fine

The Commission issued a Default Decision and Order against Marcie De Los Santos and Joseph De Los Santos, who served as the intermediaries for a campaign contribution to a Fresno County supervisorial candidate in 1996.

DECKER FOR ASSEMBLY AND BRENT A. DECKER, SI-96/284 (1997)

84200 - One (1) count
$1,500 Fine

Brent A. Decker, candidate for California State Assembly in a special runoff election in 1995, and his committee, Decker for Assembly, failed to file a pre-election campaign statement until after the election.

DEMOCRATIC STATE CENTRAL COMMITTEE-NORTHERN DIVISION AND BETTY SMITH, SI-80/75 (1981)

81004 - One (1) count
84200 - One (1) count
84211 - Two (2) counts
$7,000 fine
$3,500 waived*

Democratic State Central Committee-Northern Division failed to report $92,867 in in-kind contributions received from the Operating Engineers Union during the 1980 general election. The union properly reported making the contributions. The committee also failed to file a pre-election statement for the 1980 primary.

The committee treasurer, Betty Smith, signed several of the campaign statements before they were prepared.

*During 1985 we determined that the Democratic State Central Committee had not complied with the Commission's Decision and Order dated December 17, 1981. As a result, the waived portion of the fine was assessed and collected.

DEMOCRATIC STATE CENTRAL COMMITTEE OF CALIFORNIA, SI-98/40 (1998)

84203 - Three (3) counts
84203.5 - Two (2) counts
84211 - Nine (9) counts
$24,000 fine

Democratic State Central Committee of California, a recipient committee, failed to disclose in-kind

contributions to Kathleen Brown, a candidate for Governor, failed to file reports disclosing late contributions and independent expenditures, failed to properly disclose occupation and employer information, and failed to fully disclose subvendor and accrued expenditure information on campaign statements between 1993 and 1994.

DEMOCRATIC STATE CENTRAL COMMITTEE OF CALIFORNIA, AND KATHERINE MORET , SI-2001/495 (2001)

84105 – One (1) count
84211 and 84303 – Ten (10) counts
$22,000 fine

Democratic State Central Committee of California, a state general purpose campaign committee, and its treasurer, Katherine Moret, failed to disclose subvendor information for expenditures made in 1996 and 1998 totaling $4,011,271 and failed to send required notifications to eight major contributors.

DEMOCRATIC STATE CENTRAL COMMITTEE, SOUTHERN SECTION, AND JOHN MEANS, TREASURER, SI-87/213 (1990)

84200(a) - One (1) count
84200.5 - One (1) count
84211(f)(3) and (4) - One (1) count
$5,000 fine

The Democratic State Central Committee, Southern Section, and John Means, treasurer, failed to timely file semi-annual campaign statements and pre-election campaign statements in 1985 and 1986.

Additional violations involved the failure of the committee to list the occupation and employer for all 29 contributors of $100 or more reported on the committee's first 1987 semi-annual report.

DENNIS, LENA, SI- 89/391 (1990)

87203 - Two (2) counts
$4,000 fine

The Commission issued a Default Decision and Order against Lena Dennis, Lynwood Planning Commissioner, who failed to request a hearing regarding her failure to file her 1988 and 1989 financial disclosure statements despite repeated notices from the Commission.

DEVCON CONSTRUCTION, INC., SI-96/432 (1996)

84300 and 84301 - Thirty-nine (39) counts
$68,500 fine

Devon Construction, Inc., a construction and development corporation based in Milpitas, laundered campaign contributions made to various campaigns, mostly mayoral and city council candidates in San Jose between 1990 and 1995.

D. H. SMITH, INC., SI-99/324 (2000)

84200 - One (1) count
$600 fine

D. H. Smith, Inc., located in San Jose, failed to timely file a major donor campaign statement for a contribution made to Californians for Gray Davis Committee in 1998.

DHL AIRWAYS, INC., SI-98/323 (1998)

84200 - One (1) count
$1,250 fine

DHL Airways, Inc., of Redwood City, failed to file a semi-annual campaign statement for a contribution made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

DIABLO VALLEY COLLEGE FOUNDATION, SI-97/493 (1998)

84200 - One (1) count
84203 - One (1) count
$2,500 fine

Diablo Valley College Foundation, a nonprofit foundation formed to support the Diablo Valley College located in Contra Costa County, failed to file a major donor committee campaign statement and late contribution report in 1996 in connection with a local bond measure campaign.

DICKERSON, RICHARD L., DICKERSON FOR ASSEMBLY, AND MARY J. MEISNER, TREASURER, SI-98/590 (2001)

84211 and 84303 – Five (5) counts
$6,000 fine

Richard L. Dickerson, successful Redding candidate for the California State Assembly in 1998, his controlled committee, Dickerson for Assembly, and Mary J. Meisner, its treasurer, failed to disclose subvendor information for expenditures in 1998.

DICKINSON, HEATHER, SI-99/678 (2000)

87300 - One (1) count
$300 fine

Heather Dickinson, field representative for the California Assembly Rules Committee, failed to timely file her 1998 annual Statement of Economic Interests.

DIGATI, SAM, SAM DIGATI FOR SUPERVISOR COMMITTEE, SI-86/576 (1988)

84203, 84211(f), and 84211(g)-Numerous counts $15,500 fine
$7,500 waived

The money laundering case involved Riverside County developer Louis Laramore and the unsuccessful 1986 campaign of Riverside Councilmember Sam Digati. Mr. Laramore made $12,000 in laundered contributions to the Digati campaign during the highly contested race and failed to file required late contribution reports for $7,920 made immediately before the November 4, 1986, election.

The laundered contributions were made through associates who obtained money orders in the names of others for payment to the candidate because the developer wanted to keep his support hidden.

Mr. Digati's penalties involved various campaign reporting violations, including the failure to disclose Mr. Laramore as the true source of $12,000 in contributions.

Mr. Digati also failed to disclose Mr. Laramore's late contribution of $7,920 and another $10,000 contribution from the developer, who paid Digati's campaign manager to work on the campaign.

DIMAS, JAMES B., COMMITTEE TO ELECT JAMES B. DIMAS, SR., PROVEN LEADERSHIP & HONESTY, SI-89/181 (1990)

84104 - One (1) count
$1,000 fine

James Dimas, unsuccessful candidate for state Assembly and Los Angeles City Councilmember for 16 years, failed to maintain adequate records on contributions received in April 1987.

The violations stemmed from a fundraising event held by the candidate for Assembly District 56. While reporting the total amount of the contributions received at the April 1987 event, the committee failed to maintain required records for approximately $10,000 in cash contributions of $25 or more and $1,000 in checks of less than $100 each. The candidate acknowledged that some supporters bought as many as four tickets at $25 each, but the sales were treated as if each attendee in the group personally paid for a ticket.

DOAN, GLENDA KRAFT, SI-94/710 (1996)

87200 and 87207 - Three (3) counts
$6,000 fine

Glenda Kraft Doan, a judge of the Justice Court for the Corcoran Judicial District, County of Kings, from 1983 to 1992, and a judge of the Kings County Municipal Court District from 1992 to 1995, failed to disclose informal loans received from friends on her annual Statement of Economic Interests.

DOBBE, CEES, SI-2000/761 (2001)

87300 and 87302 - One (1) count
$200 fine

Cees Dobbe, California Cut Flower Commissioner, failed to timely file a 1999 annual Statement of Economic Interests.

DOOLITTLE, JOHN, FRIENDS OF JOHN DOOLITTLE, JACK HORNSBY, FRIENDS OF JACK HORNSBY, JOHN FELIZ, SI-84/43 (1987)

See also Bruce Ashwill, SI-84/43 (1985)

84206 (currently 84203) - Two (2) counts
84211 - Two (2) counts

$3,000 fine - John Doolittle and Friends of John Doolittle
$2,000 fine - Jack Hornsby, Friends of Jack Hornsby & John Feliz
$1,000 fine - Jack Hornsby and Friends of Jack Hornsby

An administrative law judge found that state Senator John Doolittle, Doolittle's aide John Feliz, and 1984 state Senate candidate Jack Hornsby violated campaign reporting laws in connection with the November 1984 general election.

Shortly before the election, Doolittle campaign consultant John Feliz coordinated the production of a mass mailer sent on behalf of Doolittle's Democratic opponent, Jack Hornsby. The consulting services of Feliz and a Doolittle fundraiser, Jim Grubbs, along with 60,000 mailing labels, were contributed by the Friends of John Doolittle Committee to the Friends of Jack Hornsby Committee. The mailer was sent to Democratic households as a tactic to bring Democratic candidate Hornsby into the three-way race with Doolittle and former state Senator Ray Johnson, thus pulling votes away from Johnson to Hornsby for the benefit of Doolittle.

Doolittle was negligent prior to the election for not making further inquiry into the matter once Feliz informed him of the mailer's existence.

DORAN, SHELLEY, SI-96/541 (1997)

84308(b) - One (1) count
$1,500 fine

Shelley Doran, Chairman of the Los Altos Hills Planning Commission and candidate for Los Altos Hills City Council in 1996, violated the Act when she accepted a $1,000 contribution from a contributor only 24 days after she voted on the contributor's project as a planning commissioner.

DOREY, WILLIAM G., SI-96/149 (1998)

84200 - One (1) count
$2,000 fine

William G. Dorey, senior vice president of Granite Construction Company located in Riverside County, failed to timely file a major donor campaign statement in 1996 to disclose a loan he made that was used to gather signatures for a statewide gaming initiative.

DOUGLAS, MICHAEL, SI-2001/16 (2001)

84200 - One (1) count
$600 fine

Michael Douglas of Los Angeles failed to file a major donor campaign statement during 2000.

DOWDS, SCOTT, SI-99/461 (1999)

87300 - One (1) count
$250 fine

Scott Dowds, an appointed member of the Project Area Committee #2 in the City of Fullerton, failed to timely file his 1998 annual Statement of Economic Interests.

DOWNS, MICHAEL, SI-98/256 (2000)

87300 - Two (2) counts
$900 fine

Michael Downs, an architect at the University of California at San Diego, failed to timely file his assuming office and 1998 annual Statements of Economic Interests.

D.R. HORTON MANAGEMENT CO., LTD, SI-2001/135 (2001)

84200 – One (1) count
$400 fine

D.R. Horton Management Co., Ltd, of Carlsbad failed to file a major donor campaign statement during 2000.

DRAGONE, JOHN, JR., SI-96/202 (1998)

84200 - Three (3) counts
$6,000 fine

The Commission issued a Default Decision and Order against John Dragone, Jr., an elected member of the governing board of the Centinela Valley Union High School District in Los Angeles County, who failed to file semi-annual campaign statements in 1995 and 1996.

DREXEL, BURNHAM, LAMBERT, INC., MD-87/358 (1988)

84200(b) and 84203(b) - Eight (8) counts
$8,000 fine

Drexel Burnham Lambert, Inc., of New York City, failed to timely file three major donor campaign statements and five late contribution reports. The company contributed a total of $100,226 in 1986 and 1987.

DRIVE - DEMOCRATIC, REPUBLICAN, INDEPENDENT VOTER EDUCATION - THE PAC OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AND DAVID A. SWEENEY, TREASURER, SI-93/403 (1995)

84200(a) - One (1) count
84200.5(d) and 84200.7(b) - Six (6) counts
84202.5 - One (1) count
84202.7 - Three (3) counts
84203 - Five (5) counts
$24,000 fine

DRIVE, a general purpose recipient committee, failed to timely file campaign statements from 1989 to 1991 which included a semi-annual statement, six pre-election statements, two odd-numbered year statements, and a supplemental pre-election statement. In addition, DRIVE failed to file five late contribution reports.

DUDEK & ASSOCIATES, SI-2000/198 (2000)

84301 and 84300 – Two (2) counts
$3,600 fine

Dudek & Associates, a California corporation that does land use planning and full environmental impact reports specializing in environmental assessments, hazardous waste assessments and removal, and waste water management issues headquartered in Encinitas, laundered campaign contributions to a candidate for the Santee City Council in 1998.

DYER, G. PATRICK, SI-99/616 (2000)

87203 - One (1) count
$200 fine

G. Patrick Dyer, member, Nevada City Council, failed to timely file his 1998 annual Statement of Economic Interests.

EAVES, GERALD, SI-87/596 (1989)

87207 - One (1) count
$1,500 fine

State Assemblyman Gerald Eaves failed to provide timely disclosure of income received from his campaign consulting business, Creative Campaigns. The business was a partnership he formed which received a $10,000 payment from the Friends of Gerry Eaves, a campaign committee controlled by the state lawmaker. The payment was for purchases and fees and a retainer for services. The income and ownership of Creative Campaigns was not disclosed until after news reports and the Commission began investigating the matter.

EAVES, GERALD R., SI-95/557 (1999)

84308 - Ten (10) counts
$12,500 fine

Gerald Eaves, member of the San Bernardino County Board of Supervisors, appointed to the Inland Valley Development Agency (IVDA), failed to publicly disclose contributions and disqualify himself from participating and voting on matters concerning contracts of his contributors which were before the IVDA board in 1994 and 1995.

ECKARD, KEVIN P., KEVIN ECKARD FOR ASSESSOR, AND CAROLE ONORATO, TREASURER, SI-92/115 (1995)

84211 and 84216 - Four (4) counts
84213 and 81004 - One (1) count
84300(a) - One (1) count
85201(d) (e) - One (1) count
89513 - One (1) count
84104 - One (1) count
87302 - One (1) count
$10,000 fine

Kevin Eckard, unsuccessful candidate for Placer County Assessor in 1990, his controlled committee, and the committee treasurer failed to disclose the true source of loans received, failed to report loan repayments, failed to make campaign expenditures solely from the campaign bank account, failed to maintain adequate records, accepted an illegal cash contribution, used campaign funds to make impermissible loans, and verified the campaign statements though they were incomplete.

In addition, Mr. Eckard, in his capacity as a member of the Placer County Fish and Game Commission, failed to

disclose reportable sources of income on his 1990-1992 Statements of Economic Interests.

EDGECOMB, CHRIS E., SI-98/494 (1999)

84200 - One (1) count
$2,000 fine

Chris E. Edgecomb of Santa Barbara failed to file a semi-annual campaign statement for a contribution made to Lungren for Governor, a controlled committee, in 1998.

EDGEWOOD LANE DEVELOPERS, LP, SI-2001/322 (2001)

84200 – One (1) count
$600 fine

Edgewood Lane Developers, LP, failed to file a major donor committee campaign report in 2000.

EDWARDS, WILLIS, SI-79/49 (1980)

84203 (currently 84200.5) - Three (3) counts
84206 (currently 84200) - One (1) count
84209 (currently 84213) - One (1) count
84210 (currently 84211) - One (1) count
84212 (currently 84206) - One (1) count
84214 (currently 84203) - Four (4) counts
$1,000 fine
$500 waived

Willis Edwards, an unsuccessful democratic candidate for the 49th Assembly District, failed to file three candidate campaign statements and committed various reporting violations, including the failure to properly report four late contributions totaling $12,000.

E.I. INDUSTRIES, INC., SI-95/567 (1996)

84300 and 84301 - Four (4) counts
$8,000 fine

E.I. Industries, Inc., located in San Jose and engaged in the business of selling construction supplies and materials, laundered four campaign contributions to San Jose City Council candidate Pat Dando in 1995.

EICHMAN, J. RICHARD, SI-92/407 (1994)

84203.5 - One (1) count
84211 - One (1) count
$1,000 fine

J. Richard Eichman, treasurer of Western Mobilehome Association Political Action Committee, failed to timely file two independent expenditure reports and also failed to adequately disclose candidates on whose behalf four independent expenditures were made on the semi-annual campaign statement of the Western Mobilehome Association PAC for the period from July 1, 1991, through December 31, 1991.

EJE, INC., DBA ESCONDIDO JEEP EAGLE, AND NORTH COUNTY FORD, INC., SI-97/145 (1999)

84300 and 84301 - Four (4) counts
$8,000 fine

EJE, Inc., dba Escondido Jeep Eagle, an automobile dealership located in Escondido, and North County Ford, Inc., an automobile dealership located in Vista, who are both California corporations, laundered four campaign contributions to a Vista City Council candidate in 1996.

ELIOT, LEONARD, SI-90/302 (1992)

87100 - Four (4) counts
87300 - Five (5) counts
$18,000 fine

Leonard Eliot was the Assistant City Manager and Controller of the City of West Covina. He was also Assistant Executive Director of the West Covina Redevelopment Agency. Mr. Eliot violated the conflict of interest disclosure and disqualification provisions by failing to disclose his interests in an Orange Julius franchise located in a shopping mall known as the West Covina Fashion Plaza and by participating in decisions relating to a major expansion and restoration of the WCFP.

ELSBERG ACCOUNTANCY CORPORATION AND MARK ELSBERG, SI-96/187 (1996)

84300 and 84301 - Four (4) counts
$8,000 fine

Elsberg Accountancy Corporation, an accounting firm located in Walnut Creek, and Mark Elsberg, its sole

shareholder, laundered contributions made to a candidate for the Contra Costa County Board of Supervisors.

EMAMI, ROBERT, SI-2000/401 (2000)

84203 – One (1) count
$1,500 fine

Robert Emami of Los Gatos failed to file a late contribution report during the March 7, 2000, primary election.

ENGELMAN, LINDA, SI-2001/76 (2001)

87203 – One (1) count
$200 fine

Linda Engelman, an appointed member of the Vallejo Planning Commission, failed to file a 1999 annual Statement of Economic Interests.

ENGINEERING & UTILITY CONTRACTORS ASSOCIATION PAC AND MICHAEL ROCCO, TREASURER, SI-99/815 (2001)

84104 – Two (2) counts
84211 – Four (4) counts
$8,000 fine

Engineering & Utility Contractors Association PAC, a general purpose committee in Pleasanton, and Michael Rocco, its treasurer, failed to maintain adequate records and failed to timely report contributions received in 1995 and 1996.

EPHRIAM, D. ANTHONY, SI-2000/524 (2001)

87300 and 87302 - Two (2) counts
$500 fine

D. Anthony Ephriam, member of the Social Services Commission for the City of Santa Monica, failed to timely file his 1998 and 1999 annual Statements of Economic Interests.

ERICKSON, MICHAEL, SI-98/202 (2000)

84200 – One (1) count
84203 – Five (5) counts
$3,000 fine

Michael Erickson, treasurer for the Donna Courtright for State Assembly #24 Committee, failed to timely file late contribution reports and a semi-annual campaign statement as a major donor committee in 1998.

ETHICS IN GOVERNMENT, A COMMITTEE OF CITIZENS FOR THE REPUBLIC, AND CAROLYN ROBERTSON, TREASURER, SI-91/574 (1992)

84204 - One (1) count
84211 (f) - One (1) count
$3,500 fine

This general purpose committee supported Proposition 119 in the June 1990 election and Proposition 140 in the November 1990 election. Respondent failed to file a late independent expenditure report to report payments of $20,974 made in support of Proposition 119. Respondent also failed to itemize 29 contributions of $100 each received from contributors.

EU, MARCH FONG, BAY AREA ASIANS TO REELECT MARCH FONG EU COMMITTEE, AND CATHERINE LEE, SI-89/310 (1990)

84102 - One (1) count
84104 - Two (2) counts
84200 - Five (5) counts
84213 - Two (2) counts
$20,000 fine

A state audit found that one of March Fong Eu's controlled committees in San Francisco, and its treasurer, failed to timely file five campaign statements disclosing receipts of $40,400 and expenditures of $37,247. The committee also failed to maintain adequate campaign records of contributions and expenditures and the candidate and treasurer failed to use reasonable diligence in preparation of the campaign disclosure reports. The Commission reached a stipulated settlement on ten violations of the Act prior to the filing of a civil action.

EU, MARCH FONG, AND FRIENDS OF MARCH FONG EU COMMITTEE, SI-89/139 (1990)

84203 - Five (5) counts
84213 - One (1) count
84303 - One (1) count
$8,000 fine

Secretary of State March Fong Eu committed campaign reporting violations during her 1986 election. The violations involved the failure of Eu to file late contribution reports totaling $10,450 during the primary and general election, failure to properly report subvendors for $151,278 in expenditures, and failure to "exercise reasonable diligence" in the preparation of the campaign statements. The candidate delegated all reporting responsibilities and supervision to other members of her staff, which prevented her from taking any steps to correct or cause to be checked any portion of the statements.

EVERGREEN AMERICA CORPORATION, SI-93/45 (1993)

84301 and 84300(c) - Two-hundred thirty-six (236) counts
84200(b) - Twelve (12) counts
84203 - Three (3) counts
$895,000 fine ($447,500 to the Fair Political Practices Commission; $447,500 to the Los Angeles City Ethics Commission)

Evergreen America Corporation, the general agent for Evergreen Lines, a containership operator based in Taiwan, violated the law by laundering 236 contributions to statewide candidates and Los Angeles City Council candidates between 1989 and 1991. The campaign contributions amounted to $172,000 and were made at a time when an Evergreen-related company was planning a land development project in downtown Los Angeles.

Evergreen also failed to file four major donor statements and failed to report contributions and late contributions during 1989 and 1990.

This was a joint investigation conducted by the Los Angeles City Ethics Commission and the Fair Political Practices Commission.

EXCELLENCE IN STUDENT ACHIEVEMENT PAC, SI-98/265 (2001)

84102 – One (1) count
84106 – One (1) count
84211 – Two (2) counts
$4,000 fine

Excellence in Student Achievement PAC in San Diego failed to include the name of its sponsor, the Greater San Diego Chamber of Commerce, on a Statement of Organization, failed to include the name of its sponsoring organization on several campaign statements, and failed to disclose the true source and true guarantor of loans on campaign statements.

F.E.A. LOGISTICS, SI-88/364 (1990)

84301 - Ten (10) counts
$20,000 fine

F.E.A. Logistics, a Gardena company, laundered campaign contributions through employees to Los Angeles City Council candidate, Kenneth Orduna. The violations involved 10 contributions of $500 each made by the company through employees to the candidate. The contributions were laundered through F.E.A. Logistics employees to avoid the local ordinance restricting campaign contributions to $500 from a single source.

FANG, JAMES, SI-94/658 (1995)

84302 - Four (4) counts
$8,000 fine

James Fang, a director of the San Francisco Bay Area Rapid Transit District, acted as an agent or intermediary for another party in the making of contributions without disclosing the actual contributor to the recipient, when he caused four contributions to be made to the campaign of San Francisco mayoral candidate Frank Jordan in 1991.

FAR WEST SAVINGS AND LOAN ASSOCIATION, MD-90/385 (1991)

84200 (b) - Two (2) counts
$3,000 fine

Far West Savings and Loan Association, an affiliated entity of Far West Financial Corporation, failed to timely file major donor campaign disclosure statements. During 1988, Far West Savings made contributions totaling $39,500 to political candidates and committees and failed to report these contributions on major donor statements.

FAVILA, RUDY G., RUDY FAVILA FOR ONTARIO, RUDY FAVILA FOR COUNTY SUPERVISOR, AND JANICE E. PHILLIPS, TREASURER, SI-96/366 (1999)

84200.5 and 84200.7 - Two (2) counts
84200 - One (1) count
84211 - Two (2) counts

84203 - One (1) count
84211 and 84303 - One (1) count
84300 - One (1) count
84104 - One (1) count
$8,000 fine

Rudy G. Favila, former Ontario City Councilman from 1992 to 1996 and unsuccessful candidate for both San Bernardino County Supervisor in 1994 and the Ontario City Council in 1996, his controlled committees, Rudy Favila for Ontario, and Rudy Favila for County Supervisor, and his treasurer, Janice E. Phillips, failed to timely file several required campaign statements, failed to provide itemized information about numerous contributions and expenditures, and failed to maintain required records for the time period between 1993 and 1996.

FEINSTEIN, DIANNE, FEINSTEIN FOR GOVERNOR, AND HENRY BERMAN, TREASURER, SI-90/819 (1992-CIVIL SUIT SETTLEMENT)

84105
84203
84211
84303
$190,000 fine

Dianne Feinstein, an unsuccessful candidate for Governor in 1990, her committee, and the committee treasurer failed to properly report campaign contributions and expenditures. The campaign statements did not disclose expenditures of $3.5 million, accrued expenses of $380,000, and subvendor payments of $3.4 million. The guarantor of loans totaling $2.9 million, Feinstein's husband, Richard Blum, was not disclosed. Monetary and non-monetary contributions totaling $815,000 were not reported on campaign statements and late contributions of $90,000 were not reported. Notices were not sent to 166 major contributors who made contributions of $5,000 or more advising them of possible filing requirements.

FENWICK, RICHARD, SI-89/134 (1990)

87100 - Two (2) counts
$4,000 fine

Richard Fenwick, former Dorris City Councilmember, committed conflict of interest violations in 1987 and 1988. The violations involved the councilmember's votes to obtain a $491,520 state grant to extend a water and sewer line to an area of the city where he owned real property and operated the Star Inn and restaurant. The funding produced significant financial gains for Mr. Fenwick. He spent approximately $14,000 for improvements to his sewer facilities, but saved $58,000 in sewer hookup costs. Additionally, as a result of the hookup, he could operate a restaurant on the premises, raise rental fees, and list the previously unmarketable property for sale.

FERGUSON, ASSEMBLYMAN GIL, FRIENDS OF GIL FERGUSON POLITICAL ACTION COMMITTEE, AND FREE MARKET POLITICAL ACTION COMMITTEE, SI-87/84 (1990)

84203 - Two (2) counts
84211 (f) - One (1) count
$4,000 fine

Assemblymember Gil Ferguson and two of his controlled committees committed campaign reporting violations. The Friends of Gil Ferguson Committee received three late contributions totaling $8,500 during the 1986 primary election, but failed to properly disclose them within 24 hours of receipt.

Ferguson's second controlled committee, the Free Market PAC, failed to report four contributions totaling $9,890.

FERGUSON, GIL, FERGUSON FOR SENATE 1990, AND DOROTHY HUGHES, TREASURER, SI-91/368 (1993)

84200.5 and 84200.7 - One (1) count
84203 - Two (2) counts
84211 - Two (2) counts
$6,000 fine

State Assemblyman Gil Ferguson, his committee, and its treasurer failed to properly identify the true source of campaign loans on campaign disclosure statements, failed to file a campaign statement on time, and failed to file two late contribution reports on time in 1990 for two personal loans Ferguson made to the campaign totaling $22,000.

FIELDSTONE COMPANY, SI-90/259 (1991)

84203 - Four (4) counts
$4,800 fine

The Fieldstone Company, a Newport Beach real estate development company, which qualified as a "major donor" committee, failed to file late contribution reports on four separate occasions in 1988 and 1989 for contributions made to committees for ballot measures primarily in San Diego and Costa Mesa.

FILNER, BOB, SAN DIEGANS FOR, ROBERT FILNER, SI-87/529 (1989)

84305 - One (1) count
$2,000 fine

Robert Filner, successful candidate for the San Diego City Council, failed to provide legible sender identification on a mass mailer. The mailer was bright yellow, with sender identification appearing in white. The combination of white letters on a bright yellow background rendered the identification illegible without magnification.

FIRST CITY DEVELOPMENTS CORPORATION, SI-92/283 (1993)

84301 - Thirty (30) counts
$50,000 fine

First City Developments Corporation, doing business in the City of Fremont, laundered 30 contributions made in support of Fremont City and County candidates William Ball, Alane Loisel, and Gary Mello in 1989.

FISCAL FUNDING CO., INC., AND CALVIN B. GRIGSBY, SI-94/117 (1996)

84200 - Two (2) counts
84300 and 84301 - One (1) count
$5,000 fine

Fiscal Funding, Inc., an equipment leasing company in San Francisco, and Calvin B. Grigsby, a 50 percent owner and controlling partner, failed to timely file major donor campaign statements in 1993. They also loaned money to make campaign contributions in the name of another person.

FITZMORRIS, ANDREW, GARY BERGERON, CHERYL BERGERON, SI-83/14 (1986)

81004 - One (1) count
84211 - Two (2) counts
84301 - Three (3) counts
$1,000 fine - Andrew Fitzmorris
$2,000 fine - Gary Bergeron
$4,000 fine - Cheryl Bergeron

Dr. Andrew Fitzmorris was a candidate for the Desert Hospital District Board of Directors. Cheryl Bergeron laundered three $999 contributions to Dr. Fitzmorris' campaign. Dr. Gary Bergeron, who was co-owner with Cheryl Bergeron of the checking account from which the funds for the contributions derived, negligently violated the section of the Act requiring true sources of contributions to be disclosed to the recipient of the contributions.

Fitzmorris knew a substantial amount of money had come in late in the campaign. The three $999 contributions were unusual amounts received on the same day from individuals whom he did not know. Under these circumstances, Fitzmorris had a duty to inquire about the contributions to ensure that reasonable diligence was used in the preparation of his campaign statements.

FLORES-MCCLINTOCK, LUPE, COMMITTEE TO ELECT LUPE FLORES-MCCLINTOCK, DAVID MCCLINTOCK, SI-95/238 (1997)

84200 - One (1) count
$1,500 fine

Lupe Flores-McClintock, an unsuccessful incumbent Los Angeles County school board trustee, failed to timely file campaign statements covering reporting periods from 1993-1996.

FOGG, JOSEPH G., III, SI-98/320 (1998)

84200 - One (1) count
$1,250 fine

Joseph G. Fogg, III, of Syosset, New York, failed to file a semi-annual campaign statement for a contribution made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

FOLENDORF, TAD, SI-96/19 (1998)

87100 - Ten (10) counts
$15,000 fine

Tad Folendorf, Mayor of the City of Angels Camp, violated the conflict of interest provisions when he participated and voted on several governmental decisions which had a financial effect on his interests in real property or on his sources of income between 1994 and 1996.

FORCIER, ARTHUR, SHIRLEY WECHSLER, FC-81/02 (1982)

84305 - One (1) count
$2,000 fine
$1,000 waived

Political campaign consultants Arthur Forcier and Shirley Wechsler created and paid for a mailing on behalf of Arline Mathews, a Democratic candidate for the 37th Assembly District in 1980. The mailing was a classic deceptive mailing in two ways. First, Forcier and Wechsler pirated the name of a Howard Jarvis committee, listing the sender as the "Spirit of 13" committee. Second, along with Mathews, the mailing endorsed a group of Republican candidates including President Reagan. No party designations were listed so that someone receiving the mailing would naturally conclude that Mathews was part of the Republican ticket.

FORMUZIS, PETER, SI-2001/229 (2001)

84200 – One (1) count
$400 fine

Peter Formuzis of Santa Ana failed to file a major donor campaign statement during 2000.

FREEDOM AND FREE ENTERPRISE PAC AND THOMAS P. KEMP, TREASURER, SI-99/415 (2001)

84200 – One (1) count
84203 – Two (2) counts
$3,000 fine

Freedom and Free Enterprise PAC based in Washington, D.C., and Thomas P. Kemp, its treasurer, failed to file a major donor committee campaign statement and two late contribution reports for contributions made to the Lungren Committee for Common Sense Conservatism and Tim Leslie for Lieutenant Governor Committee in 1998.

FRESNO COUNTY REPUBLICAN CENTRAL COMMITTEE AND ORAN MCNEIL, SI-95/32 (1996)

84200 - Two (2) counts
$4,000 fine

Fresno County Republican Central Committee, and its treasurer, Oran McNeil, failed to timely file campaign statements disclosing contributions received and expenditures made in 1994.

FRESNO FIREFIGHTERS LEGISLATIVE ACTION GROUP AND JACK COLEMAN, TREASURER, SI-97/244 (2000)

84200 - Seven (7) counts
$10,500 fine

Fresno Firefighters Legislative Action Group, a general purpose recipient committee, and its treasurer, Jack Coleman, failed to timely file seven semiannual campaign statements during 1996 to 1999.

FRIENDS COMMITTEE ON LEGISLATION OF CALIFORNIA, EMMA CHILDERS, AND DEL O. POWELL, SI-92/349 (1994)

83116.5, 86113 and 86117 - Seven (7) counts
$6,000 fine

Friends Committee on Legislation of California (FCL), a nonprofit Quaker-sponsored legislative action group, Emma Childers, lobbyist for FCL, and Del O. Powell, a former employee of FCL, failed to timely file seven of the required quarterly lobbying reports during calendar years 1990 and 1991.

FRIENDS OF KEVIN MURRAY AND KEVIN MURRAY, SI-96/132 (1998)

84200 - Two (2) counts
84200.5 and 84200.7 - Two (2) counts
84203 - Ten (10) counts
87207 - One (1) count
$22,250 fine

The Commission rejected the proposed decision of the Administrative Law Judge and issued its decision and order against the Friends of Kevin Murray and Kevin Murray, successful candidate for State Assembly in 1994, who failed to timely file semi-annual campaign statements, failed to timely file pre-election campaign statements, and

failed to timely file late contribution reports. In addition, Kevin Murray failed to report a source of income on his Statement of Economic Interests.

FRIENDS OF THE ALBANY WATERFRONT, COMMITTEE OPPOSED TO MEASURE F SPONSORED BY THE OAKS CARD CLUB, JERRI HOLAN, AND HELEN MILLER, SI-96/262 (1998)

84102 - One (1) count
84211, 84106, and 84102 - Two (2) counts
84305, 84106, and 84102 - Four (4) counts
$14,000 fine

Friends of the Albany Waterfront, Committee Opposed to Measure F Sponsored by the Oaks Card Club, was formed to oppose a local ballot measure which would have allowed the development of a card room on the waterfront in the City of Albany, Jerri Holan, a responsible officer, and Helen Miller, its treasurer, failed to correctly identify its sponsor and to include the name of its sponsor in the name of the committee on its statement of organization and failed to include the name of its sponsor in its name on its pre-election and semi-annual campaign statements in 1994. It also failed to use proper sender identification on its campaign mailers.

FROMMER, DARIO, DARIO FROMMER FOR ASSEMBLY AND STEPHEN KAUFMAN, SI-2000/345 (2001)

84203 – One (1) count
$2,000 fine

Dario Frommer, successful Los Angeles candidate for the State Assembly in 2000, his controlled committee, Dario Frommer for Assembly, and Stephen Kaufman, its treasurer, failed to timely file a late contribution report in 2000.

FURTAK, JOHN, SI-90/80 (1992)

83116.5 - Two (2) counts
84306 - Two (2) counts
$0 fine

John Furtak, a Bakersfield newspaperman and campaign manager for the Thomas Watson for Supervisor race in Riverside County in 1986, was accused of helping to hide the source of $38,000 in laundered campaign contributions from developer Louis Laramore to Watson. The Commission adopted the recommendation of the administrative law judge to dismiss all charges due to insufficient evidence.

G. H. PALMER ASSOCIATES, SI-89/33 (1992)

84301 and 84300 (c) - Fifteen (15) counts
$30,000 fine

G. H. Palmer Associates, a real estate development firm located in Los Angeles, laundered seven $500 campaign contributions to the Committee to Re-Elect Councilwoman Joy Picus in December 1987. In addition, the respondent laundered seven $950 campaign contributions and one $350 contribution to the Southern California Caucus, a political action committee which actively opposed the incorporation of the City of Santa Clarita in November 1987. Respondent used company employees to transmit the contributions.

GAGLIARDI, JOSEPH MELVIN, AND J & J SPORTING GOODS, SI-98/83 (1999)

84301 and 84300 - Forty-Eight (48) counts
84200 - Two (2) counts
$96,000 fine

Joseph Melvin Gagliardi, president and sole owner of J & J Sporting Goods, a sole proprietorship located in San Jose, laundered 48 campaign contributions to two candidates for San Jose Mayor during 1998 and failed to file two campaign statements.

GALLAGHER, MICHAEL T., SI-92/567 (1994)

84300 and 84301 - Two (2) counts
$4,000 fine

Michael T. Gallagher, an unsuccessful candidate for San Bernardino County Supervisor in 1992, laundered two checks totaling $10,758.25 to a campaign committee that issued a hit piece mass mailing against his opponent in the race for supervisor. This stipulation is part of an overall settlement agreement between Michael Gallagher, the Commission, and the San Bernardino County District Attorney's Office. As part of this overall agreement, Gallagher has plead guilty to two criminal misdemeanors for violating the Political Reform Act. As part of that plea agreement, Gallagher will pay both a criminal fine of approximately $32,000 and a court penalty assessment of over $20,000.

GAMEL, DANNY LYNN, DANNY GAMEL, INC., AND RUDY MICHAEL OLMOS, SI-99/193 (2001)

84300 and 84301– Three (3) counts
84302 – One (1) count
$8,000 fine

The Commission adopted an administrative law judge's proposed decision in the matter of Danny Lynn Gamel, a Fresno businessman, Danny Gamel, Inc., a company that owns several recreational vehicle dealerships, who laundered contributions made to a candidate for Fresno City Council in 1996, and its employee, Rudy Michael Olmos, who served as an intermediary for one of the illegal contributions.

GARCIA, RICHARD A., SI-91/166 (1993)

87100 - Two (2) counts
$3,000 fine

Richard Garcia, Banning City Councilman, committed conflict of interest violations when he participated in two decisions which affected a source of income received. On November 6, 1990, Garcia sold his partnership interest in a Banning office building. In March 1991, sitting in his capacity as a member of the Banning Community Redevelopment Agency, Garcia made decisions benefiting the remaining partners in the joint venture.

GARCIA, RODOLFO, SI-93/258 (1994)

87100 - One (1) count
$1,500 fine

Bell Gardens City Councilman Rodolfo "Rudy" Garcia violated the conflict of interest provisions of the Act on March 12, 1993, when he voted to terminate the city manager's employment contract. The city manager had been a source of income within 12 months prior to the decision.

GARCIA, WILLIAM P.V., SI-84/267 (1986)

87300 - Four (4) counts
$250 fine

The Commission adopted the proposed decision and order of an administrative law judge in the matter of William P.V. Garcia, manager of the Farm and Home Purchase Division of the Department of Veterans Affairs, who failed to disclose his deed of trust interests in real property on four Statements of Economic Interests filed over a period of three years.

Garcia managed a division that approved or disapproved applications by California veterans for farm and home loans. These decisions could have affected the value of Garcia's deed of trust interests.

GARTNER, GARY, SI-99/463 (2000)

87300 - Two (2) counts
$1,250 fine

Gary Gartner, legislative assistant with the California State Assembly, failed to timely file his 1997 and 1998 annual Statements of Economic Interests.

GATEWOOD, ROBERT, SI-86/72 (1988)

87100 and 87103 - Four (4) counts
87300 - One (1) count
$9,000 fine

Robert Gatewood, a former San Ramon Valley Planning Commissioner, violated state conflict of interest laws and failed to disclose financial interests. The violations resulted when Mr. Gatewood voted in 1984 and 1985 to approve four projects in the Bishop Ranch Business Park that significantly affected a client of his company.

Mr. Gatewood failed to file a financial disclosure statement within 30 days after leaving office in September 1986. That statement would have disclosed the client, whose projects were the subject of decisions before the planning commission.

GATICA, ELEANOR SANCHEZ, AND THE COMMITTEE TO ELECT ELEANOR S. GATICA, SI-99/86 (1999)

84200 - One (1) count
$500 fine

Eleanor Sanchez Gatica, an unsuccessful candidate for Maywood City Council in 1997, and her controlled committee, Committee to Elect Eleanor S. Gatica, failed to timely file a semi-annual campaign statement.

GATLIN DEVELOPMENT COMPANY AND FRANK GATLIN, SI-94/189 (1996)

84300 and 84301 - One Hundred Seven (107) counts

$192,000 fine

Gatlin Development Company, a real estate development firm located in San Diego which primarily builds shopping center complexes that contain Wal-Mart stores, and Frank Gatlin, its owner and principal officer, laundered contributions made to candidates and members of the San Diego City Council, a candidate for the San Diego County Board of Supervisors, and a campaign committee located in Lake Elsinore.

GAYTAN, KARL E., COMMITTEE TO RE-ELECT KARL E. GAYTAN FOR MAYOR, AND FRANK A. IBARRA, SI-99/198 (1999)

84200 - Two (2) counts
84200.5 and 84200.7 - One (1) count
$1,000 fine

Karl E. Gaytan, successful candidate for Mayor of Colton, his controlled committee, the Committee to Re-Elect Karl E. Gaytan for Mayor, and its treasurer, Frank A. Ibarra, failed to file one pre-election and two semi-annual campaign statements in 1998 and 1999.

GEICO CORPORATION, SI-98/298 (1998)

84203 - One (1) count
$1,250 fine

GEICO Corporation of Washington, D.C., failed to file a late contribution report for a contribution made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

GEISMAR, GERALD, SI-99/188 (2001)

87100 and 87103 – Seven (7) counts
$8,750 fine

Gerald Geismar, Executive Director of the Employment Training Panel in Sacramento, violated the conflict of interest provisions when he made and participated in decisions from 1996 through 1998 which directly affected companies in which he held investment interests.

GERRED, DAVID, AND DAVID GERRED FOR CITY COUNCIL, SI-99/635 (2000)

84200 – Two (2) counts
87300 and 87302 – Two (2) counts
$1,500 fine

David Gerred, member of the City of Burbank's Transportation Commission in 1997 and 1998, failed to timely file his 1998 annual and his leaving office Statement of Economic Interests. Mr. Gerred and his controlled committee, David Gerred for City Council, formed for his unsuccessful campaign in 1995, failed to timely file semi-annual campaign statements in 1999.

GIAFFOGLIONE, TONI, AND THE COMMITTEE TO ELECT TONI GIAFFOGLIONE, SI-95/80 (1998)

84200 - Two (2) counts
84200.5 and 84200.8 - One (1) count
84213 - Three (3) counts
85201 - One (1) count
$8,100 Fine

The Commission adopted an administrative law judge's proposed decision in the matter of Toni Giaffoglione, candidate for, and an elected member of, the Board of Trustees of the Bassett Unified School District in La Puente, CA, and the Committee to Elect Toni Giaffoglione, who failed to timely file campaign statements, misreported campaign activity and falsely verified the accuracy of the campaign statements, and failed to use a campaign bank account to deposit all contributions or loans made between 1993 and 1995.

GIANT GROUP, LTD., SI-99/414 (2000)

84200 - One (1) count
$600 fine

Giant Group, Ltd., located in Beverly Hills failed to timely file a major donor campaign statement for contributions made to the Lungren Committee for Common Sense Conservatism in 1998.

GILBERT, GLENN T., SI-99/796 (2000)

87300 - One (1) count
$500 fine

Glenn T. Gilbert, a principal consultant at the California Assembly Rules Committee for Assemblyman John Longville, failed to timely file his 1998 annual Statement of Economic Interests.

GILLIES, DUGALD, SI-79/60 (1980)

86107 (currently 86113) and 86110 (currently 86117)
Twelve (12) counts
$2,500 fine
$1,250 waived

Dugald Gillies, lobbyist for the California Association of Realtors, failed to file 12 financial disclosure reports timely between February 1, 1978, and August 31, 1979.

GIRARDI, KEESE AND CRANE, MD-90/387 (1991)

84200 (b) - One (1) count
$2,000 fine

Girardi, Keese and Crane, a law firm, failed to timely file a campaign disclosure statement. During 1988, this law firm made campaign contributions totaling $148,500 to candidates and committees and failed to report these contributions on a major donor statement.

GLOBAL CROSSING, SI-2001/17 (2001)

84200 - One (1) count
$400 fine

Global Crossing of Santa Monica failed to file a major donor campaign statement during 2000.

GOGGIN, TERRENCE, SI-81/11 (1984)

87206 - Five (5) counts
87207 - Nine (9) counts
$13,500 fine

Assemblyman Terry Goggin committed state financial disclosure law violations with respect to financial statements filed by him reporting personal and business investments and interests in calendar years 1977 through 1982 which contained errors and omissions.

GOLDMAN, JOHN & MARCIA, SI-2000/484 (2000)

84203 – One (1) count
$2,000 fine

John & Marcia Goldman of San Francisco failed to file a late contribution report during the March 7, 2000, primary election.

GOLDSMITH, MARVIN, SI-95/173 (1996)

87100 - Three (3) counts
$4,500 fine

Marvin Goldsmith, former Senior Assistant Attorney General of the Tort and Condemnation Section of the Civil Law Division, Department of Justice, violated the Act when, in his capacity as section chief, he made recommendations to employ as outside counsel, and to pay the costs of legal services of, a law firm which had been a donor of a gift to him within 12 months prior to the time the decisions were made.

GONSALVES, JOE, SI-81/13 (1982)

86203 - One (1) count
$2,000 fine
$1,000 waived

In mid-November 1980, lobbyist Joe Gonsalves wrote a number of legislators inviting them to attend a dinner being sponsored by a group of California cities represented by Gonsalves. The dinner was to be held at the Firehouse restaurant in Sacramento on January 28, 1981, and the legislators were requested to RSVP to Gonsalves at his office. A second series of letters were sent out by Gonsalves on December 2, 1980, informing the same legislators that the date had been changed.

In addition to handling the invitations and acceptances for the dinner, Gonsalves and/or his staff made all the necessary arrangements for the dinner, including selection of the place, menu, and wine. A sign proclaiming the "GONSALVES DINNER" was posted in the Firehouse restaurant the night of the dinner.

The total cost of the dinner was $4,573.60 with each of Gonsalves' eight client cities paying $571.70 of the total. The cost per person came to $43.56 - well above the $10 limit. One hundred and five people attended the dinner, including 32 state legislators, the State Treasurer, and one legislative aide.

GONZALEZ, JIM, SUPERVISOR JIM GONZALEZ CAMPAIGN COMMITTEE, AND MARGARET KITAMURA, TREASURER, SI-91/170 (1992)

84211 - One (1) count
$500 fine

Jim Gonzalez, San Francisco City and County Supervisor, his committee and its treasurer, failed to disclose 33

contributions received totaling $14,150 on a semi-annual statement covering January 1 through June 30, 1988. The contributions were omitted accidentally when the campaign statement was filed on time on July 31, 1988.

GONZALES, LEONARD, SI-86/383 (1987)

87300 - Two (2) counts
$4,000 fine

Leonard Gonzales failed to file required financial disclosure statements in 1984 and 1985 while a member of the California Veterans Board. The violations were part of a pattern which began with respondent's late submission of his assuming office Statement of Economic Interests in 1983.

GONZALES, LEONARD JR., SI-94/495 (1996)

87203 - Two (2) counts
$4,000 fine

The Commission issued a Default Decision and Order against Leonard Gonzales, Jr., a planning commissioner for the City of San Bernardino, who failed to file his annual Statements of Economic Interests for 1993 and 1994.

GOOD DRIVER INITIATIVE, SPONSORED BY A CONSUMER, LEGAL, FINANCIAL & HEALTH COALITION/YES ON PROPOSITION 100, AND LANCE OLSON, TREASURER, SI-90/620 (1992)

84211 - Three (3) counts
84211 and 84303 - Five (5) counts
$16,000 fine

The Good Driver Initiative Committee failed to properly report campaign expenditures in 1988. This committee, which was sponsored by the California Bankers Association, the California Chiropractic Association, the California Trial Lawyers Association, and the Insurance Consumer Action Network, was formed to support Proposition 100 on the November 1988 ballot.

The Committee made over $16 million worth of expenditures on behalf of Proposition 100 (dealing with automobile insurance), but failed to report $245,000 in accrued expenditures and a $20,000 contribution to the No on 106 Committee. Subvendor information was either omitted or understated for payments totaling over $1 million.

GORDON HOLDINGS LP, SI-2000/469 (2000)

84203 – One (1) count
$1,500 fine

Gordon Holdings LP of Corona failed to file a late contribution report during the March 7, 2000, primary election.

GORDON, R.J., SI-2000/398 (2000)

84203 – One (1) count
$1,500 fine

R.J. Gordon of Los Angeles failed to file a late contribution report during the March 7, 2000, primary election.

GORMAN, STEPHEN B., COMMITTEE TO ELECT STEPHEN GORMAN JUDGE DISTRICT #3 AND JOHN F. WARDEN, JR., SI-99/82 (2000)

84203 - Three (3) counts
$2,250 fine

Stephen B. Gorman, unsuccessful candidate for El Dorado County Superior Court, his controlled committee, the Committee to Elect Stephen Gorman Judge District #3, and its treasurer, John F. Warden, Jr., failed to file three late contribution reports disclosing the receipt of $38,000 in loans in 1996.

GOVERNMENTAL IMPACT AND JIM DANTONA, SI-2000/733 (2001)

86117 – Two (2) counts
$2,000 fine

Governmental Impact, a lobbying firm in Simi Valley, and its owner and registered lobbyist, Jim Dantona, failed to timely file two quarterly lobbying reports in 1999.

GOWAN, SHARON, SI-2001/264 (2001)

87300 – One (1) count
$300 fine

Sharon Gowan, a trustee for the Board of Education of the Anderson Valley Unified School District in Mendocino County, failed to timely file a 2000 annual Statement of Economic Interests.

GRAHAM, JAMES M., SI-83/402 (1987)

86110 (currently 86117) -Three (3) counts
$3,000 fine
$1,000 waived

James M. Graham, an attorney and part time lobbyist failed to file quarterly lobbyist disclosure statements during 1983 and 1984. These failures were aggravated by Graham's repeated refusals to file the statements and by his refusal to cooperate with a Franchise Tax Board audit of the statements.

GRAND SUNRISE, INC., SI-94/534 (1995)

84300(c) and 84301 - Twenty-two (22) counts
$41,000 fine

Grand Sunrise, Inc., a California corporation with headquarters in Taipei, Taiwan, and in the business of real estate investment, laundered contributions totaling $10,500 in the names of various individuals to three Los Angeles City Council candidates in 1991. Grand Sunrise was developing property in Los Angeles at the time.

GRANITE CONSTRUCTION COMPANY, SI-96/149 (1998 CIVIL SUIT)

84200 and 84211
$2,000 fine

Granite Construction Company, doing business in California, builds highways, freeways, and grades, and paves roads and performs other construction services, failed to disclose loans made for the purpose of signature gathering for the Gaming Control Act of 1996 on a major donor campaign statement filed in 1996.

GRAY, GLORIA, AND FRIENDS OF GLORIA GRAY, SI-95/219 (1996)

84200 and 84200.8 - Two (2) counts
$6,000 fine

The Commission issued a Default Decision and Order against Gloria Gray, a candidate for Inglewood School Board, and her committee, who failed to timely file campaign statements in 1995.

GREAT WESTERN LIFE ASSURANCE CO., SI-2001/43 (2001)

84200 - One (1) count
$400 fine

The Great Western Life Assurance Co. of Englewood, Colorado, failed to file a major donor campaign statement during 2000.

GREATER SAN DIEGO CHAMBER OF COMMERCE FOUNDATION, SI-98/265 (2001)

84200 – One (1) count
$1,000 fine

The Greater San Diego Chamber of Commerce Foundation failed to timely file a major donor campaign statement in 1996.

GREEN, PETER, COMMITTEE TO RE-ELECT PETER GREEN, SI-2001/245 (2001)

84203 – One (1) count
$2,000 fine

Peter Green, candidate for Huntington Beach City Council, and his controlled committee, Committee to Re-elect Peter Green, failed to file a late contribution report in 1998.

GREEN-GETER, CYNTHIA, FRIENDS OF CYNTHIA GREEN-GETER, AND COMMITTEE TO ELECT CYNTHIA GREEN-GETER FOR STATE ASSEMBLY, 52ND DISTRICT, SI-96/68 (1998)

84200 - Five (5) counts
84200.5 and 84200.8 - One (1) count
$12,000 fine

The Commission issued a Default Decision and Order against Cynthia Green-Geter, successful incumbent candidate for the Lynwood Unified School District in 1995 and candidate for State Assembly in 1996, and her committees Friends of Cynthia Green-Geter, and Committee to Elect Cynthia Green-Geter for State Assembly, 52nd District, who failed to timely file campaign statements in 1995 and 1996.

GREEN VALLEY CORPORATION, SI-95/568 (1996)

84300 and 84301 - Twelve (12) counts
$20,000 fine

Green Valley Corporation, a construction and development company located in San Jose, laundered campaign contributions made to Pat Dando, a candidate for the San Jose City Council, in 1995.

GREENE, BILL, BILL GREENE FOR SENATE, AND JAMES SHELTON, SI-78/72 (1980)

84210 (currently 84211) - Twenty-eight (28) counts 87203 and 87207 - One (1) count
$36,000 fine
$24,000 waived

Senator Bill Greene, the Bill Greene for Senate Committee, and treasurer James L. Shelton failed to report 77 transactions involving expenditures of $13,737 and improperly reported an additional 12 expenditures of $5,648. They also failed to report 20 contributions totaling $8,215 and improperly reported an additional 22 contributions totaling $12,800.

Greene also personally failed to disclose on his annual Statement of Economic Interests gifts received from his campaign committee amounting to $7,618, of which $5,208 was used to pay his income taxes.

The other violations included recordkeeping violations and failure to use due diligence to ensure accurate campaign reporting.

GREER, PHIL, SI-84/114 (1985)

84305 - One (1) count
$1,250 fine

Former Long Beach City Council candidate Phil Greer violated the campaign mailing identification requirements in the April 1984 city election by failing to properly identify a hit piece mailed to Long Beach voters.

A mailing sent by Greer to 1,000 4th District residents was in the form of a personal letter that appeared to be from a concerned citizen of Long Beach, Kelly Green. Green, an employee of the print shop where the mailing was produced, lent her name to the mailing at Greer's request, and was the person identified as the sender on the outside of the mailing.

GRESHAM, VARNER, SAVAGE, NOLAN & TILDEN, MARK OSTOICH, PATRICE DALMAN, AND JAMES ROBERTSON, SI-95/455 (1996)

84300 and 84301 - Seventy-Five (75) counts
84300 and 84302 - Forty-Six (46) counts
$228,000 fine

Gresham, Varner, Savage, Nolan & Tilden, a business and real estate law firm located in San Bernardino, and Mark Ostoich, a partner, Patrice Dalman, a staff member, and James Robertson, a business associate and friend of Mark Ostoich, laundered contributions made to candidates and members of the San Diego City Council or San Diego County Board of Supervisors.

GRIFFIN HOMES, SI-88/528 (1989)

84300 (c) - Twenty-two (22) counts
84211 (h) (j) (m) - Two (2) counts
$47,000 fine

Griffin Homes, a southern California developer, laundered more than two dozen contributions through employees in 1985, 1987, and 1988. A majority of the contributions involved amounts which would avoid having the employees listed by name, occupation, and employer. Griffin Homes also failed to itemize $4,820 in contributions made in 1986 and to properly disclose $3,768 in contributions made in 1987 on major donor campaign statements.

GRIFFITH COMPANY, SI-99/416 (2000)

84200 - One (1) count
84203 - One (1) count
$1,000 fine

Griffith Company, located in Santa Fe Springs, failed to timely file a major donor campaign statement for contributions made to Richard Katz Senate Committee; Yes on Proposition 2 Committee; and Lungren Committee for Common Sense Conservatism in 1998. In addition, it failed to file a late contribution report for a contribution made to Lungren Committee for Common Sense Conservatism.

GRIMM, BARBARA, SI-99/366 (2000)

84200 – One (1) count
$1,500 fine

Barbara Grimm of Bakersfield failed to timely file a major donor campaign statement for monetary and in-kind contributions made in 1998 to gubernatorial candidate Dan Lungren, Citizens for Julie Alban Committee, Friends of Marilyn Brewer Committee, Tim Leslie for Governor Committee, and Quackenbush for Senate 1998 Committee.

GRISET, DANIEL, GRISET CAMPAIGN COMMITTEE, AND THE SANTA ANA PROGRESS COMMITTEE, SI-88/442 (1991)

84305 - Five (5) counts
$10,000 fine

The Commission accepted an administrative law judge's findings that Daniel Griset, Santa Ana City Councilmember, and his controlled committees, sent five mass mailings without proper sender identification during his successful 1988 re-election campaign.

Four mailings, identified as coming from the "Santa Ana Progress Committee," and one mailer, purportedly from the "Washington Square Neighborhood Association," attacked Griset's opponent in the November 1988 city council election. None of the mass mailings identified Griset as the controlling candidate on the outside of each piece of mail. In addition, one mailing did not contain the name of the committee that was the sender. (At the time of this publication, the decision is still under court review.)

GUERRA, REY, SI-96/144 (1997)

87100 - One (1) count
$2,000 fine

Rey Guerra, a member of the Corcoran District Hospital Board of Directors, violated the conflict of interest provisions by participating in discussions on issues related to a contract for pharmaceutical services by a competitor of a drug company in which he had financial interest.

GUZMAN, ROB, AND ROB GUZMAN FOR STATE SENATE, SI-2000/620 (2001)

84200.5 and 84200.8 – Two (2) counts
84200 – One (1) count
$3,750 fine

Rob Guzman, unsuccessful candidate for state Senate in District 32, San Bernardino, in the special election held in 2000, and his committee, Rob Guzman for State Senate, failed to timely file two pre-election campaign statements and failed to timely file one semi-annual campaign statement in 2000.

HABBAS, OMAR, SI-2001/18 (2001)

84200 - One (1) count
$400 fine

Omar Habbas of San Jose failed to file a major donor campaign statement during 2000.

HAGESTAD INVESTMENT, SI-98/495 (1999)

84200 - One (1) count
$1,250 fine

Hagestad Investment of Irvine failed to file a semi-annual campaign statement for a contribution made to Lungren for Governor, a controlled committee, in 1998.

HALL, JAN, FRIENDS OF JAN HALL COMMITTEE, AND ROBERT GOUTY, SI-88/95 (1992)

84305 - Four (4) counts
$6,000 fine

Jan Hall, candidate for Mayor of the City of Long Beach, her committee, and Robert Gouty, a paid political consultant failed to identify the committee as the sender of four mass mailings.

HALL, LARRY, AND SAGWA DEVELOPMENT CORPORATION, SI-91/418 (1993)

84300 and 84301 - Three (3) counts
$4,500 fine

The Commission issued a Default Decision and Order against Larry Hall and Sagwa Development Corporation, which laundered contributions in 1989 totaling $747 to Fremont City Council candidates Alane Loisel and Bill Ball.

HALLORAN, WILLIAM J., SI-99/173 (1999)

84301 - Fifteen (15) counts
$26,000 fine

William J. Halloran, president and major owner of an asphalt crushing and recycling plant located in Vista, laundered campaign contributions to two candidates for Vista City Council in 1996.

HALTENHOFF, RICK, SI-90/299 (1993)

87100 - Eight (8) counts
$15,000 fine

Rick Haltenhoff, former Santa Clara County geologist, committed conflict of interest violations in 1990 by recommending that additional geological work be done on projects which he knew would probably be awarded to his firm, Associated Terra Consultants (ATC). The projects were necessitated because of damage caused by the Loma Prieta earthquake in late 1989. In each instance, the project was approved and ATC received the contract.

HAMMOND, CHARLES, SI-89/360 (1991)

87100 - One (1) count
87207 - One (1) count
$4,000 fine

Charles Hammond, Fairfield City Councilman, committed a financial disclosure violation in 1988 based on a source of income in the form of a loan, which he failed to report on his annual Statement of Economic Interests. Mr. Hammond participated in a decision benefiting this source of income by voting to approve and adopt an ordinance allowing the outdoor display of retail merchandise in the Fairfield business district.

HAMMOND, CHARLES E., SI-95/432 (1996)

87200 and 87207 - One (1) count
87200 and 87206 - One (1) count
$4,000 fine

Charles E. Hammond, Mayor of the City of Fairfield, failed to disclose receipt of a loan and failed to disclose a reportable leasehold interest in real property on his 1992 through 1994 annual Statements of Economic Interests.

HAMPTON, BOB, SI-2001/132 (2001)

84200 – One (1) count
$400 fine

Bob Hampton of Bakersfield failed to file a major donor campaign statement during 2000.

HANSON, CANDICE, SI-2001/19 (2001)

84200 - One (1) count
$600 fine

Candice Hanson of Beverly Hills failed to file a major donor campaign statement during 2000.

HANYECZ, RICKI; MICHAEL HANYECZ, AND SIMA KATZIR, SI-96/117 (1998)

84301 and 84300 - Forty-Seven (47) counts
$94,000 fine

Ricki Hanyecz and Michael Hanyecz, owners and corporate officers of Rimi Security Systems, Inc., which did most of their business in Orange County, Los Angeles County, and various cities in Northern California, and Sima Katzir, Ricki Hanyecz's sister, reimbursed persons for making 47 campaign contributions during 1992 to 1994 to various candidates for state and local elected office in California.

HAPPE-BRAND, WILJA, SI-2000/801 (2001)

87300 and 87302 - One (1) count
$200 fine

Wilja Happe-Brand, California Cut Flower Alternate Commissioner, failed to timely file a 1999 annual Statement of Economic Interests.

HARD ROCK CAFE AMERICA, L.P., AND THE MELROSE CORPORATION, SI-95/28 (1995)

84300(c) and 84301 - Eight (8) counts
$10,200 fine - Hard Rock Cafe
$3,400 fine - Melrose Corporation

Hard Rock Cafe America and the Melrose Corporation laundered $12,750 in contributions in the names of the company president and his wife during 1990 and 1992 to eight state and local candidates.

HARMAN, JANE, JANE HARMAN FOR GOVERNOR, AND ROBERT B. BURKE, SI-2000/57 (2001 CIVIL LAWSUIT)

84203
84211
84303
$60,000 fine

Jane Harman, unsuccessful candidate for Governor in 1998, Jane Harman for Governor, a recipient committee, and its treasurer, Robert B. Burke, failed to timely file late contribution reports and failed to timely itemize subvendor expenditures on campaign statements.

HARNESS HORSEMEN'S POLITICAL ACTION COMMITTEE AND IVAN AXELROD, TREASURER, SI-92/405 (1993)

84200 - Four (4) counts
84200.6 and 84200.7 - Two (2) counts
$6,000 fine

Harness Horsemen's Political Action Committee and Ivan Axelrod, treasurer, failed to timely file four semi-annual campaign statements and failed to file two pre-election campaign statements between July 1989 and June 1991.

HARO, RON, SI-99/276 (1999)

87302 - One (1) count
$300 fine

Ron Haro, a governing board member of the Minarets Joint Union High School District in Madera County, failed to timely file his 1998 annual Statement of Economic Interests.

HARRIS & ASSOCIATES, SI-2001/137 (2001)

84200 – One (1) count
$400 fine

Harris & Associates of Concord failed to file a major donor campaign statement during 2000.

HARRIS, ELIHU, OAKLAND CITIZENS FOR ACCOUNTABLE GOVERNMENT, AND FRIENDS OF ELIHU HARRIS, SI-96/708 (2001)

84103 – One (1) count
84305 – One (1) count
84203 – Three (3) counts
$10,000 fine

Elihu Harris, Mayor of Oakland, and his controlled committee, Oakland Citizens for Accountable Government, failed to amend their statement of organization in 1996 to include the name of the controlling candidate, failed to use proper sender identification on a campaign mailer sent in 1996, and failed to file late contribution reports in 1996. In addition, Mayor Harris and his controlled committee, Friends of Elihu Harris, failed to file a late contribution report in 1996.

HART, WILSON, FRIENDS OF WILSON HART COMMITTEE, SI-89/95 (1990)

84305 - Two (2) counts
$4,000 fine

The Commission accepted the administrative law judge's findings that Wilson Hart failed to provide required sender identification on two campaign mailers sent to approximately 20,600 voters during his unsuccessful campaign to return to the Santa Ana city council.

The mailing did not identify on its outside the name or address of the Friends of Wilson Hart Committee or respondent as the sender of the mailing, as required.

HARVEY, TRICE, COMMITTEE TO ELECT TRICE HARVEY, SI-88/225 (1989)

84203 - Three (3) counts
$5,000 fine

Assemblyman Trice Harvey and his campaign committee failed to properly disclose 16 late contributions during the 1986 general election totaling $88,000. A state campaign audit found that the 16 late contributions received were either not disclosed or were reported two to seven days late during the final two weeks of the election.

HARVEY, TRICE, COMMITTEE TO ELECT TRICE HARVEY, MIKE ABERNATHY, FC-86/512 (1987)

84305 - One (1) count
$1,000 fine

The Committee to Elect Trice Harvey was not identified on a mass mailer which appeared to be an official letter

from Governor Deukmejian's office, sent in an envelope bearing a facsimile of the Great Seal of California, and the Governor's return address. Inside the envelope was a letter of endorsement for Trice Harvey on what appeared to be Governor Deukmejian's official stationery and signed by the Governor. Also enclosed was a pre-printed return envelope for contributions addressed to the committee, which paid for the cost of the mailer.

HATCH, BRIAN, SI-84/224 (1985)

86107 (currently 86113) - One (1) count
86110 (currently 86117) - One (1) count
86203 - One (1) count
$7,000 fine
$4,000 waived

Brian L. Hatch, the Director of Governmental Affairs for the Federated Fire Fighters of California and a registered lobbyist since 1974, violated the gift limitations prohibition and reporting and recordkeeping requirements for California lobbyists.

Hatch failed to file disclosure statements for the second and third quarters of 1983 until the day of a Franchise Tax Board audit in January 1985. His fourth quarter statement for 1983 was not filed until September 1984.

An audit showed that Hatch failed to timely report more than 80 gifts made to public officials during 1983 and 23 gifts made to public officials during 1982.

Hatch also violated the gift limitations prohibition for lobbyists by providing gifts to officials in excess of $10 on 13 occasions in 1982 and on 15 occasions in 1983.

HAUSEY, WILLIE E., SI-88/66 (1988)

86116(f) - One (1) count
86205(a) - One (1) count
$3,000 fine

Sacramento lobbyist Willie Hausey made a personal loan to the chairperson of the state Senate Health and Welfare Committee, Senator Diane Watson. Mr. Hausey failed to provide timely disclosure of the $5,000 loan and placed the senator under personal obligation to him.

The loan was first disclosed on March 14, 1988, in Sacramento County Superior Court where a suit involving Senator Watson was pending. Mr. Hausey did not disclose the activity expense of the loan on a required lobbyist statement until two days after the disclosure in court.

HAWTHORNE, JAMES T., SI-89/18 (1991 - CIVIL SUIT SETTLEMENT)

87100
87207
$165,000 fine

Mr. Hawthorne as an appointed member of the California Transportation Commission participated in 14 decisions during 1987-1989 to approve the allocation of funds for specific construction projects in San Diego County. Since Mr. Hawthorne owned substantial interests in three business entities that sell, rent, or repair construction equipment in San Diego County, it was reasonably foreseeable that the decisions would have a material financial effect on Mr. Hawthorne's investment interests.

On his annual Statements of Economic Interests covering 1986 through 1989, Mr. Hawthorne failed to disclose 3,270 sources of over $10,000 of income to his business entities.

The case was aggravated by the fact that Mr. Hawthorne received a written warning in 1986 about his conflict of interest obligations.

HAYDEN, TOM, SI-2000/417 (2000)

84203 – One (1) count
$1,500 fine

Tom Hayden of Burbank failed to file a late contribution report during the March 7, 2000, primary election.

HAYES, THOMAS, TOM HAYES FOR TREASURER IN 1990, AND THOMAS HILTACHK, TREASURER, SI-93/90 (1994)

84211 - One (1) count
$2,000 fine

Thomas Hayes, unsuccessful candidate for State Treasurer in 1990, his controlled committee Tom Hayes for Treasurer in 1990, and Thomas Hiltachk, treasurer, failed to properly itemize expenditures totaling $285,000 for the reporting period from May 20, 1990, through June 30, 1990.

HEAFEY, EDWIN, SI-2001/20 (2001)

84200 - One (1) count
$400 fine

Edwin Heafey of Oakland failed to file a major donor campaign statement during 2000.

HELLMAN, F. WARREN, SI-2000/463 (2000)

84203 – One (1) count
$1,500 fine

F. Warren Hellman of San Francisco failed to file a late contribution report during the March 7, 2000, primary election.

HELMS, VERNON DONALD, SI-93/248 (1995)

87100 - Two (2) counts
87207 - Three (3) counts
$9,000 fine

Vernon Donald Helms, Superintendent of the Corona-Norco Unified School District in Riverside County, violated the conflict of interest disqualification provisions when he used his official position to influence decisions regarding mitigation tax fees which affected real property, in which he had a financial interest in 1992. In addition, Helms failed to disclose a source of income on his Statements of Economic Interests during 1990 to 1992.

HENDERSON, DEXTER, SI-96/367 (1998)

84200 and 84206 - Two (2) counts
84200.8 - Two (2) counts
84200 - One (1) count
87203 and 87300 - One (1) count
87204 and 87300 - One (1) count
$7,000 fine

Dexter Henderson, a candidate for the Inglewood School Board in 1993 and 1997, failed to timely file campaign statements and failed to timely file statements of economic interests during 1993 through 1997.

HENSEL, GEORGE ROBERT, SI-92/246 (1993)

84300(c) and 84301 - Two (2) counts
84305 - One (1) count
$5,000 fine

George Hensel, candidate for Hacienda Heights City Council, violated mass mailing provisions by failing to properly identify himself as the sender of a mailer sent out during his 1992 campaign. In addition, in 1989 and 1990, Hensel laundered two contributions made in support of Montebello and Monterey Park city council candidates.

HERNANDEZ, LUIS, HUNTINGTON PARK CITIZENS TO ELECT LUIS HERNANDEZ, AND HUNTINGTON PARK CITIZENS FOR RESPONSIBLE GOVERNMENT, SI-89/404 (1993)

84101 - One (1) count
84104 - One (1) count
84200 - One (1) count
84200.5 and 84200.8 - Two (2) counts
84203 - Two (2) counts
84204 - One (1) count
84211 - One (1) count
84300 - Two (2) counts
$20,000 fine

The Commission issued a Default Decision and Order against Luis Hernandez, Huntington Park City Councilman, and his two committees for violations of the campaign disclosure provisions. During his 1990 campaign, Hernandez and his committee, Huntington Park Citizens to Elect Luis Hernandez, failed to file any campaign statements or late contribution reports whatsoever until well after the election was over. They also failed to comply with provisions restricting the size of cash contributions and expenditures and did not properly itemize certain contributions.

Also, Hernandez and his committee, Huntington Park Citizens for Responsible Government, failed to timely file a statement of organization and a semi-annual statement. The committee also failed to timely file a late independent expenditure report and failed to maintain adequate campaign records.

HEWITT, JAN, COMMITTEE TO REELECT JAN HEWITT, SI-83/18 (1984)

84211 and 84213 - One (1) count
84305 - One (1) count
$2,000 fine

Solano County Supervisor Jan Hewitt and her campaign committee failed to identify the true sender of a campaign mailer attacking a political opponent and failed to

acknowledge control of a local campaign committee. Hewitt and her committee mailed 8,862 pieces of negative literature to Solano County voters a few days before the June 8, 1982, election. The mailers attacked her opponent, Carl Carlson, and were alleged to have been sent by a committee named "Citizens for Fair Play."

HEWLETT PACKARD, SI-2000/473 (2000)

84203 – Four (4) counts
$8,000 fine

Hewlett Packard of Sacramento failed to file a late contribution report during the March 7, 2000, primary election.

HIBER, HARVEY, SI-97/322 (1999)

84301 - One (1) count
$2,000 fine

Harvey Hiber, a San Diego County Municipal Court Judge, laundered a campaign contribution of $250 through his court clerk to the Paul Pfingst for District Attorney campaign in 1994.

HILMAR CHEESE COMPANY, INC., SI-99/368 (2000)

84200 - One (1) count
$600 fine

Hilmar Cheese Company, Inc., located in Hilmar failed to timely file a major donor campaign statement for contributions made to Bill Jones for Secretary of State, Lungren Committee for Common Sense Conservatism, Friends of Senator Dick Monteith, Friends of Dennis Cardoza, and Friends of Gray Davis Committee in 1998.

HODGSON, JOHN, CALIFORNIA HOSPITAL ASSOCIATION, SI-86/240 (1987)

84206 (currently 84203) - One (1) count
$6,500 fine

John Hodgson, treasurer of Californians Against Proposition 41, and the California Hospital Association failed to disclose $278,000 in late contributions received to oppose a November 1984 welfare reform initiative. The contributions consisted of a $130,000 loan from the California Hospital Association and a $148,000 contribution from the association's political arm, California Hospital Association Initiative Fund.

HOFFMAN, DAVID, SI-2001/21 (2001)

84200 - One (1) count
$600 fine

David Hoffman of Los Angeles failed to file a major donor campaign statement during 2000.

HOGE, WILLIAM E., SI-95/351 (1997)

87102.5 - One (1) count
$1,700 fine

William E. Hoge, a member of the California State Assembly, violated the conflict of interest provisions when he initiated a pay raise to a staff member in 1996 to whom he owed a $10,000 loan.

HOLDEN, HARVEY, SI-87/519 (1988)

87207(a)(4) - One (1) count
$2,000 fine

Former Mayor Harvey Holden of Walnut failed to disclose on his Statement of Economic Interests gifts of land grading and fill dirt received in 1987 from a developer whose project he had supported.

HOLLOWAY, STANLEY, SI-99/617 (2000)

87203 - One (1) count
$300 fine

Stanley Holloway, member of the Richmond Planning Commission, failed to timely file his 1998 annual Statement of Economic Interests.

HOLMAN, JAMES E., SI-2000/480 (2000)

84203 – Two (2) counts
$1,500 fine

James E. Holman of Coronado failed to file a late contribution report during the March 7, 2000, primary election.

HOLMAN, WILLIAM, SI-95/541 (1997)

87100 - One (1) count
$2,000 fine

William Holman, a member of the Tuolumne County Board of Supervisors, violated the conflict of interest provisions when he voted to authorize county staff to structure a proposal to implement the South Shore project, an entity from which he had received gifts of travel, lodging, food and recreation in 1995.

HOLMES, SHERA, SI-99/294 (2000)

87300 - Two (2) counts
$4,000 fine

The Commission issued a Default Decision and Order against Shera Holmes, a staff member for the California State Assembly, who failed to file her 1997 and 1998 annual Statements of Economic Interests.

HOME DEPOT USA, INC., SI-2001/179 (2001)

84200 – Two (2) counts
$2,000 fine

Home Depot USA, Inc., a Georgia-based corporation, failed to timely file major donor campaign statements disclosing contributions made to political committees in 2000.

HORCHER, PAUL, AND FRIENDS OF ASSEMBLYMAN PAUL HORCHER, SI-92/71 (1998)

84102 - One (1) count
84200 - One (1) count
84203 - One (1) count
84204 - One (1) count
$6,000 fine

Paul Horcher, member of the California State Assembly, 52nd Assembly District in Los Angeles County, failed to properly disclose information about himself as the controlling candidate and the purpose of the Southern California Taxpayers Committee ("SCTC") on the statement of organization. In addition, Mr. Horcher as controlling candidate for SCTC, a committee whose only activity was to produce a negative political mailer, failed to timely and properly file a late independent expenditure report disclosing a late independent expenditure made for the mailer in opposition to a candidate in the 1991 Diamond Bar City Council election, and failed to file a semiannual campaign statement. Finally, the Friends of Assemblyman Paul Horcher Committee failed to report a late contribution to SCTC for additional costs to produce the "hit piece" mailer.

HORSEMEN'S BENEVOLENT AND PROTECTIVE ASSOCIATION, INC., SI-87/24 (1988)

84200(b) - One (1) count
84203(b) - One (1) count
$1,250 fine

Horsemen's Benevolent and Protective Association, Inc., contributed $100,000 to the No on 37 Committee on October 26, 1984, but failed to timely file a major donor campaign statement and a late contribution report.

HORSPOOL, J. DAVID, COMMITTEE TO ELECT J. DAVID HORSPOOL, CITIZENS FOR J. DAVID HORSPOOL, SI-88/148 (1989)

87100 and 87103 - One (1) count
84211 (c) and 84211 (f) - Four (4) counts
$10,000 fine

Moreno Valley City Councilmember J. David Horspool committed conflict of interest and campaign reporting violations.

The four campaign reporting violations involved the failure of the Committee to Elect J. David Horspool and Citizens for J. David Horspool to cumulate and itemize at least a dozen contributions received in 1985 and 1986. The failure to properly cumulate the contributions, which individually totaled $99 or less, resulted in the contributions never being identified by name or employer.

The conflict of interest violation involved a March 1985 decision to approve a 48-lot subdivision by Sykes Enterprises. Councilmember Horspool had a financial interest in the decision requiring disqualification because of income received from Albert Sykes, sole owner of the company developing the subdivision. The developer, within 12 months of the decision, had paid the councilmember's law firm approximately $1,800 in legal fees, resulting in pro rata income to the official of $600.

HORTON BARBARO & REILLY, SI-2000/475 (2000)

84203 – One (1) count
$2,000 fine

Horton Barbaro & Reilly located in Santa Ana failed to file a late contribution report during the March 7, 2000, primary election.

HOWARD, EDWARD, SI-81/03 (1982)

87203 - One (1) count
87206, 87207, 87300, and 87100 - Two (2) counts $6,000 fine

Edward L. Howard, planning director of Glenn County, violated the conflict of interest code of the Glenn County Planning Agency, when he participated in decisions in which he had reportable financial interests. Mr. Howard also failed to properly disclose those financial interests on his Statement of Economic Interests.

HOY-SUN NING BENEVOLENT ASSOCIATION AND NING YUNG POLITICAL ACTION COMMITTEE (HOY-SUN NING YUNG BENEVOLENT ASSOCIATION), SI-94/167 (1994)

84301 and 84300 - Twenty-four (24) counts
84200 - Four (4) counts
$42,800 fine

The Hoy-Sun Ning Yung Benevolent Association ("Association") and Ning Yung Political Action Committee (Hoy-Sun Yung Benevolent Association), laundered 24 contributions totaling $10,950 primarily to Bay Area candidates and failed to timely file semi-annual campaign statements for years 1990-1993.

HSIEH, TOM, "SUPERVISOR TOM HSIEH 92 (RE-ELECT)," "TOM HSIEH FOR MAYOR," AND ROSALYN KOO, TREASURER, SI-94/655 (1995)

84211 and 84213 - Two (2) counts
84213 - Two (2) counts
$7,000 fine

Tom Hsieh, a candidate in 1992 for re-election on the San Francisco Board of Supervisors and a San Francisco mayoral candidate in 1991, his committees, "Supervisor Tom Hsieh 92 (Re-elect)," "Tom Hsieh for Mayor," and Rosalyn Koo, treasurer, failed to learn the true identity of the contributor on two consecutive cashier's checks, and in two other instances, failed to secure adequate documentation from persons whose contributions were received in a single check.

HUGGINS, BILL, AND THE COMMITTEE TO ELECT BILL HUGGINS, SI-89/190 (1990)

84211 (j) and 84216 (d) - One (1) count
84213 - One (1) count
$4,000 fine

Bill Huggins, unsuccessful 1986 candidate for the Suisun City Council, loaned his committee $15,000 for the November election and repaid $14,000 on the loan three days later, but failed to report the committee expenditure on the pre-election campaign statement. The repayment was not reported until after the November election when Huggins filed his second semi-annual statement in January 1987. Huggins also violated the law by failing to correct any inaccuracies and omissions on the statement of which he was aware.

HUGHES, WALTER, SI-99/547 (2000)

87300 - One (1) count
$500 fine

Walter Hughes, legislative aide for the California State Assembly, failed to timely file his 1998 annual Statement of Economic Interests.

HUNTER, TRICIA, THE COMMITTEE TO ELECT TRICIA (PATRICIA) HUNTER AND MYRNA R. ALLEN, TREASURER, SI-91/332 (1991)

84203 - Six (6) counts
$7,000 fine

Tricia Hunter, successful candidate in the 76th Assembly District special election held on August 8, 1989, and the special runoff election on October 3, 1989, the Committee to Elect Tricia (Patricia) Hunter, and Myrna R. Allen, committee treasurer, failed to timely file six late contribution reports for contributions totaling $36,963.

HYATT SAINTE CLAIRE, SI-95/539 (1996)

84300 and 84301 - Four (4) counts
$6,800 fine

The Hyatt Sainte Claire, a hotel located in San Jose, laundered three campaign contributions to San Jose City Council candidate Pat Dando and one to Meri Maben in 1995.

HYSEN, CARL L., CARL L. HYSEN FOR SUPERVISOR COMMITTEE, AND RICHARD ULSH, TREASURER, SI-91/10 (1992)

84104 - One (1) count
84300 - Four (4) counts
$8,000 fine

Carl Hysen, unsuccessful candidate for San Luis Obispo County Supervisor in 1988, his committee, and its treasurer failed to accurately maintain campaign records for cash contributions totaling approximately $13,000 and received four illegal cash contributions totaling $500.

INDEPENDENT PAC LOCAL 188 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AND RICHARD KALAYJIAN, SI-97/533 (2000)

84211 – Eight (8) counts
84216 – One (1) count
$17,000 fine

Independent PAC Local 188 International Association of Firefighters located in Richmond and its treasurer, Richard Kalayjian, improperly reported contributions by "retired firefighters" on its 1997 campaign statement and incorrectly reported that a loan was outstanding.

INDUSTRY MANUFACTURERS COUNCIL, SI-80/55 (1981)

84104 - One (1) count
84201 (currently 84200.5) - Two (2) counts
84206 (currently 84203) - Two (2) counts
$2,000 fine

Industry Manufacturers Council, a nonprofit corporation which contracts with the City of Industry to promote industrial development, failed to file proper campaign statements on four separate occasions, disclosing contributions to the Friends of Van de Kamp, a committee formed to support the re-election of Los Angeles County District Attorney John Van de Kamp.

INGLEWOOD GENERAL HOSPITAL, MD-87/361 (1988)

84200(b) - One (1) count
$1,900 fine

Inglewood General Hospital of Los Angeles failed to timely file a major donor campaign statement for contributions totaling $19,550 in 1986.

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS COMMITTEE ON POLITICAL EDUCATION, SPONSORED BY INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, SI-99/347 (2000)

84200.5, 84200.7 and 84200.8 – Four (4) counts
84203 – Three (3) counts
$10,000 fine

International Brotherhood of Electrical Workers Committee on Political Education, a state general purpose committee and sponsored by International Brotherhood of Electrical Workers, failed to timely file four pre-election campaign statements in 1996 and failed to timely file three late contribution reports in 1995 and 1996.

INVESTMENT BUILDING GROUP, SI-91/120 (1991)

84301 and 84300 (c) - Six (6) counts
$12,000 fine

The money laundering case involved Investment Building Group (IBG), a real estate development and investment company owning several properties in Fremont and throughout Alameda County, and the 1989 campaigns of Fremont City Councilman Gary Mello and Alameda County Supervisor Charles Santana.

In 1989, IBG made five contributions totaling $1,245 to the re-election campaign of Gary Mello, and an additional contribution of $150 to Charles Santana in the names of other people. The laundered contributions were made through the names of IBG employees.

IRISH, SETH HENRY, III, SI-94/481 (1998)

87100 - Three (3) counts
87207 - Four (4) counts
$8,000 fine

Seth Henry Irish, III, a member of the Hollister City Council from 1990 to 1997, and also Mayor of Hollister from 1992 to 1993, failed to disclose sources of income to his sole proprietorship business and from the sale of his residence on statements of economic interests between 1993 and 1996 and participated in or attempted to influence governmental decisions that involved a source of income to his business in 1993 and 1994.

IRVINE, KENNETH, SI-2000/384 (2000)

87300 and 87302– One (1) count
$200 fine

Kenneth Irvine, a board member of the City of Coronado Visitors Bureau, failed to timely file an 1999 annual Statement of Economic Interests.

IRVINE POLICE ASSOCIATION POLITICAL ACTION COMMITTEE, AKA IRVINE POLICE ASSOCIATION POLITICAL EDUCATION COMMITTEE, SI-93/115 (1996)

84101 - One (1) count
84200 - Three (3) counts
84200/84200.5 and 84200.7 - One (1) count
84203.5 and 84204 - Two (2) counts
84204 - Two (2) counts
84214 - One (1) count
89512.5 - One (1) count
$10,000 fine

The Irvine Police Association Political Action Committee, also known as Irvine Police Association Political Education Committee, failed to file numerous campaign statements and late independent expenditure reports, failed to file in a timely manner a statement of organization, improperly filed a termination statement, and filed inaccurate campaign reports. In addition, the political action committee improperly used campaign funds to make expenditures to the general fund account of the committee's sponsor.

ISSA, DARRELL, SI-2001/22 (2001)

84200 - One (1) count
$400 fine

Darrell Issa of Vista failed to file a major donor campaign statement during 2000.

J. G. ORBIS CORPORATION AND ISAO NAKAGAWA, CORPORATE SECRETARY, SI-94/451 (1995)

84300(c) and 84301 - Seven (7) counts
$11,900 fine

J. G. Orbis Corporation and Isao Nakagawa, corporate secretary, laundered seven contributions of $750 each in the form of personal money orders from employees of the corporation to the Agnos for Mayor campaign committee.

JACKSON, CLAYTON, SI-80/61 (1982)

86107 (currently 86113) - Three (3) counts
$6,000 fine

Lobbyist Clayton R. Jackson failed to report $10,000 in payments he received for securing passage of an 11th hour amendment which would substantially benefit his undisclosed client.

Mr. Jackson entered into a formal agreement to provide lobbying services to Specialized Systems, Inc. (SSI), a supplier of telecommunications equipment designed for use by deaf and hearing impaired persons. This firm was interested in overturning a PVC ruling requiring deaf persons to pay approximately one half of the monthly costs for the use of this equipment on their telephones, and SSI wanted the telephone company to finance all of the costs. Mr. Jackson agreed to attempt to obtain an amendment to then pending legislation.

JACKSON, THEODORE WARREN, SI-99/606 (2000)

87300 - Two (2) counts
$3,000 fine

Theodore Warren Jackson, Commissioner with the Fair Employment and Housing Commission, failed to timely file both a 1997 and a 1998 annual Statement of Economic Interests.

JACOBS, JENNIFER, SI-2000/760 (2001)

87300 and 87302 - One (1) count
$400 fine

Jennifer Jacobs, employed by the Assembly Rules Committee, and during the relevant time was the Chief of Staff for Assemblyman House, failed to timely file a 1999 annual Statement of Economic Interests.

JEANPIERRE, L. ANDREW, SI-97/203 (1997)

84300 - Two (2) counts
$3,000 fine

L. Andrew Jeanpierre of San Francisco, made two cash contributions in the amount of $250 each for the Committee to Re-Elect Frank Jordan Mayor in 1995.

JEFIMOFF, BARBARA, SI-97/204 (1997)

84300 - Three (3) counts
$4,500 fine

Barbara Jefimoff of San Francisco, received three cash contributions in the amount of $250 each for the Committee to Re-Elect Frank Jordan Mayor in 1995.

JELINEK, DON, JELINEK FOR MAYOR COMMITTEE, AND WILLIAM SAMSEL, SI-96/525 (1997)

81004 - Eight (8) counts
$15,000 fine

Don Jelinek, candidate for Mayor of Berkeley in 1994, and his committee, Jelinek for Mayor Committee, and its treasurer, William Samsel, failed to exercise reasonable diligence in disclosure of contributors on campaign reports. These violations were uncovered through a Franchise Tax Board audit of the committee.

JOFFE, ENID, SI-2001/433 (2001)`

87203 – One (1) count
$300 fine

Enid Joffe, a Sierra Madre City Planning Commissioner, failed to timely file her 2000 annual Statement of Economic Interests.

JOHANNESSEN, K. MAURICE, SI-94/610 (1995)

87102.5 - Two (2) counts
$4,000 fine

K. Maurice Johannessen, a member of the California State Senate, voted on legislation in June and August 1994 directly affecting Pacific Bell, a source of income to him.

JOHNSON, EPPAMINONDAS, SI-88/258 (1989)

84300(c) and 84301 - Six (6) counts
84203 - One (1) count
84211 (b) and 84211 (j) - One (1) count
$16,000 fine

Eppaminondas Johnson, a Sacramento restaurateur, laundered more than $5,000 in contributions through intermediaries to local and state candidates from 1981 to 1986. The intermediaries were repaid by the businessman for their contributions. Mr. Johnson failed to disclose himself as the true source of the contributions. Additionally, Mr. Johnson failed to file a late contribution report within 24 hours as required by law for one of the laundered contributions.

JOHNSON, VERNON, COMMITTEE TO ELECT VERNON JOHNSON, AND TONI GIAFFOGLIONE, SI-95/428 (1998)

84200 - Two (2) counts
84200.5 and 84200.7 - Two (2) counts
$2,000 fine

The Commission adopted an administrative law judge's proposed decision in the matter of Vernon Johnson, unsuccessful candidate for the Board of Trustees of the Bassett Unified School District in La Puente and the Committee to Elect Vernon Johnson, and Toni Giaffoglione, treasurer, who failed to timely file required preelection and semiannual campaign statements during 1994 and 1995.

JOHNSON-MORTON, VALERIE C., AND COMMITTEE TO ELECT VALERIE JOHNSON-MORTON, SI-94/220 (1996)

89513 - One (1) count
84200 - One (1) count
$3,000 fine

Valerie C. Johnson-Morton, an unsuccessful candidate for Mayor of Monrovia in 1994, used campaign funds during her campaign to purchase clothing. Johnson-Morton and her committee also failed to file a semi-annual post-election campaign statement due in 1994.

JOHNSTON, PATRICK, PAT JOHNSTON FOR SENATE, AND DANIEL NUTLEY, SI-96/114 (1997)

84204 - One (1) count
84211 - One (1) count
$3,000 fine

Patrick Johnston, state Senator in 1996, and Pat Johnston for Senate, and Daniel Nutley, its treasurer, failed to timely file late independent expenditure reports and failed to properly report and disclose independent expenditures in 1996.

JOINT INDUSTRY COUNCIL, ELBERT W. COOK, EDWARD H. OCHINERO, AND BARRY WEISSWASSER, SI-86/252 (1987)

84101 - One (1) count
84203 - Three (3) counts
$3,000 fine

Joint Industry Council, a political group, failed to file timely campaign disclosure reports in connection with the April 1986 Redding City Council elections. The group was a city general purpose committee, existing to oppose more than one candidate running in the Redding City Council election.

The committee did not file a timely statement of organization from which Redding voters could determine who or what the Joint Industry Council was.

The Joint Industry Council also failed to file late contribution reports for three contributions of $1,000 or more which were received during the period of March 23 through April 7, 1986.

JONATHAN GREY & ASSOCIATES, SI-99/369 (2000)

84200 - One (1) count
$400 fine

Jonathan Grey & Associates, located in San Clemente, failed to timely file a major donor campaign statement for contributions made to Friends of Steve Apodaca committee, Tillotson for Assembly '98 committee, and the Lungren for Governor committee in 1998.

JONES, CLIFTON S., SI-88/56 (1988)

84301 - Six (6) counts
$12,000 fine

Clifton Jones, Jr., a Cerritos-based developer, laundered $10,890 in campaign contributions in 1985 and 1986. Jones made the contributions using employees, relatives, and friends, who were reimbursed by the developer. The contributions, ranging from a total of $396 to $3,762, were made in $99 increments to six pro-development candidates for the Moreno Valley City Council.

JONES, M.W. "MICK", SI-84/331 (1987)

87100 - Four (4) counts
87206 and 87207 - Six (6) counts
$13,500 fine
$1,500 waived

Modoc County Supervisor Mick Jones voted on matters that affected a source of income involving local development projects owned or operated by Leisure Industries, Inc.

During the 12 months preceding his votes on the projects identified as California Pines Lake Unit No. 5 and Hill Unit No. 6, Jones received income from Leisure Industries which exceeded $250. Jones received the income through his company Mobile Home Services. Jones failed to properly disclose income and loans to Mobile Home Services in 1983, 1984, and 1985.

JORDAN, FRANK M., COMMITTEE TO ELECT FRANK M. JORDAN MAYOR, AND ROY E. HAHN, TREASURER, SI-94/654 (1996)

84104 - Two (2) counts
84203 - Seven (7) counts
84211 - Seven (7) counts
84211 and 84303 - Six (6) counts
$35,000 fine

Frank M. Jordan, a successful candidate for San Francisco Mayor in 1991, and his controlled committee and its treasurer, Roy E. Hahn, failed to timely disclose subvendor payments, accrued expenditures, and receipt of contributions, and failed to maintain required records for expenditures and contributions. In addition, they also failed to provide occupation and employer contributor information on campaign statements filed during 1991.

JORDAN II, THOMAS J., SI-2000/416 (2000)

84203 – One (1) count
$1,500 fine

Thomas J. Jordan II of Santa Rosa failed to file a late contribution report during the March 7, 2000, primary election.

K. C. METAL PRODUCTS, INC., SI-97/208 (1997)

84300 and 84301 - Twelve (12) counts
$21,600 fine

K. C. Metal Products, Inc., a business which manufactures metal joint hangers for commercial and residential buildings located in San Jose, laundered

contributions made to San Francisco Mayoral candidate Willie Brown in 1995.

K. HOVNANIAN COMPANIES OF CA, INC., SI-99/384 (2000)

84200 - One (1) count
$400 fine

K. Hovnanian Companies of CA, located in Irvine failed to timely file a major donor campaign statement for a contribution made to the Lungren Committee for Common Sense Conservatism in 1998.

KWPH ENTERPRISES, INC., DBA AMERICAN AMBULANCE, SI-96/551 (1997)

84300 and 84301 - Two Hundred Seven (207) counts
$377,000 fine

KWPH Enterprises, Inc., a corporation doing business as American Ambulance, a company providing paramedic ambulance and other emergency medical services in Fresno County, laundered contributions made to various candidates in the Fresno and the San Diego areas between 1991 and 1996.

KAMBOJ, NARESH, SI-2000/800 (2001)

87300 – One (1) count
$500 fine

Naresh Kamboj, a member of the California Commission on Aging, failed to timely file an assuming office Statement of Economic Interests in 2000.

KARIPINENI, SHAKIRA, SI -91/375 (1993)

84300(c) - One (1) count
84301 - Twelve (12) counts
$26,000 fine

The Commission rejected an administrative law judge's proposed decision that recommended a $10,000 fine be assessed against Dr. Shakira Karipineni of Fremont for laundering campaign contributions made to two Fremont city councilmen and a mayoral candidate. After reviewing a transcript of a hearing of the Karipineni case, the Commission fined Karipineni $26,000.

KASOLAS, GEORGE, AND COMMITTEE TO ELECT GEORGE KASOLAS, SI-88/530 (1990)

84305 - One (1) count
$1,500 fine

George Kasolas, unsuccessful candidate for Campbell City Council, and his campaign committee failed to provide proper sender identification on a 1988 campaign mailer. The mailing in question involved more than 6,000 letters which purported to be from "Dan McCorquodale, State Senator." The letter of endorsement on the senator's stationery had been prepared and sent by the candidate and his committee.

KATZ, RICHARD, FOR MAYOR COMMITTEE, THE; AND RICHARD KATZ, SI-96/285 (1997)

84101 - One (1) count
84211 - One (1) count
$4,000 fine

The Richard Katz for Mayor Committee, and Richard Katz, candidate for Mayor of the city of Los Angeles in 1993, failed to maintain source documentation for expenditures and did not disclose subvendor information for expenditures on their campaign statements.

KAUFMAN AND BROAD HOME CORPORATION, SI-98/701 (1999)

84203 - Five (5) counts
$5,000 fine

Kaufman and Broad Home Corporation, located in Los Angeles, failed to timely file late contribution reports in 1998 for contributions totaling $20,500.

KAWAR, FAKHRY F., SI-94/22 (1996)

84300 and 84301 - Eleven (11) counts
$22,000 fine

Fakhry F. Kawar, who manages and represents numerous business interests and properties within Contra Costa County, laundered contributions made to candidates for the Contra Costa Board of Supervisors in 1992.

KAWCZYNSKI, STAN, SI-91/31 (1992)

84305 - One (1) count
$2,000 fine

Stan Kawczynski was a successful candidate for Sunnyvale City Council in a January 1991 special election. Shortly before the election, he produced and sent a mass mailing allegedly from a supporter, without including himself as the sender on either the outside or inside.

KAY, MARVIN, SI-2000/434 (2001)

84200 – One (1) count
84203 – One (1) count
$2,500 fine

Marvin Kay of Los Angeles failed to file a late contribution report and a major donor campaign statement in 2000.

KEEGAN, TODD, SI-96/662 (2000)

87100 - One (1) count
87203 and 87207 - Two (2) counts
$4,000 fine

Todd Keegan, member of the El Cajon City Council, made governmental decisions which had a reasonably foreseeable material financial effect on sources of income to him in 1996 and also failed to disclose a source of income to him on his 1997 and 1998 annual Statements of Economic Interests.

KELLEY, DAVID AND MICHELLE, SI-2000/436 (2000)

84203 – One (1) count
$1,500 fine

David and Michelle Kelley of Manhattan Beach failed to file a late contribution report during the March 7, 2000, primary election.

KELLY, JOHN A., JR., SI-87/224 (1988)

87206 - One (1) count
87207 - One (1) count
$4,000 fine

John Kelly, Huntington Beach councilmember, failed to disclose his interest in real property on his 1986 and 1987 Statements of Economic Interests. The real property is located in an area frequently discussed by the city council.

KENNEDY, DRAKE, SI-97/97 (2001)

84305 – Five (5) counts
84200.8 – One (1) count
84204 – Four (4) counts
84200 – One (1) count
$18,000 fine

Drake Kennedy, co-owner of a billboard company in the City of Monterey Park, failed to properly disclose the true sender on five mass mailings opposed to a candidate for city council. In addition, Kennedy failed to timely file a pre-election statement, late independent expenditure reports, and a semi-annual statement in 1997 to report expenditures in connection with these mailers.

KENNEDY, JAMES, SI-98/47 (2000)

87100 – Two (2) counts
$250 fine

James Kennedy, a Clearlake City Council member, violated the conflict of interest provisions when he voted in 1996 and 1997 on the abatement of a public nuisance on properties within 300 feet of his residence.

KENYON, GRANT, SI-86/480 (1988)

84309 - Ten (10) counts
$10,000 fine

Sacramento lobbyist Grant Kenyon caused a state employed legislative messenger to personally deliver campaign contributions to 10 legislators in the State Capitol. The contributions were personally delivered to legislators on August 29, 1986, because the lobbyist wanted to be sure the legislators received them before they left town at the end of the legislative session.

KERN, JOSEPH P. D., SE-90/888 (1992)

87203 - Two (2) counts
$4,000 fine

Joseph Kern, City Attorney for the City of Fillmore, failed to timely file his 1989 and 1990 Statements of Economic Interests.

KHASHOGGI, ESSAM, SI-99/370 (2000)

84200 - Two (2) counts
$800 fine

Essam Khashoggi of Santa Barbara failed to timely file major donor campaign statements disclosing

contributions made to Chris Mitchum for Assembly Committee and Lungren for Governor Committee in 1998.

KILLEA, LUCY, LUCY KILLEA FOR SENATE, FRIENDS OF LUCY KILLEA, AND JOHN F. KILLEA, TREASURER, SI-91/203 (1992)

84200.5 - Four (4) counts
84203 - Four (4) counts
$9,000 fine

State Senator Lucy Killea failed during a 1989 special election to timely file pre-election reports for one of her controlled committees and failed to timely file four late contribution reports for a second committee. Killea also failed to timely file two additional pre-election reports for 1990, a year when she was not up for election.

KILLEA, LUCY, M. LARRY LAWRENCE, SI-83/16 (1984)

84300 - One (1) count
$500 fine - Lucy Killea
$500 fine - M. Larry Lawrence

San Diego Assemblywoman Lucy Killea accepted an illegal $5,000 cash contribution from San Diego businessman M. Larry Lawrence in August 1983.

On or about September 13, 1983, Ms. Killea drafted a check for cash on her campaign account and returned the $5,000. She also paid Lawrence interest on the $5,000 contribution.

KIM, DOUGLAS, SI-83/10 (1984)

81008 - Two (2) counts
$0 fine

Douglas Kim, Deputy Administrative Officer for the Assembly Rules Committee, on two separate occasions in 1982, required identifying information from an individual as a condition for inspecting and copying Statements of Economic Interests filed with the Rules Committee.

KING, ANITA, SI-94/409 (1996)

87302 - Three (3) counts
$4,500 fine

Anita King, a member of the Colorado River Board of California, failed to file her annual Statements of Economic Interests for three consecutive years, 1992-1994.

KINGMAN, WOODWARD, SI-99/812 (2000)

87300 and 87302 - One (1) count
$600 fine

Woodward Kingman, an Alternate Commissioner for the San Francisco Conservation and Development Commission, failed to timely file his 1998 annual Statement of Economic Interests.

KIRKPATRICK & BOSWELL, SI-2001/23 (2001)

84200 - One (1) count
$400 fine

Kirkpatrick & Boswell of San Luis Obispo failed to file a major donor campaign statement during 2000.

KIRWAN, ROGER, SI-99/372 (2000)

84200 - One (1) count
$400 fine

Roger Kirwan, located in Corona del Mar, failed to timely file a major donor campaign statement for contributions made to the Lungren Committee for Common Sense Conservatism in 1998.

KLEE, OSCAR, BETTY FRANKLIN, SI-79/58 (1980)

81004 - One (1) count
84201 (currently 84200.5) - Two (2) counts
84209 (currently 84213) - One (1) count
84210 (currently 84211) - Two (2) counts
$2,100 fine;
$1,000 waived - Oscar Klee
$100 fine - Betty Franklin

Oscar Klee, candidate for state assembly, and the Oscar Klee for Assembly Committee, committed campaign disclosure violations when they failed to file a campaign statement. Betty Franklin, treasurer of the committee, failed to use all reasonable diligence in the preparation of the statement.

KLORESE, ROGER B., SI-2000/403 (2001)

84203 – One (1) count
84200 – One (1) count
$3,500 fine

Roger B. Klorese of San Francisco failed to file a major donor committee campaign statement and a late contribution report in 2000.

KNABE, DON, AND THE DON KNABE FOR STATE SENATE COMMITTEE, SI-88/564 (1991)

84305 - One (1) count
$500 fine

The Commission rejected an administrative law judge's recommended findings and considered the case after reviewing the entire record. A decision was made by the Commission that Don Knabe, an unsuccessful candidate for the state senate in 1988, and his campaign committee, had violated mass mailing provisions when they sent 1,900 letters to disabled veterans critical of his opponent, freshman Senator Cecil Green, which did not identify Knabe or his committee on the outside of the envelope.

KNAPP, LARRY, SI-2001/24 (2001)

84200 - One (1) count
$400 fine

Larry Knapp of Turlock failed to file a major donor campaign statement during 2000.

KNEDEL, HAROLD, SI-88/125 (1989)

87100 - One (1) count
$1,500 fine

Harold Knedel, former director of the Division of Law Enforcement of the state Department of Justice, violated conflict of interest provisions by his participation in contract negotiations between the Department of Justice and UNISYS Corporation for the purchase of a computer system. Mrs. Knedel received computer equipment valued at between $2,000 and $2,800 as payment for consulting services from UNISYS, resulting in community property income to him of more than $250. It was noted that the income from the computer firm was disclosed on the official's Statement of Economic Interests.

KNIGHT & ASSOCIATES, SI-2000/467 (2000)

84203 – Three (3) counts
$4,875 fine

Knight & Associates of Chico failed to file a late contribution report during the March 7, 2000, primary election.

KNOWLES, DAVID, AND DAVID KNOWLES FOR ASSEMBLY, GLENN L. ENGLISH, TREASURER, SI-92/382 (1993)

84203 - Five (5) counts
$6,000 fine

State Assemblyman David Knowles, his committee, and its treasurer, Glenn L. English, committed campaign disclosure violations when they failed to file late contribution reports in the 1990 primary and general elections. The contributions received during those two periods amounted to $10,700.

KNOX, JOHN, NOSSAMAN, KRUEGER AND KNOX, SI-82/20 (1984)

86105 (currently 86110) - One (1) count
86109 (currently 86114) - Four (4) counts
86110 (currently 86117) - Two (2) counts
$3,500 fine

Lobbyist John T. Knox and the law firm of Nossaman, Krueger and Knox failed to disclose accurately and in a timely manner payments received from clients totaling $142,683 and failed to disclose an $18,750 payment to a former associate, William T. Bagley, for lobbying services on behalf of Texas Air Corporation in 1981. Bagley, a registered lobbyist at the time, properly reported his receipt of the payment.

KNOX, ROBERT A., COMMITTEE TO RE-ELECT JUDGE ROBERT A. KNOX, STEPHEN H. SMITH, TREASURER, SI-90/574 (1991)

84203 - One (1) count
$1,500 fine

Robert A. Knox, Orange County Superior Court Judge, the Committee to Re-elect Judge Robert A. Knox, and Stephen H. Smith, committee treasurer, failed to file a late contribution report for two contributions received totaling $21,000 in 1988.

KOJAIAN, C. MICHAEL, SI-98/322 (1998)

84200 - One (1) count
84203 - One (1) count
$2,500 fine

C. Michael Kojaian, of Southfield, MI, failed to file a late contribution report and a semi-annual campaign statement for contributions made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

KOLODNEY, STEVE, SI-94/237 (1996)

87100 - Seven (7) counts
87401 - One (1) count
87402 - One (1) count
$16,200 fine

Steve Kolodney, a former state administrative official of the Office of Information Technology (OIT), the agency with statutory responsibility to approve proposed expenditures for electronic data processing projects, who left state service and became a principal shareholder in, and employee of, the Government Technology Group (GTG), violated the "revolving door" provisions of the Act by representing Tandem Computers, a client of GTG, before the OIT and the Department of Motor Vehicles in connection with the Data Base Redevelopment Project in 1990. Kolodney returned to his former position at OIT in 1991 and subsequently violated the conflict of interest provisions on seven occasions when he participated in decisions that had a material financial effect on Tandem, a continuing source of income.

KOPF, MYRA, FRIENDS OF MYRA KOPF, DAVID LOOMAN, AND PATRICIA WIZEMAN, FC-86/560 (1989)

84203 and 84211 (f) - One (1) count
84305 - Two (2) counts
$5,000 fine

San Francisco school board member Myra Kopf, her committee, treasurer, and political consultant committed mass mailing and campaign reporting violations in 1986. The mass mailings were sent shortly before the November 4, 1986, school board election and failed to properly identify Friends of Myra Kopf as the sender.

Additionally, the candidate, her committee and treasurer, Patricia Wizeman failed to report late in-kind contributions resulting from the use of the bulk mail permit provided by the San Francisco Labor Council.

KOPP, QUENTIN, FRIENDS OF KOPP COMMITTEE, SI-79/57 (1980)

84210 (currently 84211) - One (1) count
84300 - One (1) count
$2,000 fine

San Francisco Supervisor Quentin L. Kopp accepted an illegal cash contribution consisting of laundered one hundred dollar bills and failed to take steps to report the true source of the money.

The action stems from an occurrence on April 3, 1978, when Kopp contacted San Francisco developer Warren Simmons and solicited a contribution for his Friends of Kopp Committee. Later that day, an unidentified woman delivered an envelope to Kopp containing ten one hundred dollar bills. There was no information inside or outside of the envelope concerning the source of the $1,000 in cash. Kopp contacted Simmons again and was informed by Simmons that the contribution was from San Francisco investment banker Phillip Greer. The money was deposited in the Kopp campaign committee account after first being converted into a cashier's check.

Later in April 1978, Kopp obtained a confirmation letter from Greer and the Kopp committee campaign report for the period of January 1 through June 30, 1978, and disclosed Greer as the contributor of the $1,000.

In late May 1978, Kopp was informed that it was illegal at that time to accept cash contributions in amounts of $50 or more. Kopp contacted Greer and was informed by Greer that the money was not his. Still, Greer agreed to accept return of the contribution he had not made, and the Kopp committee sent him a check for $1,000 on December 13, 1978.

After being told by Greer that the contribution was not from him, Kopp took no steps to determine the true source of the contribution. The Kopp committee's campaign report for the period of July 1 through December 31, 1978, disclosed the return of the $1,000 to Greer. There was no mention of the name, Warren Simmons.

KOPP, QUENTIN, FRIENDS OF QUENTIN KOPP, FC-84/300 (1987)

84211 and 84300 - Numerous counts
$1,900 fine - Quentin Kopp
$2,100 fine - Friends of Quentin Kopp

Senator Quentin Kopp and his controlled campaign committee, Friends of Quentin Kopp, failed to disclose certain contributor, vendor and expenditure information on nine campaign statements filed between 1982 and 1984 in connection with Kopp's campaign for county supervisor.

The Friends of Quentin Kopp committee also admitted having received unlawful cash contributions of $100 or more during 1982.

KORVE ENGINEERING, SI-96/36 (1996)

84301 and 84300 - Eleven (11) counts
$19,000 fine

Korve Engineering, a corporation that specializes in civil and transportation engineering located in Oakland, laundered campaign contributions made to officials in northern California between 1992-1995.

KRAMER, GUS S., SI-94/230 (1995)

87200 - Three (3) counts
87300 - Six (6) counts
$6,000 fine

Gus S. Kramer, a real property agent for the Department of Public Works for Contra Costa County, as well as the City Clerk and an elected Planning Commissioner for the City of Martinez, failed to disclose numerous interests in real property and sources of income, including loans, on his annual Statements of Economic Interests during 1991 through 1993.

KRANZ, THOMAS F., SI-99/367 (2001)

84200 - One (1) count
$400 fine

Thomas F. Kranz of Beverly Hills failed to timely file a major donor report for contributions made to the California Republican Party in 1998.

KRAUSE, EILEEN, SI-94/201 (1996)

87100 - Two (2) counts
$2,500 fine

Eileen Krause, an alternate director of the Orange County Transportation Authority in 1993 and 1994, made governmental decisions which had a material financial effect on Disneyland, a source of income to her business.

KUEBLER, RICHARD, SI-89/44 (1992)

84200 (b) - Two (2) counts
84203 - Two (2) counts
84203.5 - One (1) count
84204 - Two (2) counts
84300 (b) - Two (2) counts
84305 - Two (2) counts
$17,500 fine

The Commission accepted the administrative law judge's findings that San Diego developer Richard Kuebler, owner of the Moonglow Mobile Home Park in San Diego County, failed to file campaign disclosure reports, made improper cash expenditures, failed to include proper sender identification on mass mailings, and failed to report independent expenditures made for mailers, all in 1988.

In August 1991, the administrative law judge dismissed the charges against Kuebler saying there was no proof that Kuebler owned the mobile home park, controlled its campaign donations, or made any of the disputed campaign donations from personal funds. The Commission rejected the administrative law judge's decision and sent the case back for rehearing.

At the rehearing, the mobile home park's fictitious business name filing and business license application showed that the park was a sole proprietorship owned by Richard Kuebler. As a result, the administrative law judge reversed the decision and held Kuebler liable for violations as originally charged.

KUENY, STEVEN, SI-86/261 (1988)

87100 and 87103 - One (1) count
87203 and 87207 - One (1) count
$2,500 fine

Steven Kueny, city manager of Moorpark, committed financial disclosure and conflict of interest violations, by failing to properly disclose on his 1985 Statement of Economic Interests more than $2,000 in gifts, including a

trip to New York, received from an investment banking firm. He also failed after receiving the gifts to disqualify himself from a decision to award a bond purchase contract to the investment banking firm.

KWON, HOWARD FOR BETTER ABC, HOWARD KWON AND ROBERT M. PARRA, TREASURER, SI-93/400 (1994)

84101 - One (1) count
84200 - One (1) count
$2,500 fine

Howard Kwon, board candidate in 1993 for the ABC Unified School District, his committee Howard Kwon for Better ABC, and Robert M. Parra, Treasurer, failed to timely file a statement of organization and failed to timely file a semi-annual campaign statement, despite advice from the Commission staff regarding their filing requirements.

KYLE, MORRIS, SI-84/351 (1986)

81010 - One (1) count
$1,000 fine

Morris Kyle, a superintendent of the Firebaugh Las Deltas Unified School District and designated filing officer for the school board members' Statements of Economic Interests, failed to obtain and forward to the Commission the originals of all Statements of Economic Interests filed by himself and other board members.

L.A. FOR KIDS, MIKE HERNANDEZ, SAMUEL ORTIZ, TREASURER, SI-99/820 (2001)

84203 – Six (6) counts
84211 – One (1) count
$8,000 fine

L.A. for Kids, a ballot measure committee controlled by Mike Hernandez, Los Angeles City Councilman, and its treasurer, Samuel Ortiz, failed to file six late contribution reports and failed to report non-monetary contributions received in 1996.

LAHAM, MAURICE, SI-90/576 (1991)

87300 - Three (3) counts
$3,000 fine

Maurice Laham, Environmental Coordinator for the City of Los Angeles Department of Airports, failed to disclose investment interests of stock in a number of airlines and/or their holding companies with a total value of over $54,000 on his 1987, 1988, and 1989 Statements of Economic Interests.

LAKE, LAWRENCE, SI-2000/614 (2001)

87200 and 87203 – One (1) count
$350 fine

Lawrence Lake, Shasta Lake Planning Commissioner, failed to file a 1999 annual Statement of Economic Interests.

LAL, JOSEPH, SI-98/497 (1999)

84200 - One (1) count
84203 - One (1) count
$4,000 fine

Joseph Lal of Sacramento failed to file a semi-annual campaign statement and a late contribution report for contributions made to Lungren for Governor, a controlled committee, in 1998.

LAMDAGAN, PEDRO, SE-83/17 (1984)

87300 and 87302 - One (1) count
$2,100 fine

Pedro Lamdagan, board member of the Board of Vocational Nurse and Psychiatric Technician Examiners under the Department of Consumer Affairs, failed to file his 1982 Statement of Economic Interests. Enforcement proceedings were initiated when no response was received to the staff notifications of his failure to comply.

LANCASTER, CHRISTOPHER W., SI-91/466 (1992)

87100 - One (1) count
$1,750 fine

In 1990, Christopher W. Lancaster, Covina City Councilman, committed a conflict of interest violation by voting on a matter affecting a source of income. In 1990, Lancaster received $8,000 from state senate candidate Gary Miller's campaign committee for his work as a political campaign consultant.

Lancaster, who was then mayor of Covina, voted in favor of a resolution creating a formula for the exchange and division of property tax revenue between Los Angeles County and the City of Covina. The resolution was initiated by Gary Miller to enable him to annex 52 acres of undeveloped land into the City of Covina. Miller held an option to buy this acreage.

LANE, L.W., JR., SI-98/297 (1998)

84203 - One (1) count
$2,000 fine

L.W. Lane, Jr., of Menlo Park failed to file a late contribution report for a contribution made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

LANG, RICHARD, LANG FOR ASSEMBLY 1989 AND GERALD CLENDENIN, TREASURER, SI-91/303 (1994)

84211 - One (1) count
84203 - One (1) count
$4,000 fine

Richard Lang, an unsuccessful candidate for the 27th Assembly District seat in a special run-off election held on January 30, 1990, his controlled committee, and Gerald Clendenin, its treasurer, failed to timely report non-monetary contributions totaling $59,378 received from the California Republican Party/Victory 1990 Cal Plan Committee on a pre-election campaign statement. Respondents also failed to file late contribution reports on or before January 30, 1990, for non-monetary contributions totaling $86,627 received from the same committee.

LANGONE, KENNETH G., SI-99/417 (2000)

84200 - One (1) count
84203 - One (1) count
$1,000 fine

Kenneth G. Langone of New York failed to timely file a major donor campaign statement and a late contribution report disclosing a contribution made to Lungren Committee for Common Sense Conservatism in 1998.

LANGSTON, GARY, SI-96/26 (1998)

87100 - One (1) count
87202 - One (1) count
87203 - Two (2) counts
$5,000 fine

Gary Langston, planning commissioner for the City of Delano in Kern County, participated in and voted on a governmental decision which directly involved a company which was a source of income to him. In addition, Langston failed to timely report this source of income on his assuming office, 1995 and 1996 annual Statements of Economic Interests.

LARAMORE, LOUIS, SI-86/576 (1988)

84203, 84300(c), and 84301 - Numerous counts
$12,000 fine

The money laundering case involved Riverside County developer Louis Laramore and the unsuccessful 1986 campaign of Riverside Councilmember Sam Digati. Mr. Laramore made $12,000 in laundered contributions to the Digati campaign during the highly contested race and failed to file required late contribution reports for $7,920 made immediately before the November 4, 1986, election.

The laundered contributions were made through associates who obtained money orders in the names of others for payment to the candidate because the developer wanted to keep his support hidden.

LARAMORE, LOUIS, SI-90/80 (1991)

84300 - Three (3) counts
84301 - Sixty-six (66) counts
$138,000 fine

The money laundering case involved Riverside County developer Louis Laramore and the unsuccessful 1986 campaign of Tom Watson, candidate for Riverside County supervisor. The violations resulted from Mr. Laramore's efforts to avoid disclosure of his campaign contributions to Mr. Watson's campaign. Three of the violations involved a total of $38,000 in cash contributions from Laramore to Watson's campaign. An additional 66 violations involved contributions from Laramore that were made in the names of other people.

LARIOS, CECILIA, LARIOS FOR CITY COUNCIL, AND JAVIER MURILLO, SI-98/115 (1999)

84200 - One (1) count
$1,500 fine

Cecilia Larios, member of the Perris City Council, her controlled committee, Larios for City Council, and its treasurer, Javier Murillo, failed to file a semi-annual campaign statement in 1998.

LARKIN, TOM, LARKIN FOR SENATE, AND JOHN J. MARTINELLI, TREASURER, SI-90/115 (1991)

84200 (a) - One count
84200.5 (a) - Three counts
$7,000 fine

Tom Larkin, candidate for the 23rd Senate District, his controlled committee, and its treasurer, John J. Martinelli, failed to file four campaign disclosure statements in connection with Larkin's unsuccessful candidacy for the state senate in 1988.

LAWSON, DARLENE, AND THE COMMITTEE TO ELECT DARLENE LAWSON, SI-89/78 (1991)

84200 (a) - Three (3) counts
$4,000 fine

The Commission issued a Default Decision and Order against Darlene Lawson, director of the Oakland Unified School Board, and her committee, who failed to timely file three campaign disclosure statements during 1988 and 1989, despite repeated notices by the Oakland City Clerk's office and the Commission staff. The statements were filed from six months to nearly two years late.

LEININGER, JAMES R., SI-98/358 (1998)

84200 - Two (2) counts
$4,000 fine

James R. Leininger, of San Antonio, Texas, failed to file semi-annual campaign statements for contributions made to Entertainment PAC, dba Coalition to Educate America, a general purpose recipient committee, in 1996 and to Campaign Reform Initiative, a ballot measure committee, in 1997.

LEISURE TECHNOLOGY, SI-88/573 (1990)

84204 - One (1) count
84305 - Four (4) counts
$10,000 fine

Leisure Technology, Inc., an Oceanside company, failed to provide proper sender identification on four mass mailings during the 1988 general election. The company also failed to file a required late independent expenditure report in connection with the mass mailings.

Leisure Technology paid for the mass mailings that supported three local city council candidates. The mass mailings were identified as being from "Oceanside Residents for Managed Growth." The name of the company making the independent expenditure did not appear on the mailer.

The campaign disclosure violation resulted from the failure of Leisure Technology to file a late independent expenditure report for a $16,000 payment made 12 days before the election. The payment was for expenses of the four mass mailing.

LEJA, JANICE C., LEJA FOR ASSEMBLY AND DOUG LEJA, TREASURER, SI-2000/348 (2001)

84203 – One (1) count
$2,000 fine

Janice C. Leja, successful Beaumont candidate for the State Assembly, her controlled committee, Leja for Assembly, and Doug Leja, its treasurer, failed to timely file a late contribution report in 2000.

LENNEY, LIDA, SI-92/291 (1992)

87100 - One (1) count
87200 - One (1) count
$3,000 fine

In 1991, Lida Lenney, Laguna Beach City Councilwoman, committed conflict of interest and financial disclosure violations.

During 1990, Lenney's husband purchased 1,000 shares of stock in Waste Management, Inc., valued at over $10,000 for his separately held individual retirement account. In 1991, Lenney failed to disclose the Waste Management stock on her 1990 Statement of Economic Interests and voted to approve a refuse agreement directly involving Waste Management, Inc. The

agreement increased the fees paid by the city to Waste Management.

LESLIE, ROBERT "TIM", TIM LESLIE FOR SENATE/1991, AND ASSEMBLYMAN TIM LESLIE/1990, SI-93/250 (1994)

84200.5(c) and 84200.8(a) - One (1) count
84203 - Eight (8) counts
84211(f) - One (1) count
$12,000 fine

Robert "Tim" Leslie, member of the California State Assembly, campaigned as a state senate special election candidate. One of his committees, Tim Leslie for Senate/1991, failed to timely disclose on its campaign statements $55,698 in non-monetary contributions received from the California Republican Party (CRP). In addition, Tim Leslie for Senate 1991 failed to timely file late contribution reports for an additional $94,680 in non-monetary contributions received from CRP. Finally, his second committee, Assemblyman Tim Leslie/1990, failed to timely file a required campaign statement covering a reporting period in 1991.

LEWIS, JAMES LEON, SI-91/53 (1992)

87300 - Three (3) counts
$4,500 fine

James Leon Lewis, a racing steward for the State of California Horse Racing Board, failed to disclose investments and income interests in a horse boarding business on his 1987, 1988, and 1989 annual Statements of Economic Interests.

LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP, SI-2001/25 (2001)

84200 – One (1) count
$1,000 fine

Lieff, Cabraser, Heimann & Bernstein, LLP, a law firm based in San Francisco, failed to file a major donor campaign statement during 2000.

LIGHTSPAN, INC., SI-2001/26 (2001)

84200 – One (1) count
$400 fine

Lightspan, Inc., of San Diego failed to file a major donor campaign statement during 2000.

LINDEN, GARY, SI-2001/419 (2001)

87300 – One (1) count
$300 fine

Gary Linden, an alternate board member of the Assessment Appeals Board for the County of Siskiyou, failed to file his annual Statement of Economic Interests in 2001.

LING, JOSEPH K., SI-94/656 (1995)

84301 - One (1) count
$2,000 fine

Joseph K. Ling, general manager of Tasamak Corporation, a real estate company located in San Francisco, laundered a contribution in the name of a Tasamak employee to the Agnos mayoral campaign in 1991.

LITTON INDUSTRIES, INC., SI-99/379 (2000)

84200 - One (1) count
$600 fine

Litton Industries, Inc., located in Woodland Hills, failed to timely file a major donor campaign statement for contributions made to Governor Pete Wilson Campaign Committee; Friends of Brad Sherman Committee; Lungren for Governor Committee; Claude Parrish State Board of Equalization 1998 Committee; and Citizens for Andal Committee in 1998.

LOEB & LOEB, SI-99/381 (2000)

84200 - One (1) count
$400 fine

Loeb & Loeb, located in Los Angeles, failed to timely file a major donor campaign statement for contributions made to the Californians for Gray Davis committee and the Lungren Committee for Common Sense Conservatism in 1998.

LOGAN, KENT A., SI-98/296 (1998)

84203 - One (1) count
$1,250 fine

Kent A. Logan of San Francisco failed to file a late contribution report for a contribution made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

LONGVILLE, JOHN, SI-87/596 (1990)

84200 - One (1) count
87207 - One (1) count
$3,500 fine

Rialto Mayor John Longville failed to provide required disclosures of personal financial interests and campaign contributions. Longville was required to disclose on his Statement of Economic Interests income received from his business.

Longville also failed to file a semi-annual campaign statement disclosing approximately $8,000 in contributions received.

LOPEZ, ARMANDO, SI-92/689 (1995)

87100 - One (1) count
87207 - Two (2) counts
$4,500 fine

Armando Lopez, member of the Parlier City Council, failed to report his community property interest in his spouse's income from her employer from 1989 to 1992 and income to his printing business from 1990 to 1992 on his Statements of Economic Interests. In addition, in 1990, Mr. Lopez voted on a site plan proposed by his spouse's unreported employer.

LOPEZ, HODES, RESTAINO, MILMAN & SKIKOS, SI-2000/430 (2000)

84203 – One (1) count
$2,000 fine

Lopez, Hodes, Restaino, Milman & Skikos, of Newport Beach failed to file a late contribution report during the March 7, 2000, primary election.

LOS ANGELES MARATHON, INC., AND GEORGE BEASLEY, SI-92/277 (1994)

84300 and 84301 - One hundred and thirty-one (131) counts
84302 - One hundred and thirty-one (131) counts $436,250 fine ($236,250 to the Fair Political Practices Commission; $200,000 to the Los Angeles City Ethics Commission)

Los Angeles Marathon, Inc., (LAMI) which has held contracts with the City of Los Angeles since 1985 to conduct the annual Los Angeles Marathon, laundered 131 political contributions. George Beasley was initially an employee of LAMI and later became president and the sole employee of Beasley Business, Inc. (BBI). During the years 1989 until mid-1992, LAMI, through its agent Beasley/BBI, made political contributions through employees and others connected with LAMI. LAMI reimbursed the employees and others through Beasley Business, Inc., and George Beasley.

LOS ANGELES PUBLIC AND COASTAL PROTECTION COMMITTEE AND BARRY FADEM, TREASURER, SI-88/103 (1989)

84106 - One (1) count
$2,000 fine

The Los Angeles Public and Coastal Protection Committee was formed in 1987 to oppose a proposed ballot measure in Los Angeles, which would have prohibited oil drilling in specified coastal areas of the city. Occidental Petroleum gave the committee $35,000 on December 28, 1987, the only contribution received during the filing period. As the only contributor during that filing period, Occidental Petroleum qualified as a sponsor of the committee.

An administrative law judge found that the Los Angeles Public and Coastal Protection Committee failed to identify Occidental Petroleum Corporation as its sponsor.

LOUIE'S GENERAL AND ELECTRICAL CONSTRUCTION, YIM N. LOUIE, AKA LOUIE DEAR, YIM NUN LOUIE DER AND LOUIE DER, SI-94/450 (1995)

84301 - Ten (10) counts
$18,000 fine

Yim N. Louie, a sole contractor operating as Louie's General and Electrical Construction, laundered contributions in the names of various individuals to San Francisco mayoral candidate Tom Hsieh in 1990.

LUCAK, JOHN, SI-2000/523 (2000)

87300 and 87302 – One (1) count
$300 fine

John Lucak, a Director for the Westport County Water District, failed to timely file an assuming office Statement of Economic Interests in 2000.

LUCKY CHANCES, INC., SI-2000/362 (2001)

84200 – Two (2) counts
84203– One (1) count
$3,500 fine

Lucky Chances, Inc., of Colma failed to file major donor campaign statements in 1998 and 2000 and failed to file a late contribution report in 2000.

LUNGREN, DANIEL E., LUNGREN FOR GOVERNOR AND DAVID BAUER, SI-99/819 (2001)

84203 - Eight (8) counts
84211 - Seven (7) counts
$30,000 fine

Daniel E. Lungren, unsuccessful candidate for governor in 1998, his controlled committee, Lungren for Governor, and its treasurer, David Bauer, failed to file or timely file late contribution reports, failed to timely disclose nonmonetary contributions, and failed to disclose accrued expenditures in 1998.

LYON, ROY BEN, SI-84/29 (1984)

87100 - One (1) count
87200 and 87203 - Three (3) counts
$4,000 fine

Madera City Councilman Roy Ben Lyon violated conflict of interest and disclosure law when he participated in a series of votes and decisions, beginning in the spring of 1980, on a proposed sewer line project that was to run along one side of a 32-acre agricultural parcel he owned and would increase the value of his property by making it suitable for development.

Lyon began negotiations in early 1980 to sell his property to Trend Homes. By July 1980, Trend Homes had agreed to pay Lyon $315,000 for his 32 acres, but could only develop the property if it could be annexed. The sewer line allowed annexation to the city. In August, after agreeing to sell his property to Trend Homes, Lyon also participated in reviewing a staff recommendation that his parcel be annexed.

Lyon also failed to disclose income received from Trend Homes on his 1980, 1981, and 1982 annual Statements of Economic Interests.

LYONS, JOSEPH, SI-99/545 (2000)

87300 - Two (2) counts
$500 fine

Joseph Lyons, senior consultant for the California State Assembly, failed to timely file both his 1997 and 1998 annual Statements of Economic Interests.

MACBAIN, ALEXANDER, SI-99/549 (2000)

87300 - One (1) count
$300 fine

Alexander MacBain, an assistant consultant to the California State Senate, failed to timely file his assuming office Statement of Economic Interests.

MAEFIELD DEVELOPMENT LLC, SI-2000/432 (2000)

84203 – One (1) count
$1,500 fine

Maefield Development LLC, located in Bloomington, Indiana, failed to file a late contribution report during the March 7, 2000, primary election.

MAGANA CATHCART & MCCARTHY, SI-2001/230 (2001)

84200 – One (1) count
$400 fine

Magana Cathcart & McCarthy of Los Angeles failed to file a major donor campaign statement during 2000.

MALCOLM, JOHN, SI-98/499 (1999)

84200 - One (1) count
$500 fine

John Malcolm of South San Francisco failed to file a semi-annual campaign statement with the Secretary of State's office for contributions made to Lungren for Governor, a controlled committee, in 1998. A campaign statement

was, however, filed with the San Francisco County Registrar of Voters.

MANN'S SUNNY SHORES, SI-99/402 (2000)

84200 - One (1) count
$400 fine

Mann's Sunny Shores, located in Salinas, failed to timely file a major donor campaign statement for contributions made to the Lungren Committee for Common Sense Conservatism in 1998.

MANTOOTH, LOLA, SI-99/179 (2000)

87300 and 87302 - One (1) count
$600 fine

Lola Mantooth, member of the Hughes-Elizabeth Lakes Union School District Board, failed to timely file her 1997 annual Statement of Economic Interests.

MARCONI, RICHARD D., SI-99/403 (2000)

84200 - One (1) count
$400 fine

Richard D. Marconi of Orange failed to timely file a major donor campaign statement for contributions made to the California Republican Party Committee and the Lungren Committee for Governor Committee in 1998.

MARGOLIS, GAIL, SI-99/182 (1999)

87302 - Two (2) counts
$2,500 fine

Gail Margolis, member of the Los Angeles Care Health Plan, failed to timely file an Initial and a Leaving Office Statement of Economic Interests in 1998.

MARIN, FERNANDO, SI-2001/382 (2001)

87202 – One (1) count
$200 fine

Fernando Marin, a member of the Butte County Planning Commission, failed to file an assuming office Statement of Economic Interests in 2001.

MARIN UNITED TAXPAYERS ASSOCIATION, INC., SI-95/179 (1999)

84200 - Two (2) counts
$2,500 fine

Marin United Taxpayers Association, Inc., a membership organization who educates members of the public about tax issues, government spending, and to communicate with legislators, failed to timely file semi-annual campaign statements in 1995 and 1996.

MARKBOROUGH CALIFORNIA, INC., SI-88/526 (1989)

84200 - One (1) count
$1,500 fine

Markborough California, Inc., a development firm headquartered in Newport Beach, failed to properly file two campaign statements disclosing contributions made to seven entities that totaled $11,844 in the first half of 1986 and $249 in the second half of 1986.

MARKHAM, JEFF, THE COMMITTEE TO ELECT JEFF MARKHAM SHERIFF, SI-90/547 (1991)

84305 - One (1) count
$1,500 fine

Jeff Markham, an unsuccessful candidate for Lake County Sheriff in 1990, and his campaign committee, failed to include proper sender identification on a mass mailer.

Approximately two months prior to the June 1990 election, the Committee to Elect Jeff Markham Sheriff paid for and mailed 542 identical letters to law enforcement supporters. The letters were endorsements of Markham by the retiring sheriff, and the letters gave the appearance of coming from the retiring sheriff himself. Nowhere on the inside or outside of the mailer was there any identifying information to lead the reader to believe that Markham and his committee were responsible for the mailer.

MARKS, KEN, SI-95/541 (1998)

87100 - One (1) count
$1,500 fine

Ken Marks, an elected member of the Tuolumne County Board of Supervisors, violated the conflict of interest

provisions when he accepted travel, lodging, and recreation accommodations paid with funds from developers interested in seeking public financing of a golf course in 1995 and voted on a proposal to implement the project.

MARKSTEIN, JOHN, SI-85/365 (1986)

84200 - Two (2) counts
84211 - Two (2) counts
$4,000 fine

The Commission adopted an administrative law judge's proposed decision in the matter of John Markstein, a San Ramon resident, who qualified as a major donor and failed to file campaign statements disclosing $38,500 in loans and contributions to two state senate candidates during the 1984 elections. Markstein was repeatedly notified by the Commission staff during 1985 of his filing requirements, but he refused to comply.

MARTINEZ, FILIBERTO, SI-96/12 (1997)

87100 - One (1) count
87302 - One (1) count
$3,000 fine

The Commission adopted an administrative law judge's proposed decision in the matter of Filiberto Martinez, Acting Director of the Office of Internal Audits of the Los Angeles County Metropolitan Transportation Authority, who failed to disclose a source of income on his Statements of Economic Interests in 1992 through 1994. Martinez also participated in a governmental decision in which he had a financial interest.

MARTINEZ, SHARON, FRIENDS TO ELECT SHARON MARTINEZ FOR MONTEREY PARK CITY COUNCIL, AND SALLY MARTINEZ, TREASURER, SI-2000/21 (2001)

84200 – One (1) count
$1,000 fine

Sharon Martinez, an unsuccessful candidate for Monterey Park City Council, Friends to Elect Sharon Martinez for Monterey Park City Council, her controlled committee, and Sally Martinez, its treasurer, failed to timely file a semi-annual campaign statement in 1999.

MARTINEZ, VALERIE, SI-99/546 (2000)

87300 - One (1) count
$600 fine

Valerie Martinez, press secretary for the California State Assembly, failed to timely file her 1998 annual Statement of Economic Interests.

MASHBURN, JAMES, AND REFUSE SERVICES, INC., SI-95/246 (1999)

84301 and 84300 - One Hundred Thirty-Three (133) counts
84200 - One (1) count
$249,500 fine

James Mashburn, president and 50% owner of Mashburn Waste & Recycling Services, Inc., and Refuse Services, Inc., laundered campaign contributions to candidates and members of city councils located within San Diego County, in addition to candidates for the San Diego County Board of Supervisors and the California State Assembly between 1992 and 1995. In addition, respondents failed to file a campaign statement in connection with activity in 1994.

MATSUI, ANDY, SI-2000/756 (2001)

87300 and 87302 - One (1) count
$200 fine

Andy Matsui, California Cut Flower Commissioner, failed to timely file an assuming office Statement of Economic Interests in 1999.

MAXFIELD, ROBERT, SI-90/83 (1991)

87100 - One (1) count
$2,000 fine

Robert Maxfield, Calistoga City Councilman, committed a violation of the conflict of interest provisions. Mr. Maxfield voted to create an exemption to a water and sewer moratorium in order to allow the development of an affordable housing project in the City of Calistoga on a site in which he held an ownership interest.

MAY, RON, AND FRIENDS OF RON MAY, CECIL MAY, TREASURER, SI-92/617 (1993)

84211 - One (1) count
89519 - One (1) count
$2,000 fine

Ron May, former Santa Ana City Councilmember, his committee, and its treasurer committed campaign disclosure violations when they failed to disclose campaign contributions in 1990 amounting to $5,876. In addition, May used his surplus campaign funds to make prohibited contributions to five candidates in local races.

MCCARTHY, KATHLEEN L., SI-99/404 (2000)

84200 - One (1) count
$400 fine

Kathleen L. McCarthy, residing in Los Angeles, failed to timely file a major donor campaign statement for contributions made to the Lungren Committee for Common Sense Conservatism in 1998.

MCCLAIR, LANCELOT, COMMITTEE TO RE-ELECT MAYOR LANCE MCCLAIR, FRIENDS OF LANCE MCCLAIR, JACKIE MATHIS-CRAGHEAD, TREASURER, SI-88/501 (1991)

84200 (a) - Nine (9) counts
84200.5 - Five (5) counts
$3,000 - Lancelot McClair, the Committee to Re-Elect Mayor Lance McClair, and Jackie Mathis-Craghead
$3,000 - Lancelot McClair, the Friends of Lance McClair Committee, and Jackie Mathis-Craghead

The Commission issued a Default Decision and Order after reconsideration against Lancelot McClair, Seaside Mayor, his controlled committees, and his committees' treasurer, Jackie Mathis-Craghead, who failed to timely file a total of 14 campaign disclosure statements during 1986 to 1989, and imposed a reduced fine. Mayor McClair had requested reconsideration of an earlier fine of $16,000 during testimony before the Commission.

The Committee to Re-Elect Lance McClair failed to timely file three pre-election statements and six semi-annual statements due from 1986 to 1989. In addition, the Friends of Lance McClair Committee failed to timely file two pre-election and three semi-annual statements due from 1988 through 1989. All of these non-filings occurred despite repeated notices of filing obligations from the Seaside City Clerk, the Seaside City Attorney, and the Commission.

MCCOLL, GLORIA, AND FRIENDS TO REELECT COUNCILWOMAN GLORIA MCCOLL, SI-91/446 (1993)

84211 -Two (2) counts
85201(e) - Two (2) counts
$6,000 fine

Gloria McColl, former San Diego City Councilmember, and her committee committed campaign disclosure violations arising out of her unsuccessful 1989 bid for reelection.

McColl failed to disclose that she had hired a private investigator and paid him $6,819.20 to gather negative information against McColl's opponent to be used in a "hit piece" mailer. McColl also failed to report a payment of $3,000 to the San Diego Republican Party for an ad in the party's newsletter. Both payments were improperly made from her personal account.

MCCOWN, GEORGE E., SI-99/420 (2000)

84200 - One (1) count
84203 - One (1) count
$1,000 fine

George E. McCown, of Menlo Park, failed to timely file a major donor campaign statement for contributions made to Ruben Barrales for State Controller Committee; Cunneen for Assembly 98 Committee; Mike Capizzi for Attorney General Committee; Lungren Committee for Common Sense Conservatism; and Delaine Eastin Committee in 1998. In addition, it failed to file a late contribution report for the contribution made to Lungren Committee for Common Sense Conservatism.

MCCUNE, RICHARD, SI-2001/27 (2001)

84200 - One (1) count
$400 fine

Richard McCune of Redlands failed to file a major donor campaign statement during 2000.

MCDONALD, JUANITA, CITIZENS TO ELECT JUANITA MCDONALD, AND CLIFFORD CANNON, SI-95/211 (1997)

84211 - Four (4) counts
84203 - Three (3) counts
84300 - Four (4) counts
84104 - One (1) count

84211(f) - Nine (9) counts
$39,000 fine

Juanita McDonald, candidate for the assembly between 1992 and 1994, and her committee, Citizens to Elect Juanita McDonald, and Clifford Cannon, its treasurer, failed to report contributions made to another candidate, failed to file late contribution reports, failed to properly itemize expenditures made by checks made out to cash, failed to maintain the requisite records to support the campaign statements, and failed to disclose required information for contributions received.

MCDONALD, KEITH, FRIENDS FOR KEITH MCDONALD, COMMITTEE TO ELECT KEITH MCDONALD, AND CLIFFORD CANNON, SI-96/1 (1997)

84211 - Six (6) counts
85305 - One (1) count
$14,000 fine

Keith McDonald, a current member and candidate of the West Basin Municipal Water District and unsuccessful candidate for Carson City Council in 1993 and 1994, Friends for Keith McDonald and Committee to Elect Keith McDonald, his controlled committees, and its treasurer, Clifford Cannon, failed to report contributions received, failed to report the source of loans, and violated the contribution limits imposed for special elections.

MCENEELY, KEVIN P., SI-96/149 (1998 CIVIL SUIT)

84200
$2,000 fine

Kevin P. McEneely, Executive Vice President and Chief Operating Officer of Nightingale Conant Corporation, which sells audio and video personal development programs, made contributions to California Gaming Control Committee sponsored by Palm Springs Gaming Corporation in 1996 and failed to file a major donor campaign statement.

MCGEE, MARK H., SI-94/352 (1995)

87200 - One (1) count
$1,000 fine

Mark H. McGee, a judge on the Needles/Calzone Justice Court, failed to timely file his 1993 annual Statement of Economic Interests.

MCGINNIS, MICHAEL, SI-96/312 (1998)

87100 - One (1) count
$1,000 fine

Michael McGinnis, Chico City Councilman and Mayor in 1994, used his official position to attempt to influence a governmental decision which affected a source of income.

MCHUGH, PETER, MCHUGH FOR MAYOR, MCHUGH FOR SUPERVISOR, MCHUGH FOR ASSESSOR, AND MARY GALDE, SI-94/533 (1997)

84211 - Five (5) counts
84104 - One (1) count
$8,000 fine

Peter McHugh, Mayor of Milpitas in 1996, candidate for Santa Clara County Assessor in 1994, and successful candidate for County Supervisor in 1996, both of his committees, and Mary Galde, treasurer of the McHugh for Mayor committee, failed to properly disclose occupation/employer and subvendor information on campaign reports and failed to maintain adequate records in 1994.

MCLARAND, VASQUEZ & PARTNERS, SI-99/405 (2000)

84200 - One (1) count
$400 fine

McLarand, Vasquez & Partners, Inc., located in Costa Mesa, failed to timely file a major donor campaign statement for contributions made to the Ruben Barrales for State Controller committee, the Vickie Castro for Assembly committee, and the Lungren for Governor committee in 1998.

MCLAUGHLIN, EDWARD, SI-90/79 (1992)

87100 - One (1) count
$2,000 fine

Edward McLaughlin, Butte County Supervisor, violated the conflict of interest provisions when he voted to allow

residential subdivision of property located adjacent to his agricultural real property.

MCLEMORE, JOHN, SI-98/160 (2000)

87100 and 87103 – One (1) count
87206 - One (1) count
$2,500 fine

John McLemore, member of the Santa Clara City Council, violated the conflict of interest provisions in 1997 when he participated and voted to approve an amended and restated personal property tax agreement with an entity in which he had a financial interest. Mr. McLemore also failed to disclose the financial interest on his Statement of Economic Interests for 1995 and 1997.

MENDEZ, ANDRES, SI-83/15 (1984)

84306 - Two (2) counts
84307 - One (1) count
87100 - Two (2) counts
87300 - One (1) count
$10,000 fine
$2,000 waived

California Department of Veterans Affairs (DVA) Director Andres Mendez violated campaign and personal financial disclosure and conflict of interest provisions. The most serious violations occurred during 1982 when Mendez, as executive secretary of the California Veterans Board, solicited and received political contributions during state-compensated work hours and deposited those contributions, intended to support George Deukmejian's campaign for Governor, in his personal checking account.

Mendez represented himself as an Hispanic agent for the Deukmejian campaign and directed the contributors to make their contribution checks payable to him personally. Some of the contributions deposited into his account were used by Mendez to pay for his personal living expenses, including making a monthly mortgage payment. No records were ever kept and no accounting was made by Mendez to the Deukmejian campaign regarding the contributions.

He also performed and directed others to perform other campaign activities on state time and used office supplies and facilities to prepare campaign related materials. No one involved in the Deukmejian campaign had any knowledge of the activities in support of Deukmejian by Mendez.

In addition to the campaign violations, Mendez participated in decisions as the director of DVA affecting an investment banking firm that had provided gifts to him on two separate occasions totaling $1,841. Mendez also violated the law by valuing the gifts at $217 in his annual Statement of Economic Interests, thereby underreporting the value by $1,624.

L.F. Rothschild, Unterberg and Towbin, an investment banking firm, provided limousine service and dinners to Mendez and his wife during trips to New York in August and October of 1983. In October and November 1983, Mendez participated in approving the companies, including L.F. Rothschild, that would serve as managing underwriters for a $100 million of Home Purchase Revenue Bonds to make home loans to California veterans and approved the purchase contract between DVA and the underwriters.

In July 1984, Mendez recommended to the State Treasurer's office that L.F. Rothschild serve as the senior underwriter for the issuance of a new series of revenue bonds totaling $162 million, and subsequently participated in the formal approval by the Veterans Debenture Finance Committee. L.F. Rothschild was directly affected by decisions that Mendez participated in and grossed more than $100,000 in each of the underwriting ventures.

MERCURY GENERAL CORPORATION, SI-2000/119 (2000)

84211 – One (1) count
$2,000 fine

Mercury General Corporation located in Los Angeles failed to disclose on its major donor campaign statement that was filed contributions made to the Republican National Committee-California Account in 1998.

MERRIMAN, DONALD WILLIAM ("BILL"), SI-99/63 (2000)

87100 - One (1) count
$1,500 fine

Donald William ("Bill") Merriman, member of the Lake County Board of Supervisors, violated the conflict of interest provisions by participating in making a governmental decision to amend a zoning ordinance to allow mini-storage units in C-2 Zoning Districts. This

zoning change was being sought specifically for real estate owned and offered for sale by Mr. Merriman.

MERUELO, RICHARD, SI-99/406 (2000)

84200 – One (1) count
$400 fine

Richard Meruelo of Whittier failed to timely file a major donor campaign statement for contributions made to the Valley Families Support Richard Alarcon for State Senate Committee and the Lungren for Governor Committee in 1998.

MEXICAN AMERICAN GROCERS ASSOCIATION AND STEVEN A. SOTO, SI-92/282 (1994)

84300(c) and 84301 - Eighteen (18) counts
84302 - One (1) count
$36,000 fine - Mexican American Grocers Association
$2,000 fine - Steven A. Soto

Mexican American Grocers Association, an association of independent grocers transacting business in Los Angeles County, laundered $14,300 when they made 18 contributions in the names of its officers and employees to various candidates for political office. The Association's president, Steven A. Soto, acted as an intermediary for a $1,000 laundered contribution.

MEZZETTI, LEON J., SUZANNE MENDENHALL, FC-86/361 (1987)

84211 - Numerous counts
$9,150 fine - Leon J. Mezzetti
$3,350 fine - Suzanne Mendenhall

Former Mayor Leon J. Mezzetti and his campaign treasurer, Suzanne Mendenhall, failed to properly report $10,450 collected at a September 20, 1985, fundraiser arranged by a development company and also failed to identify six contributors of $100 or more as required by law on campaign statements.

MGC COMMUNICATIONS, INC., SI-99/398 (2000)

84200 - One (1) count
$400 fine

MGC Communications, Inc., located in Las Vegas, failed to timely file a major donor campaign statement for a contribution made to the Lungren Committee for Common Sense Conservatism in 1998.

Mezzetti and his campaign treasurer also failed to disclose cumulative contributions from individuals for the 1985 calendar year.

MIKAN PROPERTIES, SI-94/339 (1998)

84301 and 84300 - Three (3) counts
$5,100 fine

Mikan Properties, a development and property management firm located in Buena Park, made contributions in the names of others to a campaign committee in Santee in 1993 without disclosing the true source of the funds.

MILLER, CHRIS, INDIVIDUALLY, AND DOING BUSINESS AS MILLER/ROBERTSON & COMPANY, SI-97/232 (1999)

89513 and 89518 - Two-Hundred Ninety-Seven (297) counts
84211 - Twenty-Eight (28) counts
$300,000 fine

The Commission issued a Default Decision and Order against Chris Miller, who while treasurer for a number of candidates and committees, and doing business as Miller/Robertson & Company, misappropriated campaign funds and filed false and misleading campaign statements between 1994 and 1997.

MILLER, GARY G., AND COMMITTEE TO ELECT GARY MILLER, SI-91/331 (1993)

84203 - Four (4) counts
$6,000 fine

Gary G. Miller, Diamond Bar City Councilman, and his committee failed to timely file late contribution reports of campaign contributions. Miller was an unsuccessful candidate for State Senate, 31st District, in 1990. Miller made four contributions in the form of loans from his personal funds totaling $260,000 to his campaign committee. The unreported late contributions amounted to more than 42% of all contributions received by Miller's Senate campaign.

MILLER/ROOS AND COMPANY, MD-90/401 (1991)

84200 (b) and 83116.5 - One (1) count
$1,000 fine

Miller/Roos and Company, a political consulting firm specializing in, among other things, preparing campaign statements for political committees, failed to timely file a major donor campaign statement on behalf of Thomas Somermeier in 1988. Mr. Somermeier made 13 contributions totaling $20,150 to various political committees. A major donor statement was prepared and signed by Robert Miller disclosing these contributions, however, the firm failed to mail this statement to the Secretary of State's office.

MIRAGE RESORTS, INC., SI-2000/362 (2001)

84211– One (1) count
$1,000 fine

Mirage Resorts, Inc., of Las Vegas, Nevada, failed to disclose seven contributions on their major donor report in 1998.

MITTON, MARK, SI-95/541 (1998)

87100 - One (1) count
$2,000 fine

The Commission issued a Default Decision and Order against Mark Mitton, County Administrator of Tuolumne County, who violated the conflict of interest provisions when he accepted an expense paid trip to a North Carolina golf resort and then made a recommendation to the Board of Supervisors in favor of the developer's project in 1995.

MOBLEY, SHIRLEY, SI-99/622 (2000)

87200 and 87203 - One (1) count
$500 fine

Shirley Mobley, member, Taft Planning Commission, failed to timely file her 1998 annual Statement of Economic Interests.

MONTANA, TONY, SI-91/199 (1992)

87100 - One (1) count
$2,000 fine

Dr. Tony Montana, a member of the Board of Directors of Selma Hospital District, violated the conflict of interest provisions when he used his position to influence a decision of the Board which would have had a material financial effect on financial interests he had in the Selma Emergency Physicians Medical Group.

MONTEITH, RICHARD, AND DICK MONTEITH FOR STATE SENATE, SI-96/75 (1997)

84203 - One (1) count
84211 - One (1) count
$3,500 fine

Richard Monteith, member of the California State Senate, and Dick Monteith for State Senate, his controlled committee, failed to file a late contribution report and failed to timely report a non-monetary contribution received in 1994. These violations were uncovered through a Franchise Tax Board audit of the committee.

MONTGOMERY, SCOTT, COMMITTEE TO ELECT SCOTT MONTGOMERY, SI-95/192 (1997)

84211 - Twenty (20) counts
$7,900 fine

The Commission adopted an administrative law judge's proposed decision in the matter of Scott Montgomery, member of the Moorpark City Council, and his committee who failed to properly disclose on campaign statements two expenditures made in 1992 and contributor information for 18 contributions received in 1994.

MONTOYA, JOSEPH, 81-88/410 (1991 - CIVIL SUIT SETTLEMENT)

87207
81004
$40,000 fine

Joseph Montoya, former state senator, failed to disclose several sources of income received during 1985 through 1987 on his Statements of Economic Interests. Some income payments originated with Senator Montoya's controlled campaign committees and were passed through other individuals before reaching Senator Montoya. In addition, Senator Montoya failed to exercise reasonable diligence in the preparation of his Statements of Economic Interests.

MORAGANS FOR MORAGA/ORINDA FIRE MERGER, SI-97/275 (1998)

84305 - One (1) count
$1,500 fine

Moragans for Moraga/Orinda Fire Merger, a committee formed for the campaign on the merger of two fire districts in Contra Costa County, failed to provide sender identification on a mass mailing in 1997.

MORGAN, KILE, SI-85/277 (1987)

87100 and 87103 - Three (3) counts
$3,000 fine

National City Mayor Kile Morgan failed to disqualify himself from three votes of the National City Community Development Commission that had a reasonable chance of increasing the value of real property held by Morgan.

MORIKAWA, NORM, SI-97/336 (2001)

89503 – One (1) count
87100 – One (1) count
87300 – One (1) count
$2,500 fine

Norm Morikawa, Assistant Director of the Large Systems Division at the Stephen P. Teale Data Center in Sacramento, accepted gifts over the legal limit and participated in making a governmental decision within 12 months of receiving the gifts in 1996, and failed to disclose these gifts on his 1996 annual Statement of Economic Interests.

MORRISSEY, JIM, MORRISSEY FOR ASSEMBLY, AND BETTY PRESLEY, SI-2000/63 (2000)

84203 – Five (5) counts
$7,000 fine

Jim Morrissey, unsuccessful incumbent candidate for the 69th Assembly District in 1998, his controlled committee, Morrissey for Assembly, and Betty Presley, a political consultant and its treasurer, failed to timely report late contributions received between 1997 and 1998.

MORROW, RICHARD, SI-89/400 (1992)

87100 - One (1) count
$1,000 fine

The Commission adopted an administrative law judge's proposed decision which concluded that Richard Morrow, Pismo Beach City Councilmember, violated the conflict of interest provisions when he voted on a development issue which would produce a material financial benefit to him based on his interest in real property within the city.

MOSER, KEN, AND THE SAN DIEGO COUNTY CONSERVATIVE POLITICAL ACTION COMMITTEE, SI-97/501 (2000)

84200 – Three (3) counts
84200.5 and 84200.7 – Two (2) counts
84200.5 and 84200.8 – Two (2) counts
$7,000 fine

Ken Moser, and the San Diego County Conservative Political Action Committee, a general purpose committee organized in 1993 by Moser for the promotion of conservative causes and candidates failed to timely file semi-annual and pre-election campaign statements in 1995 through 1996.

MOWER, MICHAEL, SI-88/87 (1989)

87100 - One (1) count
$1,000 fine

Michael Mower, a member of the Ridgecrest City Council, violated conflict of interest laws by voting to approve a $263,000 construction contract that significantly affected a source of income. Mr. Mower was a 25% owner of a hardware store and received more than $250 in income from the business which was awarded the construction contract.

MULLIN, PETER W., SI-99/419 (2000)

84200 - One (1) count
84203 - One (1) count
$1,000 fine

Peter W. Mullin, of Los Angeles, failed to timely file a major donor campaign statement for contributions made to Californians for Paycheck Protection Committee; Team Noel '98 Committee; Kathleen Connell for Controller Committee; Lungren Committee for Common Sense Conservatism; and Control Committee for Bruce

Thompson in 1998. In addition, it failed to file a late contribution report for the contribution made to Lungren Committee for Common Sense Conservatism.

MUNICICORP, INC., MD-87/364 (1988)

84200(b) - One (1) count
84203(b) - One (1) count
$3,000 fine

Municicorp, Inc., of Los Angeles failed to file a required major donor statement and a late contribution report for 12 contributions totaling $26,650 made in 1986.

MURRAY, WILLARD, MURRAY FOR ASSEMBLY COMMITTEE, LONNIE SANDERS, AND UNITED DEMOCRATIC CAMPAIGN COMMITTEE, SI-88/75 (1989)

84203 - Seven (7) counts
$12,500 fine

The case resulted from a mandatory state audit of the 1986 Murray for Assembly Committee. The audit found that the committee received 16 late contributions totaling $76,000 which failed to be properly disclosed by the candidate, his committee, and his treasurer, Lonnie Sanders. The audit also found that the United Democratic Campaign Committee made a $12,500 contribution to the candidate on May 30, 1986, but failed to file a required late contribution report.

N & S, INC., DBA JIMMY'S FAMILY RESTAURANT, SI-94/339 (1998)

84301 and 84300 - Three (3) counts
$5,400 fine

N & S, Inc., dba Jimmy's Family Restaurant, located in Santee laundered campaign contributions to the campaign of Jim Romine for Santee City Council in 1992.

NAKAGAWA, TOM, SI-91/425 (1992)

84301 - Two (2) counts
$4,000 fine

Tom Nakagawa, former senior auditor for the State Board of Equalization and candidate for the Democratic nomination to the first District Board of Equalization, laundered two $99 contributions made in support of the Republican candidate, Jeff Wallack. Following Nakagawa's defeat, he made these contributions in the name of a relative to avoid disclosure.

NASH, JANICE, SI-84/237 (1986)

See also, A. Ron Rhone, et al., SI-84/237 (1987)

84104 - One (1) count
84211 - One (1) count
$750 fine

Janice Nash, treasurer of the Friends of A. Ron Rhone Committee, failed to itemize contributions and expenditures which individually exceeded $100 and did not keep detailed records necessary for the proper preparation of the committee's campaign statements.

NATHANSON, MARK, SI-85/76 (1986)

87300 and 87302 - Twenty (20) counts
$13,400 fine

Mark Nathanson, a former member of the Commission on California State Government Organization and Economy (the Little Hoover Commission), failed to report numerous investments, interests in real property and sources of income on his 1983, 1984, and 1985 annual Statements of Economic Interests.

NATHANSON, MARK, SI-91/577 (1994)

87100 - One (1) count
87207 - Four (4) counts
$10,000 fine

The Commission issued a Default Decision and Order against Mark Nathanson, a member of the California Coastal Commission from 1986 until his resignation in 1992, who, as part of an effort to conceal a bribery scheme, failed to report four sources of income on his 1987, 1988 and 1990 Statements of Economic Interests. In addition, Nathanson committed a conflict of interest violation in 1988 by voting in favor of an application for a person from whom Nathanson solicited and received a bribe.

NATIONAL ALLIANCE INSURANCE CO., SI-99/504 (2000)

84200 - One (1) count

84203 - One (1) count
$1,000 fine

National Alliance Insurance Co., located in St. Louis, MO, failed to timely file a major donor campaign statement and a late contribution report disclosing a contribution made to Charles W. Quackenbush Re-election Committee in 1998.

NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE NON-FEDERAL, SI-98/507 (1999 CIVIL SUIT)

84211
84216
$30,000 fine

The National Republican Congressional Committee Non-Federal, a non-sponsored, state general purpose committee, failed to properly report loans received.

NATIONAL RIFLE ASSOCIATION, THE NRA POLITICAL VICTORY FUND, AND MARYROSE JENNISON, TREASURER, SI-94/183 (1995)

84202.5 - One (1) count
84202.7 - One (1) count
84203 - Six (6) counts
84203.5 - Twelve (12) counts
84204 - Two (2) counts
$33,000 fine

National Rifle Association, the NRA Political Victory Fund, and Maryrose Jennison, treasurer, failed to file or timely file various campaign reports, which cumulatively involved over $143,420 in political contributions made to California legislators during 1989-1992. These statements included a special odd-year report, twelve supplemental independent expenditure reports, a supplemental pre-election statement, two late independent expenditure reports, and six late contribution reports.

NATIONAL STEEL & SHIPBUILDING CO., SI-99/407 (2000)

84200 - One (1) count
$600 fine

National Steel & Shipbuilding Co., located in Arlington, VA, failed to timely file a major donor campaign statement for contributions made to Friends of Denise Moreno Ducheny; Lynn Schenk for Attorney General Exploratory Committee; Goldsmith for Treasurer Committee; Citizens for Andal Committee; Delaine Eastin Committee; Re-Elect Wayne for State Assembly Committee; Lungren Committee for Common Sense Conservatism; Kathleen Connell for Controller Committee; Bruce Thompson; and Californians for Gray Davis Committee in 1998.

NATIONAL UNITED FARM WORKERS POLITICAL ACTION COMMITTEE, SI-82/21 (1983)

84200 - Nine (9) counts
84203 - Seven (7) counts
84211 - Four (4) counts
$25,000 fine
$7,600 waived

The National United Farm Workers Political Action Committee did not timely file campaign disclosure reports in 1982 even though it contributed $218,431 to candidates in that year's June primary election.

The PAC contributed more than $1,160,000 to campaigns in 1980 and 1982. The committee disclosed a pattern of failing to report contributions, underreporting contributions and funneling contributions through intermediaries, all of which had the effect of concealing the union's involvement in various political campaigns.

NATIONWIDE AUCTION SYSTEMS, SI-99/641 (2001)

84200 – Two (2) counts
84211 - One (1) count
$5,000 fine

Nationwide Auction Systems , a professional auctioneer service company specializing in the disposal of surplus property and headquartered in Industry, failed to timely file major donor committee campaign statements disclosing contributions made in 1996 and 1998 and failed to fully disclose contributions made in 1998.

NAVARRO, PETER, AND ROBIN STARK, SI-93/456 (1996)

84216 and 84203 - Six (6) counts
$8,000 fine

Peter Navarro, a candidate for Mayor of San Diego in 1992, and Robin Stark, treasurer for Navarro's campaign committee, failed to properly disclose six loans received during the 1992 general election.

NEIL, MICHAEL, SI-2000/383 (2000)

87300 and 87302 – One (1) count
$200 fine

Michael Neil, a Lifeguard Captain for the City of Coronado's Department of Recreation, failed to timely file his 1999 annual Statement of Economic Interests.

NELSON, LINDA, FRIENDS OF LINDA NELSON, SI-84/295 (1987)

84104, 84206 (currently 84203), 84211, and 84300 - Numerous counts
$1,000 fine

Linda Nelson, an unsuccessful candidate for the 38th Assembly District in November 1984, committed campaign reporting violations which were found during a state Franchise Tax Board audit of the campaign statements filed by Friends of Linda Nelson.

NELSON, LUCILLE, SI-95/464 (1998)

84302 - One (1) count
$2,000 fine

Lucille Nelson, a chiropractor residing in Yorba Linda, failed to disclose the true source of a contribution made in 1993 to Residents to Protect Our Neighborhoods, a committee sponsored by the Bell Gardens Bicycle Club. Nelson also failed to disclose that she was an intermediary for the contribution.

NESTLE USA, INC., SI-95/182 (1996)

84203 - Two (2) counts
$2,500 fine

Nestle USA, Inc., a major donor committee, failed to timely file late contribution reports for contributions made to Yvonne Brathwaite Burke, a candidate for the Los Angeles County Board of Supervisors, and her controlled committee in 1992.

NEUHAUSER, JAMES C., SI-99/412 (2000)

84200 - One (1) count
84203 - One (1) count
$1,000 fine

James C. Neuhauser of Irvine failed to timely file a major donor campaign statement and a late contribution report disclosing a contribution made to the Lungren Committee for Common Sense Conservatism in 1998.

NEWDOLL, ROBERT, C-78/28 (1980)

87203, 87206, and 87207 - Thirty-one (31) counts
$7,000 fine
$3,500 waived

Coastal Commissioner Robert H. Newdoll of Grover City failed to disclose interests in 14 properties valued at more than $1 million. Mr. Newdoll was also a member of the Grover City Council in San Luis Obispo.

Mr. Newdoll also failed to disclose purchasers of lots, homes, or apartments as sources of income and in addition failed to disclose investments in three real estate development companies.

NICHOLS, MARY, SI-81/08 (1982)

87100 - Eight (8) counts
$7,500 fine
$6,750 waived

Mary Nichols, chairperson of the Air Resources Board violated the board's conflict of interest code when she participated in decisions on resolutions which could have had a reasonable foreseeable financial effect on four companies in which her husband, John F. Daum, as his separate property, had ownership interests in the form of common stock.

NO ON 106 - SPONSORED BY A CONSUMER & LEGAL COALITION AND LANCE OLSON, TREASURER, SI-90/571 (1992)

84211 (f) - One (1) count
84211 (j) - One (1) count
$3,000 fine

No on 106 and its treasurer, Lance Olson, failed to timely report a contribution and an expenditure in the 1988 general election. This committee was formed to oppose Proposition 106, which would have imposed attorney fee limitations on tort claims. It received a $20,000 contribution from another political committee, Good Driver Initiative, but failed to report that contribution on the pre-election statement due October 27, 1988. No on

106 also failed to report on the same pre-election statement an expenditure of $30,000 to Gordon and Schwenkmeyer for professional services.

NO ON 128 - THE HAYDEN INITIATIVE, OPPOSED BY CONSUMERS, BUSINESS AND LABOR; THOMAS HILTACHK, TREASURER, AND MICHAEL D. MEYERS CO., INC., CAMPAIGN CONSULTANT, SI-92/433 (1994)

84211 - One (1) count
84211 and 84303 - Five (5) counts
$10,000 fine

No on 128 - The Hayden Initiative, Opposed by Consumers, Business and Labor, a recipient committee primarily formed to oppose Proposition 128, its treasurer, Thomas Hiltachk, and Michael D. Meyers Co., Inc., campaign consultants, failed to timely disclose approximately $660,000 in subvendor payments on reported expenditures to Meyers in 1990. No on 128 also failed to timely disclose two in-kind contributions worth approximately $10,000 in 1990.

NO ON A IN REDONDO BEACH AND K'S NOT THE WAY, SI-97/649 (1999)

84200.5 and 84200.7 - One (1) count
$1,000 fine

No on A in Redondo Beach and K's Not the Way, a recipient committee primarily formed to defeat Measure A, a school bond measure in 1997, failed to timely file a preelection campaign statement.

NO ON PROPOSITION 37/MARVIN REYNOLDS, SI-87/24 (1988)

84206 (currently 84203) - Twenty-three (23) counts
$15,000 fine

No on Proposition 37 Committee and its treasurer, Marvin Reynolds, failed to file late contribution reports. The campaign committee, also known as Californians Against the Eastern Lottery Fraud, received 23 contributions totaling $841,250 from various horse racing interests during the final 16 days of the 1984 general election.

NOBLE, RICHARD, SI-86/447 (1987)

84200 - Thirteen (13) counts
$8,000 fine

Richard Noble, an attorney in Los Angeles, and a member of the Colorado River Board of California, qualified as a major donor committee in 1982, 1984, 1985, and 1986 and failed to file major donor campaign statements for six separate reporting periods in a timely manner.

NORTH COUNTY BLUEPRINT COMPANY, INC., SI-2000/199 (2000)

84300 and 84301 – Four (4) counts
$7,200 fine

North County Blueprint Company, Inc., a company located in Carlsbad that produces and reproduces blueprints for engineering and architectural firms, laundered campaign contributions to candidates for the Santee City Council in 1998.

NORTHWEST PIPE COMPANY, SI-2000/442 (2000)

84203 – One (1) count
$2,000 fine

Northwest Pipe Company of Portland, Oregon, failed to file a late contribution report during the March 7, 2000, primary election.

OAK CREEK REALTY, INC., DBA OFFENHARTZ AND ASSOCIATES, AND DOUGLAS OFFENHARTZ, SI-94/22 (1995)

83116.5 - Thirty-one (31) counts
$62,000 fine

Douglas Offenhartz, a real estate broker in Danville, and his businesses, Oak Creek Realty, Inc., dba Offenhartz and Associates, acted as intermediaries for various contributions made to the campaigns of local key candidates in Contra Costa County. Mr. Offenhartz, as a paid consultant, directed or assisted his client in laundering various other contributions.

OAKS CARD CLUB, SI-2000/362 (2001)

84211– One (1) count
$1,000 fine

Oaks Card Club of Emervyille, failed to disclose two contributions on their major donor report in 1998.

OCCIDENTAL PETROLEUM CORP., SI-88/103 (1988)

8421l(b) - One (1) count
$1,900 fine

Occidental Petroleum Corporation failed to provide timely disclosure of a $35,000 contribution made in 1987 to the Los Angeles Public and Coast Protection Committee, a political group opposed to a Los Angeles city initiative prohibiting offshore oil drilling in specified zones. The contribution was not disclosed on Occidental's major donor statement for the period of July through December 1987 or on any subsequent amendment on file at that time. However, Occidental did disclose the contribution immediately after contact by the Commission's enforcement staff.

OCEAN MIST FARMS, SI-99/410 (2000)

84200 - One (1) count
84203 - One (1) count
$1,600 fine

Ocean Mist Farms, located in Castroville, failed to timely file a major donor campaign statement for contributions made to Lungren Committee for Common Sense Conservatism; Dave Stirling for Attorney General Exploratory Committee; Alan Style for Assembly Committee; Committee to Elect Peter Frusetta '98 Committee; and Californians for Gray Davis Committee in 1998. In addition, it failed to file a late contribution report for the contribution made to Californians for Gray Davis Committee.

ODYSSEY MORTGAGEES, SI-96/149 (1998 CIVIL SUIT)

84200
$2,000 fine

Odyssey Mortgagees, a limited partnership, made contributions to California Gaming Control Committee sponsored by Palm Springs Gaming Corporation in 1996 and failed to file a major donor campaign statement.

O'KEEFE, DAN, FRIENDS OF DAN O'KEEFE, FREDERICK SMITH, GUN OWNERS OF CALIFORNIA, JOHN HODGSON, SENATE REPUBLICAN POLITICAL ACTION COMMITTEE, JOHN HODGSON, LAW AND ORDER CAMPAIGN COMMITTEE, AND JOHN HODGSON, SI-80/23 (1980)

84200 - One (1) count
84204.1 - One (1) count
84210 (currently 84211) -Two (2) counts
84214 (currently 84203) - One (1) count
84303 - One (1) count
$1,000 fine; $500 waived - Dan O'Keefe, Friends of Dan O'Keefe, and Frederick Smith
$1,000 fine; $500 waived - Gun Owners of California and John Hodgson
$400 fine; $200 waived - Senate Republican Political Action Committee and John Hodgson
$100 fine - Law and Order Campaign Committee and John Hodgson, Senator Dan O'Keefe, his treasurer, Frederick J. Smith, and his committee.

Friends of Dan O'Keefe failed to properly report receipt of a late in-kind contribution and failed to properly itemize campaign expenditures. O'Keefe himself failed to file required candidate statements, although his committee filed statements disclosing the receipts and expenditures of the campaign.

The Gun Owners of California and its treasurer, John H. Hodgson II, failed to report late in-kind contributions totaling $20,982 which it made to the O'Keefe campaign. Another $16,600 in late monetary contributions to the O'Keefe committee was reported by the Gun Owners committee, but not in a timely fashion. However, receipt of both the $20,982 and the $16,600 in late contributions was properly reported on a timely basis by the O'Keefe committee.

The Senate Republican Political Action Committee and its treasurer, John H. Hodgson II, failed to properly report a late contribution to the Gloria Hom for State Senate Committee. However, that committee reported receipt of the late contribution on time.

The Law and Order Campaign Committee and its treasurer, John H. Hodgson II, failed to report in a timely manner a late contribution of $2,500 to Friends of O'Keefe. However, the O'Keefe committee properly reported receipt of the contribution on time.

OLAMENDI, RAQUEL, AND COMMITTEE TO ELECT RAQUEL OLAMENDI, SI-99/245 (2000)

84200 - One (1) count
$250 fine

Raquel Olamendi, candidate for Dana Point City Council, and her controlled committee, Committee to Elect Raquel Olamendi, failed to timely file a semiannual campaign statement for the period ending December 31, 1998.

OMOTO, MARTIN, SI-87/583 (1990)

87302 (b) - Two (2) counts
$4,000 fine

Martin Omoto, senior consultant with the Office of Information Services, state Assembly, failed to timely file two financial disclosure statements required in 1981 and 1988. The statements failed to be filed despite numerous notices from the Commission of the filing violations and warnings that fines would be imposed for such violations.

O'NEILL, RICHARD J., SI-92/156 (1992)

84200(b) - One (l) count
$2,000 fine

Richard J. O'Neill, former State Democratic Chairperson, qualified as a major donor committee during the first half of 1988, but failed to file a semi-annual contribution statement. O'Neill filed a combined statement in 1989, covering the entire 1988 year, but failed to disclose a $10,000 loan made for the Assembly campaign of candidate Leon Ralph.

ORANGE COAST TITLE COMPANY, SI-99/378 (2000)

84203 – One (1) count
$1,500 fine

Orange Coast Title Company failed to timely file a late contribution report for a contribution made in 1998 to the Lungren Committee for Common Sense Conservatism.

ORANGE COUNTY DEMOCRATIC CENTRAL COMMITTEE, SI-96/301 (1998)

84204 - One (1) count
$1,500 fine

The Orange County Democratic Central Committee failed to report a $10,000 expenditure made to create and mail a mass mailing in support of Assembly candidate Lou Correa on late independent expenditure reports prior to the 1996 primary election.

ORCO BLOCK COMPANY, INC., MD-90/395 (1991)

84200 (b) - Two (2) counts
84203 - Two (2) counts
$4,000 fine

Orco Block Company, Inc., failed to meet deadlines for filing two major donor campaign statements in 1988 and 1989 and failed twice to file late contribution reports in 1988. Orco Block made campaign contributions totaling $140,022 to various candidates and also late campaign contributions of $20,000 to a committee in 1988.

ORDAS, WILLIAM J., SI-94/209 (1996)

89503 - Three (3) counts
$6,000 fine

William J. Ordas, a Workers' Compensation appeals judge with the Department of Industrial Relations, violated the conflict of interests provisions of the Act when he accepted honoraria on three separate occasions for speeches given in 1992 and 1993 from claimants who appeared before the Workers' Compensation Appeals Board.

ORDUNA, KENNETH, ORDUNA FOR CITY COUNCIL, AND LONNIE SANDERS, TREASURER OF ORDUNA FOR CITY COUNCIL, SI-88/364 (1991)

81004 - Three (3) counts
84101 - One (1) count
84104 - One (1) count
84200 - One (1) count
84203 - Six (6) counts
84211 - Ninety-two (92) counts
84213 - Three (3) counts
84300 - Three (3) counts
84304 - Twenty-four (24) counts
$187,500 fine

The Commission issued a Default Decision and Order against Kenneth Orduna, candidate for the Los Angeles City Council in 1987, Orduna for City Council, his campaign committee, and Lonnie Sanders, committee treasurer, who laundered numerous campaign contributions and committed other campaign reporting violations.

Mr. Orduna was chief of staff to U.S. Congressman Mervyn Dymally and was on leave of absence from that employment during his campaign. Mr. Sanders was special assistant to Congressman Dymally and was treasurer of the congressman's federal campaign committee for approximately three years. He also served as treasurer for Assemblyman Willard Murray during his 1986 Assembly campaign.

During the period in question, the City of Los Angeles had a $500 limit on the amount of contributions that could be received from a single contributor, other than the candidate. Most of the violations occurred as a result of the respondents purposely trying to evade the $500 contribution limit. The violations include accepting anonymous contributions, falsely disclosing and failing to properly disclose sources of contributions, making contributions in other than the contributor's legal name, failing to file late contribution reports, over and underreporting the amount of contributions, failing to keep adequate records, failing to exercise due diligence, and failing to timely file campaign statements.

ORGANIZATION MANAGEMENT, INC., SI- 87/143 (1988)

86114 - One (1) count
$2,000 fine

Organization Management, Inc., a lobbying firm of Donald Burns, failed to properly disclose $305,128 in payments from clients between April 1, 1985 and December 31, 1985. Through negligence, the firm omitted the payments on its second and third quarter lobbying reports that had been previously reported on the company's first-quarter lobbying disclosure statement.

OSHMAN LIVING TRUST, SI-2000/415 (2000)

84203 – One (1) count
$1,760 fine

The Oshman Living Trust located in Mill Valley failed to file a late contribution report during the March 7, 2000, primary election.

OTTO, JOHN F., SI-99/411 (2000)

84200 - One (1) count
$400 fine

John F. Otto of Sacramento failed to timely file a major donor campaign statement for a contribution made to the Lungren Committee for Common Sense Conservatism in 1998.

PM CONSULTING CORPORATION, SI-2001/28 (2001)

84200 – One (1) count
$600 fine

PM Consulting Corporation of McLean, Virginia, failed to file a major donr campaign statement during 2000.

PACHENGA BAND OF LUISENO INDIANS, SI-2000/425 (2000)

84203 – One (1) count
$2,000 fine

Pachenga Band of Luiseno Indians, located in Newcastle, failed to file a late contribution report during the March 7, 2000, primary election.

PACIFIC STATES INDUSTRIES, SI-2001/29 (2001)

84200 – One (1) count
$400 fine

Pacific States Industries of San Jose failed to file a major donor campaign statement during 2000.

PACKARD, PACKARD & JOHNSON, SI-2001/30 (2001)

84200 - One (1) count
$400 fine

Packard, Packard & Johnson of Los Altos failed to file a major donor campaign statement during 2000.

PADILLA & ASSOCIATES, SI-2000/470 (2000)

84203 – One (1) count
$1,500 fine

Padilla & Associates of Beverly Hills failed to file a late contribution report during the March 7, 2000, primary election.

PADILLA, ALEJANDRO, SI-99/788 (2000)

87300 - One (1) count
$500 fine

Alejandro Padilla, district director in the California Assembly Rules Committee, failed to timely file his 1998 annual Statement of Economic Interests.

PAK, CHRISTOPHER, SI-99/741 (2001)

89502 – Two (2) counts
$3,000 fine

Christopher Pak, member of the Los Angeles City Board of Airport Commissioners, accepted prohibited honoraria payments in 1998 and 1999.

PALM SPRINGS GAMING CORPORATION; CALIFORNIA GAMING CONTROL COMMITTEE, SI-96/149 (1998 CIVIL SUIT)

84211
84105
$25,000 fine

Palm Springs Gaming Corporation, with real property in Palm Springs; and California Gaming Control, its sponsored committee formed to qualify and support a ballot measure, the Gaming Control Act of 1996, failed to inform contributors that they may be required to file campaign statements in 1996 and failed to properly report loans received and repaid.

PALMER, JOHN N., SI-99/413 (2000)

84200 – One (1) count
$400 fine

John N. Palmer of Jackson, Mississippi, failed to timely file a major donor campaign statement for contributions made to the Lungren Committee for Common Sense Conservatism in 1998.

PALMQUIST, EDWIN, MEASURE K, YES FOR KIDS AND LOCAL SCHOOLS, SI-2000/226 (2000)

84200 – Two (2) counts
84200.8 – One (1) count
$3,500 fine

Edwin Palmquist, a certified public accountant and treasurer for the Measure K, Yes for Kids and Local Schools committee formed in El Monte in 1999, failed to timely file pre-election and semi-annual statements in 1999 and 2000.

PALOS VERDES PORTUGUESE BEND, LLC/BARRY HON AFFILIATES, SI-2001/31 (2001)

84200 – One (1) count
$400 fine

Palos Verdes Portuguese Bend, LLC/Barry Hon Affiliates, of Laguna Hills failed to file a major donor campaign statement during 2000.

PAN, ROGER, SI-97/527 (1998)

84301 and 84300 - Six (6) counts
84200 - One (1) count
$12,600 fine

Roger Pan, a businessman with companies located in San Francisco, laundered six campaign contributions to Willie Brown, candidate for San Francisco Mayor, prior to the 1995 general election. In addition, Pan failed to timely file a major donor campaign statement in connection with these contributions and a contribution made to a candidate for the State Assembly.

PAN, SY ZUAN, MD-87/479 (1988)

84200(b) - One (1) count
$500 fine

Sy Zuan Pan of San Francisco failed to timely file a major donor campaign statement for contributions totaling $13,500 in 1986.

PANATTONI DEVELOPMENT, SI-98/480 (1999)

84200 - One (1) count
$1,250 fine

Panattoni Development in Sacramento failed to file a semi-annual campaign statement for a contribution made to the Governor Pete Wilson Committee in 1998.

PAPARIAN, WILLIAM, SI-96/472 (1999)

84308 - Three (3) counts

$4,500 fine

William Paparian, former Mayor and member of the Pasadena City Council and serving simultaneously as an appointed member of the Burbank-Glendale-Pasadena Airport Authority until 1999, improperly accepted and failed to disclose a campaign contribution of more than $250 from a party to a proceeding in 1994 and failed to disqualify himself from voting on or participating in a matter involving that party in 1996 and 1997.

PAUL, CHARLES, SI-2001/32 (2001)

84200 – One (1) count
$400 fine

Charles Paul of Incline Village, Nevada, failed to file a major donor committee campaign report in 2000.

PAUL, GARY, SI-98/40 (1999)

83116.5 and 84211 - One (1) count
$1,400 fine

Gary Paul, serving as a volunteer treasurer of the Democratic State Central Committee of California between 1994 and 1997, failed to take necessary steps to ensure that contributions and expenditures were properly itemized on campaign statements filed for the Committee.

PENHOET, EDWARD E., SI-98/689 (2000)

87300 - One (1) count
$500 fine

Edward E. Penhoet, Dean of the School of Public Health at the University of California, Berkeley, failed to timely file an assuming office Statement of Economic Interests.

PENNA, CHARLES EDWARD, SI-97/452 (1999)

87100 - One (1) count
$2,000 fine

Charles Edward Penna, former Chief Building Official in Lompoc, participated in a governmental decision in which he had a financial interest by approving a roofing permit in 1997 for an apartment complex that he managed also for which he received free rent and salary.

PERATA, DON, SI-97/263 (1999)

87207 - Six (6) counts
$10,500 fine

Don Perata, member, California State Assembly, failed to disclose income on his candidate Statement of Economic Interests in 1995.

PERATA, DON R., AND DON PERATA 98, SI-2000/156 (2001)

84211 – One (1) count
85305 – One (1) count
$4,000 fine

Don R. Perata, successful Alameda candidate for the State Senate in 1998, and his controlled committee, Don Perata 98, failed to properly disclose and itemize the source of a campaign loan on a pre-election campaign statement and illegally accepted a special election campaign loan in excess of the special election contribution limit of $1,000 in 1998.

PEREZ, LOUIS, SI-95/444 (1998)

84300 - Two (2) counts
$2,000 fine

Louis Perez, La Puente City Councilman and/or Mayor from 1990 to 1998, illegally accepted three cash contributions and made one cash expenditure over $100 in 1995.

PETER C. FOY & ASSOCIATES, SI-2000/426 (2000)

84203 – One (1) count
$1,500 fine

Peter C. Foy & Associates of Woodland Hills failed to file a late contribution report during the March 7, 2000, primary election.

PETRI, PHYLLIS L., PHYLLIS PETRI RE-ELECTION CAMPAIGN FUND AND INEZ PARSONS, TREASURER, SI-95/353 (1996)

84200 - Two (2) counts
84200.7 - Two (2) counts
$4,000 fine

Phyllis L. Petri, a member of the Hemet Unified School District Board, and her committee failed to file campaign statements before the November 1994 election.

PICERNE ASSOCIATES, INC., SI-96/553 (1999)

84301 - Thirty-Two (32) counts
84301 and 84300 - Seven (7) counts
$67,000 fine

Picerne Associates, Inc., located throughout Southern California and engaged in a number of corporate activities, including real estate development, laundered campaign contributions to four candidates for Ontario City Council during 1993 through 1996.

PIKE, TYRONE, SI-99/387 (2000)

84200 - One (1) count
$400 fine

Tyrone Pike of Woodside failed to timely file a major donor campaign statement for a contribution made to the Lungren Committee for Common Sense Conservatism in 1998.

PIPPO, DONALD P., SI-89/503 (1992)

87207 - Three (3) counts
$6,000 fine

The Commission accepted the administrative law judge's findings that Donald P. Pippo, a member of the Solano County Board of Supervisors, failed to disclose sources of income in the form of loans on his 1986, 1987, and 1988 Statements of Economic Interests. These loans were received from Jim Cassil, operator of a business known as Cassil Farms, which rendered farming services to respondent.

PLACER HOLDINGS, INC., SI-98/11 (1999)

84301 and 84300 - Six (6) counts
$10,800 fine

Placer Holdings, Inc., a California corporation that was involved in developing a planned community and golf course in Placer County, made six illegal campaign contributions to San Francisco Mayoral candidate Frank Jordan in 1995 by reimbursing employees and other persons who were intermediaries.

PLESCOV, IVAR, SI-2001/227 (2001)

87300 – One (1) count
$600 fine

Ivar Plescov, a Senior Civil Engineer with the Department of Boating and Waterways, failed to timely file his 2000 annual Statement of Economic Interests.

POLANCO, RICHARD, SI-94/216 (1996)

89513 - Four (4) counts
$6,000 fine

Richard Polanco, a member of the California State Assembly, used campaign funds to pay for health club dues during 1991-1994.

POLANCO, RICHARD, FRIENDS OF RICHARD POLANCO, SI-82/22 (1984)

84211 -Two (2) counts
84300 - One (1) count
$3,000 fine
$1,500 waived

During the second reporting period, Richard Polanco, a Democratic candidate in the 1982 primary election for the 56th Assembly District, filed an amendment to his first campaign report showing that a $20,000 loan, accounting for more than one-third of his total contributions during the period, was actually four separate loans totaling $20,500 from his family and friends. However, none of the loans were received until the middle of the second reporting period after Polanco had verified and filed his first report. The totals reported for contributions on Polanco's first campaign statement were, therefore, inflated.

POLITICAL ACTION BY PEST CONTROL OPERATORS COMMITTEE, SI-86/568 (1987)

84200 - Five (5) counts
$2,000 fine

Pest Control Operators Committee failed to file five semi-annual campaign disclosure statements between January 1983 and December 1985. The group was established in 1979 as the political action committee for the trade association, Pest Control Operators of California, Inc.

Although almost all of the campaign contributions by the group were disclosed on lobbyist-employer reports between 1981 and 1986 as required by law, the political action committee did not disclose more than $35,000 received from its members in 1983, 1984, and 1985 until overdue campaign statements were filed in May 1986.

POLITICAL ACTION THOROUGHBRED HORSEMEN, SI-91/132 (1992)

84200 - One (1) count
84203 - One (1) count
$3,000 fine

This general purpose recipient committee failed to file a semi-annual statement for the period July 1 - December 31, 1987, and also failed to file a late contribution report on June 3, 1988, reporting 20 late contributions made that day totaling $25,600.

POLLARD, NANCY, COMMITTEE TO ELECT NANCY POLLARD JUDGE, AND ANN M. GARTEN, SI-99/227 (2000)

84211 - Two (2) counts
$5,500 fine

Nancy Pollard, and her controlled committee, Committee to Elect Nancy Pollard Judge, and Ann M. Garten, its treasurer, failed to disclose contributions received and expenditures made and failed to file a second pre-election campaign statement in 1995.

POPE-LUDLAM, VALERIE, AND VALERIE BEAUREGARD, SI-95/74 (1998)

84211 - Three (3) counts
$4,500 fine

Valerie Pope-Ludlam, San Bernardino City Councilwoman and mayoral candidate, and Valerie Beauregard, treasurer of both Ms. Pope-Ludlam's city council committee and mayoral committee, failed to report the receipt of contributions on campaign statements in 1993 and 1994.

POWAY UNIFIED SCHOOL DISTRICT, ROBERT L. REEVES, SI-89/430 (1991)

89001 and 83116.5 - One (1) count
$1,500 fine

The Poway Unified School District and its superintendent, Robert L. Reeves, committed a mass mailing violation when it paid for and mailed approximately 36,000 copies of an annual report which contained photographs, names, and biographies of the elected school board members.

PRENTER, ROBERT, AND THE COMMITTEE TO ELECT ROBERT PRENTER FOR ASSEMBLY, SI-96/304 (2001)

84200.5 and 84215 – Two (2) counts
$1,500 fine

Robert Prenter, successful candidate for the Republican nomination to the 30th Assembly District in the 1996 primary election, and the Committee to Elect Robert Prenter for Assembly, his controlled committee, failed to file two pre-election campaign statements with the clerk of the county with the largest number of registered voters in the district affected.

PRESS, BILL, GENERAL PRESIDENT'S OFFSHORE COMMITTEE, AND JACK ORMES, SI-80/80 (1982)

84300 - One (1) count
84306 - One (1) count
84201 (currently 84200.5) - One (1) count
$1,000 fine - Bill Press
$1,000 fine - General President's Offshore Committee
$1,000 fine - Jack Ormes

Bill Press, Jack Ormes, and an umbrella organization of all construction trade unions, known as the General President's Offshore Committee, failed to disclose the true source of two $6,000 campaign contributions.

Press was the proponent of a statewide ballot measure commonly known as the "Tax Big Oil" initiative (Proposition 11 on the June 3, 1980, ballot). The Offshore Committee functioned as a representative of the members of construction unions who engaged in offshore drilling. Ormes is an attorney and president of Jack R. Ormes, Inc., and had represented various unions as well as the Offshore Committee in the past.

The contributor of $12,000 in contributions was reported on the Coalition Committee's campaign statements as coming from "Corporate Trust Account" rather than from the Offshore Committee. Ormes acted as an intermediary without identifying the true contributor (the Offshore

Committee) of the funds. Press also knew the identity of the true contributor of the $12,000 and had a duty to ensure that the contributor's identity was properly reported to the treasurer.

PRINGLE, CURT, FRIENDS OF CURT PRINGLE 1998, BETTY PRESLEY, AND JEFF FLINT, SI-99/821 (2001)

84211 and 84303 – Twelve (12) counts
$14,000 fine

Curt Pringle, former Republican Assemblyman for the 68th District and candidate for State Treasurer in 1998, his controlled committee, Friends of Curt Pringle 1998, its treasurer, Betty Presley, and Jeff Flint, a paid campaign manager, failed to report subvendor information regarding $1.6 million in expenditures made in 1998.

PRYOR, MARGARET, AND FRIENDS OF MARGARET PRYOR, SI-94/476 (1998)

84104 - One (1) count
84200 - Seven (7) counts
85201 - One (1) count
84211 - Fourteen (14) counts
84213 - Three (3) counts
84300 - Ten (10) counts
89511.5 - Two (2) counts
$53,000 fine

Margaret Pryor, President of the Bay Area Rapid Transit District's Board of Directors, and her committee, Friends of Margaret Pryor, from 1991 through 1994 failed to timely file campaign statements, failed to report contributions received, failed to report expenditures made, failed to use due diligence in the preparation of campaign statements, illegally made cash expenditures, failed to use campaign account for contributions received and expenditures made, failed to maintain records, and received cash from the committee resulting in substantial personal benefit.

PURSLEY, WILLIAM, SI-90/503 (1992)

87100 - Three (3) counts
87206 and 87207 - Seven (7) counts
$16,000 fine

William Pursley, former Lancaster City Councilman, violated the conflict of interest provisions when he voted on items which had a material financial effect on his sources of income. Pursley is a retired real estate broker who works as a real estate agent. He also failed to disclose investments, interests in real property, and sources of income on his 1989 Statement of Economic Interests.

PUTNAM, GLEN R., SI-92/549 (1995)

87100 - Four (4) counts
87207 - One (1) counts
$9,500 fine

Glen R. Putnam, a member of the City of Fresno Mobilehome Park Rent Review and Stabilization Commission, failed to disclose income received from another commissioner from 1990 to 1992 on Statements of Economic Interests. In addition, on one occasion in 1990 and on three separate occasions in 1992, Mr. Putnam, voted within his official capacity to support issues that benefited that commissioner.

QUACKENBUSH, CHARLES W., QUACKENBUSH CAMPAIGN COMMITTEE, QUACKENBUSH COMMITTEE FOR INSURANCE REFORM, KARL W. DOLK, TREASURER, FRIENDS OF CHUCK QUACKENBUSH, AND PAUL D. HANCOCK, TREASURER, SI-94/633 (1997)

85201- Six (6) counts
84211 - Thirteen (13) counts
84303 - Two (2) counts
84104 - Two (2) counts
84105 - Five (5) counts
84203 - Three (3) counts
$50,000 fine

Charles W. Quackenbush, successful candidate for State Insurance Commissioner in 1994, his controlled committees, Quackenbush Campaign Committee, Quackenbush Committee for Insurance Reform, and its treasurer, Karl W. Dolk, and Friends of Chuck Quackenbush, and its treasurer, Paul D. Hancock, failed to properly deposit contributions and improperly made expenditures, failed to disclose subvendor payments, failed to properly disclose expenditures, failed to maintain required records for expenditures, failed to send required notices to major contributors, failed to timely file late contribution reports, failed to correctly disclose contributions and provide occupation and employer information, and failed to properly report the transfer of loans on his campaign statements in 1993 and 1994.

QUALCOMM, INC., SI-98/477 (1999)

84200 - One (1) count
$1,250 fine

Qualcomm, Inc., of San Diego failed to file a semi-annual campaign statement for a contribution made to Lungren for Governor, a controlled committee, in 1998.

QUISENBERRY & BARBANEL LLP, SI-2000/457 (2000)

84203 – One (1) count
$1,500 fine

Quisenberry & Barbanel LLP located in Los Angeles failed to file a late contribution report during the March 7, 2000, primary election.

RAINEY, RICHARD K., RAINEY FOR SENATE, AND PAULA L. MILLER, TREASURER, SI-98/1 (2000)

84203 - One (1) count
$2,000 fine

Richard K. Rainey, candidate for California State Senate in 1996, his controlled committee, Rainey for Senate, and its treasurer, Paula L. Miller, failed to timely file a late contribution report disclosing receipt of nonmonetary contributions from the Senate Republican Majority Fund in 1996.

RALEY'S, SI-2001/33 (2001)

84200 – One (1) count
$600 fine

Raley's of Sacramento failed to file a major donor campaign statement during 2000.

RALPH, LEON D., AND FRIENDS OF LEON RALPH, SI-90/572 (1993)

84200 - One (1) count
84200.5 and 84200.7 - One (1) count
84203 - Two (2) counts
84211 - One (1) count
84305 - One (1) count
$1,750 fine

The Commission approved an administrative law judge's recommendation for a $1,750 fine against former Assembly candidate Leon Ralph, an unsuccessful candidate for the 54th Assembly District in 1988. Ralph violated the campaign disclosure provisions when he failed to disclose the true source of a loan and failed to file various campaign statements and late contribution reports on time.

RAMIREZ, ARTURO, SI-99/551 (2000)

87200 and 87203 - One (1) count
$300 fine

Arturo Ramirez, Fowler Planning Commisioner, failed to timely file his 1998 annual Statement of Economic Interests.

RAMIREZ, RICARDO, SI-97/654 (2001)

84301 and 84300 – Four (4) counts
$6,000 fine

Ricardo Ramirez, director of Ramirez Engineering Corporation in Millbrae, who performs paving and asphalt work under contracts awarded by the City and County of San Francisco and the San Francisco Airport Authority, laundered contributions made to the Committee to Elect Willie Brown in 1995.

RANCHO VISTA DEVELOPMENT CO., SI-2001/34 (2001)

84200 – One (1) count
$400 fine

Rancho Vista Development Co. of Palmdale failed to file a major donor campaign statement during 2000.

RAY, MICHAEL D., MD-90/398 (1991)

84200 (b) - One (1) count
$1,000 fine

Michael D. Ray failed to timely file a major donor campaign statement disclosing contributions totaling $22,750 made in 1988.

RAYNOR, OLIVIA, SI-99/809 (2000)

87300 and 87302 - One (1) count
$200 fine

Olivia Raynor, board member, State Council on Developmental Disabilities, failed to timely file her 1998 annual Statement of Economic Interests.

RBF CONSULTING, SI-2001/35 (2001)

84200 – One (1) count
$400 fine

RBF Consulting of Irvine failed to file a major donor campaign statement during 2000.

REGALADO, RUDY, SI-97/460 (1998)

87100 - One-Hundred Thirteen (113) counts
$226,000 fine

The Commission issued a Default Decision and Order against Rudy Regalado, a Los Angeles County Metropolitan Transportation Authority (MTA) assistant buyer, who authorized the awarding of 113 MTA purchase orders or change orders between 1994 and 1996 to John Park, who was a source of cash kickbacks to him.

RENBERG, DANIEL, SI-2000/452 (2000)

84203 – One (1) count
$2,000 fine

Daniel Renberg of Los Angeles failed to file a late contribution report during the March 7, 2000, primary election.

REPUBLICAN CENTRAL COMMITTEE OF COLUSA COUNTY, SI-85/172 (1986)

84211 - Ninety-eight (98) counts
$1,000 fine
$500 waived

The Colusa County Republican Central Committee failed to itemize nearly 100 contributions totaling $13,440 received by the committee at a 1982 fundraiser.

REPUBLICAN NATIONAL COMMITTEE–CALIFORNIA ACCOUNT, SI-99/455 (2000)

84203 – One (1) count
$2,000 fine

Republican National Committee – California Account, a California general purpose committee, sponsored by the Republican National Committee, failed to file a late contribution report in 1998.

REPUBLICAN NATIONAL STATE ELECTIONS, SI-98/318 (1998)

84203 - One (1) count
$2,000 fine

Republican National State Elections failed to file a late contribution report for a contribution made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

REPUBLICAN STATE CENTRAL COMMITTEE OF CALIFORNIA, SI-80/26 (1980)

84305 - Fourteen (14) counts
$14,000 fine

Republican State Central Committee violated mass mailing identification requirements. The committee designed and distributed over one million campaign letters falsely identifying Howard Jarvis as their sender. The letters, which were mailed approximately one week before the 1978 general election, were actually paid for and sent on behalf of 14 Republican candidates for the state Legislature.

Nowhere on the outside of the envelopes did the name of the candidates or their committees appear. Rather, the return address was marked, “Howard Jarvis, Los Angeles, California.” Printed on the lower right corner was the notation “IMPORTANT, Tax Reduction Information Enclosed.”

REPUBLICAN STATE CENTRAL COMMITTEE OF CALIFORNIA, RSCCC-SPECIAL ELECTIONS, RSCCC-FEDERAL AND STATE, CALIFORNIA REPUBLICAN PARTY, MICHAEL DONALDSON, AND WILLIAM SLOAN, SI-80/59 (1983)

84104 - Three (3) counts
84206 (currently 84203) - Four (4) counts
84210 (currently 84211) - Eight (8) counts
$25,000 fine

The California Republican Party failed to maintain adequate campaign records of expenditures for the years 1979-80; failed to file campaign statements in a timely fashion (a total of 249 days late in 1980); failed to file reports of late contributions totaling $53,000 in 1980; and failed to provide complete information for 77% of the contributors listed on the campaign statements.

RESIDENTIAL BUILDERS ASSOCIATION PAC AND JOE CASSIDY, SI-94/447 (1995)

84200(a) - Two (2) counts
84200(b) - One (1) count
84211(f) - One (1) count
84211(j) - Three (3) counts
84203 - Three (3) counts
84204 - Two (2) counts
$14,000 fine

Residential Builders Association PAC, an association of builders and others in San Francisco, and its treasurer, Joe Cassidy, failed to report contributions received and expenditures made and failed to timely file its campaign statements during 1993 and 1994. Cassidy also failed to file a major donor campaign statement.

RETAILERS GOOD GOVERNMENT COUNCIL AND JAMES DEGNAN, SI-81/10 (1981)

81004 - One (1) count
84206 (currently 84203) - Twenty-five (25) counts
$4,000 fine
$2,000 waived

The Retailers Good Government Council Committee made late contributions totaling $48,900 to 25 candidates, all of which were supposed to be reported to the Secretary of State by mailgram within 48 hours. The 25 contributions not reported comprised 74% of all contributions made during that period.

REYES, VINCENT, SI-99/550 (2001)

87203 – One (1) count
$750 fine

Vincent Reyes, an Oakland Planning Commissioner, failed to file a 1998 annual Statement of Economic Interests.

RHONE, A. RON, FRIENDS OF A. RON RHONE, SI-84/237 (1987)

See also, Janice Nash, SI-84/237 (1986)

84104 - One (1) count
84211 - One (1) count
84300 - One (1) count
$6,000 fine
$1,500 waived

A. Ron Rhone, a candidate for the Richmond City Council, and his controlled committee, Friends of A. Ron Rhone, violated campaign reporting laws by receiving cash contributions exceeding $99, failing to itemize contributions and expenditures exceeding $99 on campaign reports, and failing to keep detailed records necessary to the preparation of campaign statements.

RICHARDSON, H.L., SI-86/573 (1988)

87206 - Three (3) counts
87207 - Nine (9) counts
$8,500 fine

Senator H.L. Richardson failed to list numerous interests on his financial disclosure statements for 1983, 1984, 1985, and 1986. Most of the omissions involved clients of the senator's company, Computer Caging Corporation, which received payments and made investments requiring disclosure.

RICK, WILLIAM B., SI-96/524 (1998)

87100 - One (1) count
$1,750 fine

William B. Rick, a member of the California Coastal Commission, voted on an issue in 1995 that had a financial effect on the Southern California Edison Company, an entity in which Mr. Rick had a financial interest.

RICHMOND AMERICAN HOMES, SI-98/478 (1999)

84200 - One (1) count
$1,250 fine

Richmond American Homes of Irvine failed to file a semi-annual campaign statement for a contribution made to Lungren for Governor, a controlled committee, in 1998.

RILES, WILSON, JR., FRIENDS OF WILSON RILES, JR., AND JAMES E. VANN, TREASURER, SI-90/813 (1995)

81004 - Numerous counts
84211(f) - Numerous counts
84300(a) - Numerous counts
$15,625 fine - Wilson Riles, Jr.
$10,625 fine - James E. Vann

The Commission adopted an administrative law judge's proposed decision in the matter of Wilson Riles, Jr., Friends of Wilson Riles, Jr., and James E. Vann, treasurer. Riles and Vann failed to properly itemize on a campaign statement their receipt of over $60,000 in campaign contributions during Riles' Oakland Mayoral campaign in 1990 and illegally accepted cash contributions of $100 or more. Riles and his campaign also failed to diligently ascertain the true source of thirty-eight $1,000 contributions.

RING, DAVID, SI-2000/454 (2000)

84203 – One (1) count
$2,000 fine

David Ring of San Francisco failed to file a late contribution report during the March 7, 2000, primary election.

RIORDAN, BARBARA, AND THE BARBARA RIORDAN FOR SUPERVISOR COMMITTEE, SI-88/583 (1989)

84305 - One (1) count
$1,000 fine

San Bernardino County Supervisor Barbara Riordan and her committee failed to include proper sender identification on a mass mailing during her successful 1988 fall re-election campaign.

The mass mailing in question was a four-page newsletter identified as being sent by "Yucaipa Citizens for Supervisor Riordan Re-election" and "Paid for by Yucaipa Citizens for Supervisor Riordan Re-election, P.O. Box 2101, Redlands, CA 92373." The newsletter did not indicate that the mailer actually was paid for or sent by the Barbara Riordan for Supervisor Committee.

RIORDAN, RICHARD J., SI-96/214 (1996)

87100 - Two (2) counts
$3,000 fine

Richard J. Riordan, Mayor of Los Angeles, violated the conflict of interest provisions when he approved a budget which included the design services of a firm in which he had a financial interest.

RIOS, DELLA, COMMITTEE TO ELECT DELLA RIOS, AND VERNON JOHNSON, SI-97/327 (1998)

84200 - Five (5) counts
84200.5 and 84200.8 - One (1) count
$1,900 fine

The Commission adopted an administrative law judge's proposed decision in the matter of Della Rios, successful candidate to the Board of Trustees of the Bassett Unified School District in Puente, and the Committee to Elect Della Rios, and Vernon Johnson, treasurer, who failed to timely file required preelection and semiannual campaign statements between 1993 and 1996.

RITCHIE, STEVEN, SI-91/148 (1992)

87300 - Two (2) counts
$2,500 fine

Steven Ritchie, Executive Officer of the San Francisco Bay Regional Water Quality Control Board, failed to disclose his wife's income on his Statements of Economic Interests for 1988 and 1989.

RIVERA, MARY L., SI-94/528 (1996)

87100 - One (1) count
87207 - One (1) count
$3,500 fine

Mary L. Rivera, employed by the California Employment Development Department, violated the conflict of interest provisions regarding contracts awarded to a training company from which her husband received income. Rivera also failed to disclose this income on her annual statement of economic interests.

RIVERSIDE TOMORROW - RIVERSIDE LANDOWNERS AND ARLINGTON HEIGHTS LANDOWNERS ASSOCIATION COMMITTEE, SI-88/239 (1991)

84305, 84106(a), and 84102(a) - Two (2) counts
84211(f) - One (1) count
$4,000 fine

Riverside Tomorrow-Riverside Landowners and Arlington Heights Landowners Association (AHLA) Committee, a campaign committee sponsored by the AHLA, failed to properly identify itself as a sponsored committee on political mailers which were sent in 1987 and 1988. The committee also failed to timely disclose information regarding individual members of the AHLA, who made contributions to Riverside Tomorrow through their organization, on campaign statements filed during the latter half of 1988.

ROBBINS, ALAN, SI-90/121 (1994)

84207 - Eight (8) counts
$15,000 fine

Former Senator Alan Robbins of the 20th District, as part of an effort to conceal a bribery scheme, failed to report three sources of income on his Statements of Economic Interests in 1988 and 1989. Robbins also failed to report five other miscellaneous sources of income not related to the bribery scheme.

ROBERSON, BRUCE, SI-99/797 (2000)

87300 - Two (2) counts
$600 fine

Bruce Roberson, designated employee of the California State Assembly, failed to timely file his assuming office and leaving office Statements of Economic Interests.

ROBERTI, DAVID, AND DAVID ROBERTI ELECTION COMMITTEE, SI-92/271 (1995)

84305 - One (1) count
$500 fine

Former state Senator David Roberti's controlled committee sent out a mass mailing containing an endorsement by Assemblyman Richard Katz and failed to place proper sender identification on the outside of the mailing, resulting in the appearance that it came from Assemblyman Katz.

ROBERTS, DUANE, SI-98/291 (1998)

84203 - One (1) count
$1,250 fine

Duane Roberts of Riverside failed to file a late contribution report for a contribution made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

ROBINS, CHARLES, SI-99/383 (2000)

84200 - One (1) count
$400 fine

Charles Robins, La Jolla, failed to timely file a major donor campaign statement for a contribution made to Lungren for Governor committee in 1998.

ROBINSON, CALCAGNIE & ROBINSON, INC., SI-2000/402 (2000)

84203 – One (1) count
$2,000 fine

Robinson, Calcagnie & Robinson, Inc., located in Newport Beach, failed to file a late contribution report during the March 7, 2000, primary election.

ROBLES, ALBERT, SI-95/39 (1998)

84203 - One (1) count
84302 - Two (2) counts
$5,000 fine

Albert Robles, member of the South Gate City Council and candidate for the State Board of Equalization in 1994, failed to file late contribution reports and also failed to properly disclose two contributions that were made through an intermediary.

ROCKWELL INTERNATIONAL, SI-98/475 (1999)

84200 - One (1) count
$1,250 fine

Rockwell International located in Costa Mesa failed to file a semi-annual campaign statement for a contribution made to Lungren for Governor, a controlled committee, in 1998.

RODDER, GERALD R., SI-92/549 (1995)

87206 - One (1) count
$1,500 fine

Gerald R. Rodder, member of the City of Fresno Mobilehome Park Rent Review and Stabilization Commission, failed to disclose various economic interests from 1990 to 1993.

RODDY, CAROLYN A., SI-99/180 (2000)

87302 - One (1) count
$500 fine

Carolyn A. Roddy, designated employee of the Foothill Private Industry Council, failed to timely file her 1997 annual Statement of Economic Interests.

RODRIGUEZ, ARTURO, SI-99/621 (2001)

87202 – One (1) count
87203 – One (1) count
87204 - One (1) count
$6,000 fine

The Commission adopted an administrative law judge's proposed decision in the matter of Arturo Rodriguez, a Coachella City Planning Commissioner, who failed to file an assuming office Statement of Economic Interests, his 1998 annual Statement of Economic Interests, and his leaving office Statement of Economic Interests in 1999.

RODRIGUEZ & FLOYD, SI-2001/231 (2001)

84200 – Two (2) counts
$800 fine

Rodriguez & Floyd of Bakersfield failed to file major donor campaign statements during 2000.

RODRIGUEZ, MARCIAL "ROD", COMMITTEE TO RE-ELECT MAYOR ROD RODRIGUEZ, SI-86/71 (1987)

84305 - One (1) count
$1,000 fine

Marcial "Rod" Rodriguez and the Committee to Re-Elect Mayor "Rod" Rodriguez committed a mass mailer violation in January 1986 by failing to properly identify the sender. The mailer sent by Rodriguez stated on the outside, "Important! Voter Information Enclosed." It provided as the sole sender identification: "Office of the Mayor, Norwalk, CA 90650."

RODRIGUEZ, MIKE, SI-99/327 (2000)

87300 - One (1) count
$500 fine

Mike Rodriguez, member of the City of Madera's Civil Service Commission, failed to timely file his 1998 annual Statement of Economic Interests.

ROGERS, GARY, SI-98/479 (1999)

84200 - One (1) count
$1,250 fine

Gary Rogers of Oakland failed to file a semi-annual campaign statement for a contribution made to the Governor Pete Wilson Committee in 1998.

ROLLED STEEL PRODUCTS CORPORATION, MD-87/366 (1988)

84200(b) - One (1) count
$1,500 fine

Rolled Steel Products Corporation failed to file a major donor campaign statement for contributions totaling $13,500 in 1986.

ROSENTHAL, HERSCHEL, FRIENDS OF ROSENTHAL, AND BERMAN AND D'AGOSTINO CAMPAIGNS, SI-92/389 (1996)

84305 - One (1) count
83116.5 - One (1) count
$4,000 fine

Senator Herschel Rosenthal and his campaign committee did not comply with the sender identification requirements when they sent constituents a large campaign mailing where the envelopes did not state the name and address of the candidate or committee. Berman and D'Agostino Campaigns, consultants to Friends of Rosenthal, was responsible for the mass mailing violation.

ROSSINI FARMING COMPANY, INC., SI-2001/36 (2001)

84200 - One (1) count
$400 fine

Rossini Farming Company, Inc., of Ceres failed to file a major donor campaign statement during 2000.

ROTELLI, LARRY, SI-96/158 (1996)

87100 - One (1) count
$1,500 fine

Larry Rotelli, a member of the Tuolumne County Board of Supervisors, violated the conflict of interest provisions of the Act when he participated in a board vote that had a material financial effect on a source of income to his spouse.

ROTTEVEEL, NEAL, SI-90/727 (1994)

87100 - Five (5) counts
$9,000 fine

Neal Rotteveel, a member on the Dixon Unified School District Board, committed conflict of interest violations when he participated in five governmental decisions in 1990 pertaining to the Board's purchase of real property from Pheasant Run, a source of income to him within the preceding 12 months.

ROUDA, FEDER & TIETJEN, RONALD ROUDA, SI-2001/37 (2001)

84200 - One (1) count
$600 fine

Rouda, Feder & Tietjen, and Ronald Rouda of San Francisco failed to file a major donor campaign statement during 2000.

ROWE, FRANCES, SI-95/316 (1998)

84211 - Fourteen (14) counts
$28,000 fine

Frances Rowe, member of the Sunnyvale City Council and unsuccessful candidate for reelection in 1995, failed to disclose that she was the true source of campaign contributions made with her own money to her campaign in an attempt to create the deceptive appearance of public support from the community.

ROYAL T MANAGEMENT, INC. AND JAMES WILLIAM GANSON, SI-2000/84 (2001)

84300 and 84301 - Two (2) counts
$4,000 fine

Royal T Management, Inc., a Fresno-based property management company, and one of its owners, James William Ganson, laundered campaign contributions to a candidate for Fresno City Council in 1996.

RUBIN, DANIEL, SI-2000/453 (2000)

84203 – One (1) count
$1,500 fine

Daniel Rubin of Atherton failed to file a late contribution report during the March 7, 2000, primary election.

RUBIN FOR JUDGE COMMITTEE, SI-83/02 (1984)

84305 - One (1) count
$2,000 fine

The Rubin for Judge Committee, a campaign organization controlled by Charles G. Rubin who was elected to the municipal court bench in June 1982, violated campaign mailing provisions when it distributed Republican and Democrat slate mailers, with Team "82" identified as the source of the mailings. Team "82" was just another name for the Rubin for Judge Committee, which actually designed and paid for the mailings.

RUFFIN, ROBERT S., SI-93/291 (1996)

87407 - One (1) count
$1,500 fine

Robert Ruffin, a former state employee with the Department of Health Services, violated the conflict of interest provisions when he made recommendations which influenced a decision to grant MEDIQ's

application for Medi-Cal subacute care for the Clovis Community Hospital. Ruffin's participation in this decision occurred after he received an offer of employment from MEDIQ.

RUIZ, JOSEPH, COMMITTEE TO ELECT JOSEPH F. RUIZ TO CITY COUNCIL AND RAMONA RUIZ, SI-99/229 (2001)

84200.5 and 84200.8 - One (1) count
$1,250 fine

Joseph Ruiz, an unsuccessful candidate for South Gate City Council in 1999, his controlled committee, Committee to Elect Joseph F. Ruiz to City Council, and its treasurer, Ramona Ruiz, failed to timely file a second pre-election campaign statement in 1999.

RUSSELL, CHRISTINE H., SI-2000/397 (2000)

84203 – Two (2) counts
$2,400 fine

Christine H. Russell of San Francisco failed to file late contribution reports during the March 7, 2000, primary election.

RUSSO, FRANK AND FRANK RUSSO FOR ASSEMBLY SPECIAL ELECTION COMMITTEE, SI-2000/375 (2001)

84211 – Three (3) counts
85305 – One (1) count
84203 – Three (3) counts
84200 – One (1) count
$12,000 fine

Frank Russo, unsuccessful candidate for the California State Assembly in a special election in 1999, and his controlled committee, Frank Russo for Assembly Special Election Committee, failed to disclose occupation and employer information for contributors, failed to itemize contributions of $100 or more, accepted contributions in excess of the special election contribution limit, failed to file late contribution reports, and failed to timely file post-election semi-annual campaign statements during 1998 and 1999.

RV MERCHANT, INC., SI-97/187 (1998)

84301 and 84300 - Thirteen (13) counts
$26,000 fine

RV Merchant, Inc., a corporation engaged in the sale of recreational vehicles in Escondido, laundered campaign contributions to the campaign of Keith E. Beier for Escondido City Council in 1996.

SABATINO, CARMEN, SI-90/369 (1993)

84305 - One (1) count
$2,000 fine

The Commission approved an administrative law judge's recommendation for a $2,000 fine against Carmen Sabatino, a former Stanislaus County Supervisorial candidate, for failing to include proper sender identification on a campaign mailing during his unsuccessful 1990 campaign for supervisor.

SACRAMENTO, COUNTY OF, SI-93/345 (1996)

84202 - One (1) count
84203.5 - Three (3) counts
84204 - One (1) count
$10,000 fine

The County of Sacramento failed to report expenditures relating to ballot measure communications in 1993 and 1994. The County produced an insert included in county utility bills endorsing Proposition 172 and Measure Q and a brochure endorsing Measure B.

SACRAMENTO COUNTY DEPUTY SHERIFFS' ASSOCIATION PAC, AND MARK M. IWASA, TREASURER, SI-99/90 (2000)

84203 - Two (2) counts
84104 - One (1) count
84211 - One (1) count
$3,250 fine

Sacramento County Deputy Sheriffs' Association PAC, a general purpose committee, and its treasurer, Mark M. Iwasa, failed to timely file late contribution reports, failed to maintain required records, and failed to timely disclose expenditures during 1995 and 1996.

SAFEWAY, INC., SI-2000/395 (2000)

84203 – Two (2) counts
$1,650 fine

Safeway, Inc., located in Pleasanton failed to file late contribution reports during the March 7, 2000, primary election.

SAGOUSPE, JEAN P. JR., AND JEAN SAGOUSPE FARM ACCOUNT, SI-90/341 (1995)

84300(c) and 84302 - Twelve (12) counts
$21,000 fine

Jean P. Sagouspe, Jr., a developer in Merced County in 1990 and his business, Jean Sagouspe Farm Account, acted as intermediaries for 12 campaign contributions made to the campaign of an unsuccessful candidate in the Santa Clara County Board of Supervisors election in 1990.

SAMMUT, DENNIS, AND ARTICHOKE JOE'S, SI-2000/362 (2001)

84211– One (1) count
$1,000 fine

Dennis Sammut and his affiliated entity, Artichoke Joe's of San Bruno, failed to disclose eight contributions on their major donor report in 1998.

SANDERS, J. STANLEY, SANDERS FOR MAYOR, SI-94/711 (1998 CIVIL SUIT)

89517
84203
84211
85201
$59,490 fine

J. Stanley Sanders, candidate for Mayor of Los Angeles in 1993, and his controlled committee Sanders for Mayor, made an unlawful expenditure of campaign funds for an office lease, failed to file late contribution reports, failed to disclose contributions received on campaign statements and made expenditures from an account that was not the designated campaign bank account, all during 1993.

SAN DIEGO CITY FIRE FIGHTERS LOCAL 145 I.A.F.F., SI-91/493 (1992)

84204 - Two (2) counts
$1,500 fine

San Diego Citv Fire Fighters, Local 145, I.A.F.F., failed to timely file two late independent expenditure reports. One was for $13,500 spent for a mailer opposing the recall of City Councilmember Linda Bernhardt; the other was for $1,945 spent on a mailer in support of then City Councilmember Bruce Henderson.

SAN FRANCISCANS FOR COMMON SENSE AGAINST PROPOSITION K, DAVID GILMOUR, AND THOMAS C. SCANLON, TREASURER, SI-90/928 (1993)

84203 and 83116.5 - One (1) count
84211 and 83116. 5 - One (1) count
84203 - One (1) count
84211 - One (1) count
$7,000 fine

San Franciscans for Common Sense Against Proposition K, a group that opposed a “domestic partners” ordinance, its committee campaign manager, David Gilmour, and its treasurer, Thomas C. Scanlon, committed campaign disclosure violations in 1990.

The committee and Gilmour falsely reported on a campaign statement and late contribution report that a $6,000 contribution received from the Traditional Values Coalition was anonymous. The committee and treasurer also failed to timely file a report disclosing a late contribution received and failed to provide occupation, employer, and cumulative contribution information on their campaign statements.

SAN FRANCISCO AIDS FOUNDATION, SI-2001/38 (2001)

84200 - One (1) count
$400 fine

San Francisco AIDS Foundation failed to file a major donor campaign statement during 2000.

SAN FRANCISCO BAY PROFESSIONAL SOCCER CLUB, INC., SI-96/188 (1997)

84300 and 84301 - Twenty-two (22) counts

$39,000 fine

San Francisco Bay Professional Soccer Club, Inc., who owned a soccer team located in San Jose from 1991 through 1994, laundered contributions to San Jose City Council members between 1992 and 1993.

SAN FRANCISCO CONSTRUCTION MANAGEMENT, INC., (FORMERLY O'BRIEN KREITZBERG & ASSOCIATES, INC)., SI-96/519 (1997)

84300 and 84301 - Twenty-three (23) counts
84200 - One (1) count
$40,800 fine

San Francisco Construction Management, Inc., one of two entities formed under Dames & Moore after the sale of O'Brien Kreitzberg & Associates, laundered contributions mostly made either to Bay Area Rapid Transit (BART) director campaigns or to mayor and city council candidates in Los Angeles, Long Beach, and San Diego between 1993 and 1995. The largest laundered contributions were made to two opposing measures on the ballot in San Francisco in 1994, Proposition I, supported by BART, and Proposition H, supported by the San Francisco Airport Authority. In addition, San Francisco Construction failed to file major donor campaign statements.

SAN FRANCISCO FORTY-NINERS AND KEITH SIMON, CFO, SI-94/657 (1995)

84301 - Fifteen (15) counts
84302 - Fifteen (15) counts
$60,000 fine

The San Francisco Forty-Niners, a professional football team, laundered fifteen contributions in the names of various individuals to the San Francisco Agnos for Mayor committee in 1991. Keith Simon, Chief Financial Officer, acted as an agent of the San Francisco Forty-Niners in making reimbursements to individuals used to launder the contributions.

SAN JOSE WATER COMPANY, SI-2001/39 (2001)

84200 – One (1) count
$400 fine

San Jose Water Company of San Jose failed to file a major donor campaign statement during 2000.

SAN JUAN COMPANY, SI-2001/44 (2001)

84200 - One (1) count
$400 fine

The San Juan Company of San Juan Capistrano failed to file a major donor campaign statement during 2000.

SANCHEZ, JUAN, SI-2000/615 (2001)

87202 – One (1) count
87203 – One (1) count
$600 fine

Juan Sanchez, a planning commissioner for the County of Monterey, failed to timely file an assuming office and a 1999 annual Statement of Economic Interests.

SANDOVAL, MANUEL, SE-84/39 (1984)

87200 and 87203 - One (1) count
$600 fine

Manuel Sandoval, a San Jose City Planning Commissioner, failed to file his 1982 Statement of Economic Interests. Enforcement proceedings were initiated when no response was received to the staff notifications of his failure to comply.

SANG, CHING, SI-99/552 (2000)

87300 - One (1) count
$200 fine

Ching Sang, a member of the Board of Governors of the Museum of Natural History in Los Angeles, failed to timely file her 1998 annual Statement of Economic Interests.

SANTA CLARA COUNTY UNITED DEMOCRATIC CAMPAIGN AND JAMES P. THURBER, JR., SI-97/62 (2001)

84204 - Three (3) counts
$4,500 fine

Santa Clara County United Democratic Campaign, a general purpose commitee that serves as the political arm of the Santa Clara Democratic Central Committee, and its treasurer, James P. Thurber, Jr., failed to file late independent expenditure reports in 1996.

SANTA CLARA NO ON PROP. 13 COMMITTEE AND ALF OFTEDAHL, SI-80/13 (1981)

81004 - One (1) count
84100 - One (1) count
84101 - One (1) count
84201 (currently 84200.5) - One (1) count
84206 (currently 84203) - One (1) count
84210 (currently 84211) - Three (3) counts
84214 (currently 84203) - One (1) count
$100 fine

The Santa Clara County No on Proposition 13 Committee and Alf L. Oftedahl, treasurer, committed violations involving failure to timely file campaign disclosure statements properly. The committee also failed to keep records required and reported expenditures that were not incurred.

SANTA CLARITA BUSINESS PARK CO., SI-99/393 (2000)

84200 - One (1) count
$400 fine

Santa Clarita Business Park Co., located in Newhall, failed to timely file a major donor campaign statement for contributions made to the Lungren Committee for Common Sense Conservatism in 1998.

SANTA CLARITA VALLEY CONGRESS OF REPUBLICANS, SI-99/358 (2001)

84200 – One (1) count
$1,000 fine

Santa Clarita Valley Congress of Republicans, a membership organization located in Santa Clarita Valley, failed to timely file a semi-annual campaign statement in 1998.

SANTA NELLA PARTNERS, STEPHEN MACIE, PATRICIA MACIE, MACIE DEVELOPMENT CORPORATION, GORDON GRAVELLE, BLACK DIAMOND LAND & REALTY COMPANY, ELEANOR PEAN, GULL LAND COMPANY, INC., EDWARD PARDUE, AND MARGUERITE PARDUE, SI-90/341 (1995)

84300(c) and 84301 - Thirteen (13) counts
$23,000 fine

Santa Nella Partners, a real estate investment association in Merced County and its members, laundered contributions in the names of various individuals and businesses to Carl Guardino's unsuccessful campaign for Santa Clara County Board of Supervisors in 1990.

SANTANA, CHARLES, GC-87/216 (1988)

84308 - One (1) count
$1,500 fine

As an appointed LAFCO member, Alameda County Supervisor Charles Santana voted to approve annexation of a 15-acre parcel of unincorporated land by the City of Dublin. The action was sought by a developer to proceed with a multi-unit townhouse project. The developer was a regular participant in annual fundraising golf tournaments held by the supervisor and had been disclosed by Santana's campaign as having contributed more than $250 within 12 months of the LAFCO decision.

SANTEE MOBILE ESTATES, A CALIFORNIA LIMITED PARTNERSHIP, SI-94/339 (1998)

84301 and 84300 - Ten (10) counts
$17,000 fine

Santee Mobile Estates, a California Limited Partnership which owns a mobile home park located in the City of Santee, made contributions in the names of others to a campaign committee and three candidates for Santee City Council in Santee in 1994 and 1996 without disclosing the true source of the funds.

SARACINO, WILLIAM E., FREE MARKET POLITICAL ACTION COMMITTEE, CITIZENS FOR RESPONSIBLE REPRESENTATION, AND FUND FOR A RESPONSIBLE LEGISLATURE, SI-95/310 (1997)

84200 - Nine (9) counts
84200.5 and 84200.7 - One (1) count
84104 - Sixteen (16) counts
$36,000 fine

William E. Saracino, executive director and treasurer of the Free Market Political Action Committee, and also treasurer to the Citizens for Responsible Representation and Fund for a Responsible Legislature committees, failed to timely file campaign statements and failed to collect and maintain required records for payments to himself between 1993 and 1996 for these committees.

SARE, DALE L., COMMITTEE TO ELECT DALE L. SARE, SUPERIOR COURT JUDGE, AND JOHN N. CEFALU, TREASURER, SI-99/83 (2000)

84104 – One (1) count
84203 – Two (2) counts
84300 – One (1) count
$3,500 fine

Dale L. Sare, an unsuccessful candidate for Superior Court Judge in El Dorado County in 1996, his controlled committee, Committee to Elect Dale L. Sare, Superior Court Judge, and its treasurer, John N. Cefalu, failed to file late contribution reports, failed to maintain detailed accounts, records, bills, and receipts necessary to properly prepare campaign statements, and received illegal cash contributions in 1996.

SAUERBRUN, MICHAEL, SI-2001/442 (2001)

87203 – One (1) count
$200 fine

Michael Sauerbrun, a planning commissioner for the City of San Bernardino, failed to file his annual Statement of Economic Interests in 2001.

SAVE OUR CANYONS, VIRGINIA BERTONI AND DIANE CALIVA, SI-99/803 (2001)

84200.5 and 84200.8 – Two (2) counts
$2,500 fine

Save Our Canyons, a primarily formed recipient committee to support a ballot measure in Chino, Virginia Bertoni, its treasurer, and Diane Caliva, its assistant treasurer, failed to timely file pre-election campaign statements in 1999.

SAVE OUR PORT HUENEME POLICE DEPARTMENT, JILLYNN TAYLOR, AND VALORIE MORRISON, SI-94/539 (1996)

84200.5 and 84200.7 - Two (2) counts
$2,250 fine

Save Our Port Hueneme Police Department, a committee active in supporting the passage of Measure Z in the City of Port Hueneme, and Jillynn Taylor, Treasurer, and Valorie Morrison, Chairperson, failed to file campaign statements reporting the contributions received and expenditures made.

SCAIFE, RICHARD, SI-98/324, SI-98/346 (1998)

84203 - One (1) count
84200 - Three (3) counts
$7,000 fine

Richard Scaife, a citizen of Pennsylvania, failed to file a late contribution report and failed to file a semi-annual campaign statement for contributions made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998. In addition, Mr. Scaife failed to file two semi-annual campaign statements in connection with contributions to Yes on 209 in 1996.

SCHABARUM FUND FOR CALIFORNIA'S FUTURE, PETER F. SCHABARUM, AND ROBERT E. WEISS, TREASURER, SI-91/608 (1993)

84105 - One (1) count
84203 - One (1) count
$3,000 fine

The Schabarum Fund for California's Future, its treasurer, Robert E. Weiss, and Peter F. Schabarum, violated the campaign disclosure provisions when they failed to file a report in 1990 for a $12,500 late contribution made in support of a state ballot measure. They also failed to send notices in 1989 and 1990 to contributors of $5,000 or more advising them that they might be required to file major donor campaign statements.

SCHADE, ANDRE, SI-92/68 (1993)

87100 - One (1) count
87200 - One (1) count
$2,500 fine

The Commission issued a Default Decision and Order against Andre Schade, Fort Bragg City Councilman, who failed to disclose a $3,000 loan from a local developer on his 1990 annual Statement of Economic Interests. Schade also committed a conflict of interest violation in 1991 when he participated in a governmental decision which had an effect on the developer, despite a disqualifying financial interest.

SCHELL, JOSEPH M., SI-98/325 (1998)

84200 - One (1) count
84203 - One (1) count

$2,500 fine

Joseph M. Schell of Lafayette, California, failed to file a late contribution report and failed to file a semi-annual campaign statement for contributions made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

SCHMIDT, ERIC & WENDY, SI-2001/234 (2001)

84200 – One (1) count
$400 fine

Eric and Wendy Schmidt of Atherton failed to file a major donor campaign statement during 2000.

SCHMITZ, JOHN, SI-81/17 (1983)

84211 - Two (2) counts
87207 - One (1) count
$6,000 fine
$3,000 waived

Former state Senator John Schmitz incorrectly reported $9,000 on his campaign statements. Schmitz gave checks written on the account of his campaign committee to a contributor of Schmitz in return for checks from the contributor which were made payable to Schmitz personally. These transactions had the effect of transferring money from the campaign committee to Schmitz without disclosing the true nature of the transactions.

SCHNABEL, MARNA, SI-97/574 (1999)

87203 and 87206 - Three (3) counts
$6,000 fine

Marna Schnabel, member of the Los Angeles City Planning Commission, failed to adequately and fully disclose her investments on annual Statements of Economic Interests covering 1995, 1996, and 1997.

SCHRAMEL, DAVID, SI-90/317 (1992)

87100 - One (1) count
$2,000 fine

David Schramel, a member of the Board of Directors of the Indian Valley Hospital District, violated the conflict of interest provisions when he voted in favor of a contract which benefitted a client of his oxygen supply business.

SCHWARTZ, STUART, SI-99/392 (2000)

84200 - One (1) count
$400 fine

Stuart Schwartz of Studio City failed to timely file a major donor campaign statement for a contribution made to Lungren for Governor committee in 1998.

SCOTT, GLORIA, ROBERT MARTINEZ AND THE COMMITTEE TO ELECT GLORIA SCOTT FOR KERN HIGH SCHOOL DISTRICT BOARD OF TRUSTEE, SI-2000/150 (2001)

84200 – One (1) count
84200.7 – One (1) count
84203 – One (1) count
$3,000 fine

Gloria Scott, unsuccessful candidate for the Kern High School District Board of Trustees in Bakersfield, her controlled committee, Committee to Elect Gloria Scott for Kern High School District Board of Trustee, and Robert Martinez, its treasurer, failed to timely file a pre-election campaign statement and a late contribution report in 1998, and semi-annual campaign statements during 1999 through 2001.

SCOTT, MARSHALL, MARSHALL C. SCOTT COMMITTEE, SI-88/151 (1989)

87100 and 87103 - Two (2) counts
84211 (c) and (f) - Three (3) counts
$10,000 fine

Marshall Scott of Moreno Valley committed conflict of interest and campaign reporting violations. As councilmember in 1985, Mr. Scott cast votes to approve development projects in Moreno Valley that were likely to significantly benefit a source of income. Mr. Scott's violations involved his votes to approve a plan for a 76-unit apartment being developed by Sykes Construction Company, and to approve a 48-lot subdivision being developed by Sykes Enterprises Corporation.

Mr. Scott had a financial interest in the decision requiring disqualification because of income received from Albert Sykes, a 50% partner in the apartment project and sole

owner of the company developing the subdivision. The councilmember had received $570 in insurance commission fees from Mr. Sykes within 12 months of the first decision and another $1,600 in commission fees within 12 months of the second decision.

The campaign reporting violations for Mr. Scott involved his failure to properly cumulate at least a dozen contributions received in 1985 and 1986, which individually totaled $99 or less.

SCPIE INDEMNITY COMPANY, SI-99/390 (2000)

84200 – One (1) count
$600 fine

SCPIE Indemnity Company located in Los Angeles failed to timely file a major donor campaign statement for contributions made to the Lungren Committee for Common Sense Conservatism and the California Agenda Committee in 1998.

SEASIDE CITIZENS LEAGUE FOR PROGRESS AND JAMES MANNING, SI-79/87 (1980)

81004 - One (1) count
84101 - One (1) count
84200 - One (1) count
$300 fine

The Seaside Citizens League failed to file campaign disclosure reports in connection with a city council recall election in that Monterey County community in 1979. The committee spent about $13,000 in the campaign but did not file any reports until eight days after the February 5 election.

SEIFER, MELISSA, SI-2001/133 (2001)

84200 – One (1) count
$400 fine

Melissa Seifer of Rancho Santa Fe failed to file a major donor campaign statement during 2000.

SEMBLER, MEL, SI-98/474 (1999)

84200 - One (1) count
$1,250 fine

Mel Sembler of St. Petersburg, Florida failed to file a semi-annual campaign statement for a contribution made to Lungren for Governor, a controlled committee, in 1998.

SENATE REPUBLICAN MAJORITY FUND, AN OFFICEHOLDER COMMITTEE OF SENATOR ROB HURTT, ROB HURTT, AND SEYOL CHOYE, TREASURER, SI-98/1 (2000)

84203 - One (1) count
$1,500 fine

Senate Republican Majority Fund, an Officeholder Committee of Senator Rob Hurtt and controlled by Rob Hurtt, and Seyol Choye, its treasurer, failed to file a late contribution report for nonmonetary contributions made the Rainey for Senate Committee in 1996.

SEVIER, GERALD F., COMMITTEE TO ELECT GERALD F. SEVIER JUDGE, DUANE W. SCOTT, TREASURER, SI-94/184 (1996)

84211 - One (1) count
84300 - One (1) count
84303 - One (1) count
$3,500 fine

Gerald F. Sevier, a successful judicial candidate for the Tulare County Superior Court in 1992, and his committee and its treasurer, Duane W. Scott, failed to disclose contributions received and failed to report subvendors for expenditures. Sevier also illegally received cash contributions of $100 or more.

SHADOWROCK DEVELOPMENT CORP., SI-96/149 (1998 CIVIL SUIT)

84200
$3,000 fine

Shadowrock Development Corp., with real property in Palm Springs, failed to file major donor campaign statements for loans and nonmonetary contributions made to the California Gaming Control Committee in 1996.

SHANBOUR, FRED, SI-89/266 (1989)

86107 - One (1) count
86114 - One (1) count
$3,000 fine

Fred Shanbour, a Sacramento lobbyist, failed to properly disclose payments received as a lobbyist to influence legislative action. The two violations stem from payments from International Hair Runner, Inc., which were not properly disclosed by Mr. Shanbour.

SHANNON, ROBERT, SI-91/376 (1993)

84301 - Six (6) counts
$11,000 fine

Robert Shannon, a Fremont real estate broker, laundered $99 contributions made in support of Fremont mayoral candidate Bill Ball and city council candidate Gary Mello in 1989. The cumulative total of Shannon's contributions also exceeded City of Fremont's contribution limit of $249.

SHAPIRO, DAN, FRIENDS OF DAN SHAPIRO, SI-87/614 (1989)

8421l(f), 8421l(g), 84213, and 84216 - One (1) count
$1,000 fine

Dan Shapiro and his campaign committee committed campaign reporting violations during a 1985 campaign for city controller in Los Angeles. A mandatory state audit of the committee found that a $100,000 contribution from Mr. Shapiro was a loan at 10.5% to the candidate from First Interstate Bank. A promissory note was cosigned by the candidate's father, Bernard Shapiro, who repaid the entire loan during the campaign. The loan was improperly reported as being made by the candidate to the committee without interest or a due date. The statement was verified by the candidate on March 25, 1985.

SHEEHAN, MARIA, SI-91/37 (1993)

87100 - One (1) count
87300 - One (1) count
$1,500 fine

Maria Sheehan, Vice-Chancellor for Human Resources for the California Community Colleges, committed a conflict of interest violation when she participated in a decision which would have a material financial effect on her source of income. Sheehan also failed to disclose this source of income on her Statement of Economic Interests.

SHELBY, JACK, SI-79/61 (1980)

86107 (currently 86113) and 86110 (currently 86117)
Twenty-one (21) counts
$2,500 fine
$1,250 waived

Jack Shelby, lobbyist for the California Association of Realtors, failed to file financial disclosure reports on time. Mr. Shelby filed 21 reports from one to 212 days late.

SHERIFFS, LEIGH, SI-84/274 (1985)

87300 and 87302 - One (1) count
$2,000 fine
$500 waived

Leigh Sheriffs, a commissioner on the state Building Standards Commission, failed to file an annual Statement of Economic Interests for 1983.

SHIMMON, A. JOHN, A. JOHN SHIMMON CAMPAIGN COMMITTEE, MELVIN SWIG, SI-85/18 (1986)

84104 - One (1) count
84211 - Three (3) counts
$3,500 fine

A. John Shimmon, candidate for the Board of Equalization, A. John Shimmon Committee, and its treasurer, Melvin Swig, failed to itemize committee reimbursement expenditures to Mr. Shimmon, which were $100 or more, and failed to keep records substantiating an expenditure to the candidate.

SHUBIN, WILLIAM M., MARTHA SHUBIN, SABOR ENVIRONMENTAL SERVICES, INC., DBA THRIFTY BEST PUMPING SERVICE, CENTRAL CALIFORNIA WASTE PAPER, INC., AND UNIVERSAL PLUMBING AND DRAIN LINE SERVICE, SI-97/454 (2000)

84200 - Three (3) counts
84203 - Three (3) counts
84300 - Fifteen (15) counts
84301 - Fifteen (15) counts
$70,000 fine

William M. Shubin and Martha Shubin, residents of Fresno and owners of Sabor Environmental Services, Inc., dba Thrifty Best Pumping Service, Central California Waste Paper, Inc., and Universal Plumbing and Drain Line Service, laundered campaign contributions to candidates

for the Fresno County Board of Supervisors in 1994 and 1996 and failed to file late contribution reports and campaign statements.

SIGALA, MARCO, SI-90/943 (1993)

87100 - One (1) count
$2,000 fine

Marco Sigala, former Los Banos Unified District Assistant Superintendent, committed conflict of interest violations when he used his official position to influence a governmental decision affecting his economic interest. In 1990, after Sigala recommended that the board offer a teaching contract to his wife, he was directed to extend an offer of employment to her.

SILICON VALLEY MANUFACTURING, SI-2000/408 (2000)

84203 – One (1) count
$2,000 fine

Silicon Valley Manufacturing, located in San Jose, failed to file a late contribution report during the March 7, 2000, primary election.

SILVA, ALBERT, SI-83/19 (1984)

87100 - One (1) count
$500 fine
$500 waived

Richmond City Councilman Albert E. Silva committed conflict of interest violations when he participated in a series of votes on a development project proposed by real estate developer Carl Dame'. Silva should have disqualified himself from voting on Dame's project since he reported receiving gifts of three fishing trips from Dame' valued at $750 each (total value of $2,250) on his Statement of Economic Interests.

SILVER, CAROL RUTH, FRIENDS OF SUPERVISOR CAROL RUTH SILVER, COMMITTEE TO RE-ELECT SUPERVISOR CAROL RUTH SILVER, SI-91/305 (1992)

84104 - Two (2) counts
$2,000 fine

Carol Ruth Silver, former San Francisco City and County Supervisor, and her campaign committees failed to retain source documents and bank statements for contributions received and expenditures made in 1988.

SIMANTOB, AMANOLLAH, ZACARIA SIMANTOB, SAID SIMANTOB, ATALOAH SIMANTOB, AND AMIR ARZILI, SI-92/279 (1995)

84300(c) and 84301 - Eleven (11) counts
84302 - Two (2) counts
$25,000 fine

Members of the Simantob and Shalomi family, owners of the Broadway Trade Center, formerly the May Company building in downtown Los Angeles' Garment District, laundered several contributions in the names of various individuals to candidates for Los Angeles City Council in 1991. In addition, Ataloah Simantob and Amir Arzili acted as intermediaries without disclosing the name of the actual contributor.

SIMMONS, CHUCK, SI-94/456 (1997)

87100 - One (1) count
$1,000 fine

Chuck Simmons, board member of the Amador County Fair Board, violated the conflict of interest provisions in 1993 when he used his official position to influence a decision in which he had a financial interest.

SIMON, RENEE, RENEE SIMON CAMPAIGN COMMITTEE, STERLING CLAYTON, SI-80/15 (1980)

84203 (currently 84200.5) - Two (2) counts
84210 (currently 84211) - Three (3) counts
84214 (currently 84203) - One (1) count
$1,500 fine
$750 waived

State senatorial candidate Renee Simon of Long Beach and her campaign committee failed to file two late contribution reports. The committee also failed to properly report 12 contributions of $100 or more totaling $2,250 and two expenditures totaling $8,706.11.

SINCLAIR, PETE, COMMITTEE TO ELECT PETE SINCLAIR AND LORI LAUB, SI-96/146 (1998)

84211 - One (1) count
$1,500 fine

Pete Sinclair, successful candidate for the Woodside City Council in 1995, the Committee to Elect Pete Sinclair and its treasurer, Lori Laub, failed to report required information relating the true identity of campaign contributions received.

SKEEN, JOHN K., SI-98/317 (1998)

84200 - One (1) count
84203 - One (1) count
$2,500 fine

John K. Skeen of San Francisco, failed to file a late contribution report and failed to file a semi-annual campaign statement for contributions made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998.

SMEAD, LARRY, SI-98/352 (1998)

84200 - Two (2) counts
$3,000 fine

Larry Smead of Canaan, Connecticut, failed to file semi-annual campaign statements for contributions made to the California Civil Rights Initiative, a ballot measure committee, in support of Proposition 209, in 1996.

SMITH, ARLO, ARLO SMITH FOR ATTORNEY GENERAL, AND MICHAEL K. WONG, TREASURER, SI-93/332 (1996)

84211 - One (1) count
85201 - One (1) count
84203 - Seven (7) counts
84303 - Five (5) counts
84104 - One (1) count
84216 - Three (3) counts
$25,000 fine

The Commission adopted an administrative law judge's proposed decision in the matter of Arlo Smith, candidate for state Attorney General in 1990, and his committee, Arlo Smith for Attorney General, and Michael K. Wong, Treasurer, who committed 18 campaign reporting violations.

SMITH, BETTY, SI-95/37 (1995)

87207 - One (1) count
$2,000 fine

Betty Smith, a director on the 50th District Agricultural Association Board of Directors, failed to report her employer as a source of income on her annual Statement of Economic Interests in 1994.

SMITH, ROBERT, SI-91/587 (1992)

89515 - One (1) count
$1,000 fine

Robert Smith, Fresno City Councilman, improperly loaned $8,493 in campaign funds to his personal insurance business.

SMITH, TIMOTHY PETER, AKA TIM SMITH, AND CAMPAIGN TO ELECT TIM SMITH, SI-95/327 (1998)

84104 - Six (6) counts
84211 - Six (6) counts
$18,000 fine

Timothy Peter Smith, a member of the Sonoma County Board of Supervisors, aka Tim Smith, and his controlled committee, Campaign to Elect Tim Smith, failed to maintain required records of purchases made on credit cards and failed to report expenditures and subvendor payments during 1993 to 1996.

SMOLEY, SANDRA, SI-86/370 (1989)

87100 and 87103 - Eight (8) counts
$13,500 fine

Sacramento County Supervisor Sandra Smoley committed conflict of interest violations involving more than a dozen county decisions in 1985 and 1986 that significantly benefitted clients of her husband's architectural and planning firm, Carissimi-Rohrer, or the client's related business entities. While her husband's firm was not involved in any of the projects, the developers were known by the supervisor to be sources of income to her husband which resulted in community property income to her in excess of $250.

A prenuptial agreement between Supervisor Smoley and Walter Rohrer did not exempt her from disqualification as to clients of her husband's firm. Rather than consulting the Commission, Supervisor Smoley relied on the advice of private counsel in April 1986 which erroneously concluded that disqualification from the decisions was unnecessary because of the prenuptial agreement. That advice was reversed in July 1988 after the private counsel reviewed a full copy of the agreement.

Additionally, on her 1984 and 1985 Statements of Economic Interests, Ms. Smoley reported that clients of Carissimi-Rohrer and Associates were sources of income through payments made to the firm.

SNIDER, PAUL H., FLORIN ROAD TOYOTA, SI-88/259 (1989)

84211(b) and (j) - One (1) count
84301 - One (1) count
$4,000 fine

Paul H. Snider and one of his Sacramento auto dealerships failed to disclose six contributions totaling $2,925 on his major donor campaign statement for 1985. The contributions, made by affiliated business entities, brought his total contributions for the year to more than $40,000. Mr. Snider's dealership, Florin Road Toyota, also laundered a $250 contribution to Friends of John Doolittle through an office manager, who was reimbursed.

SNYDER, ARTHUR, SI-80/19 (1982)

87100 - Five (5) counts
87207 - Five (5) counts
$14,000 fine

Los Angeles City Councilmember Art Snyder violated the conflict of interest and disclosure requirements. Snyder should have disqualified himself from voting in five matters relating to the East Los Angeles Community Union (TELACU). Additionally, he failed to disclose income received from a TELACU subsidiary through a company he owns and also failed to disclose the receipt of income he received personally from the investment of campaign funds.

Snyder voted as a member of the Grants Committee on June 6, 1979, the same day he entered into a business agreement with a TELACU subsidiary that ultimately resulted in net income to him of approximately $30,000 during 1979 and 1980. The five grants in question totaled $2.2 million.

SNYDER, RICHARD A., MD-87/380 (1988)

84200(b) - One (1) count
84203 - One (1) count
$2,500 fine

Richard A. Snyder of Los Angeles failed to timely file a major donor campaign statement and late contribution report in connection with contributions totaling $155,300 in 1986. The late contribution report should have been filed for a $50,000 contribution made on October 22, 1986.

SODARO, DONALD E., SI-99/401 (2000)

84200 - One (1) count
$400 fine

Donald E. Sodaro of Newport Beach failed to timely file a major donor campaign statement for contributions made to the Lungren Committee for Common Sense Conservatism in 1998.

SORCI, JOHN, JOSEPH FILICE AND "JOHN SORCI FOR SUPERVISOR" COMMITTEE, SI-97/10 (1998)

84104 - One (1) count
$2,000 fine

John Sorci, Mayor and City Councilman of the City of Santa Clara, and candidate for the Santa Clara County Board of Supervisors in 1994, his committee, "John Sorci for Supervisor," and its treasurer, Joseph Filice, failed to maintain detailed accounts, records, bills, and receipts necessary to properly prepare campaign statements.

SOTO, LETICIA, SI-99/328 (2000)

87300 - Two (2) counts
$4,000 fine

The Commission issued a Default Decision and Order against Leticia Soto, member of the Madera Civil Service Commission, who failed to timely file an assuming office and a 1998 annual Statement of Economic Interests.

SOUTH PASADENANS FOR SAFE SCHOOLS, MARILYN ANDERSON, SI-96/201 (1997)

84200 and 84200.8 - Three (3) counts
$4,500 fine

South Pasadenans for Safe Schools, a committee supporting Measure L in 1995, a school bond, and its treasurer, Marilyn Anderson, failed to timely file campaign reports.

SOUTHERN CALIFORNIA ADVANCE TEAM, SI-95/464 (1997)

83116.5 and 84305 - One (1) count
$1,500 fine

Southern California Advance Team negligently caused or aided and abetted a violation of the Political Reform Act when it accepted funds from the Bicycle Club, a casino located in the City of Bell Gardens and whose controlling interests are held by the United States Government, to produce a mass mailing campaigning against legalized gambling in the city of Compton in 1993, but failed to disclose the Bicycle Club as the sender.

SOUTHERN WINE AND SPIRITS OF CALIFORNIA, MD-90/212 (1991)

84200 (b) - Three (3) counts
$4,750 fine

Southern Wine and Spirits of California (Southern), a liquor and wine distributor, failed to timely file three major donor campaign statements. During 1987, Southern qualified as a major donor by making campaign contributions totaling $15,035 to state officeholders and political committees, and in 1988, contributed a total of $43,650.

SOUTHWESTERN REGIONAL COUNCIL OF UNITED FOOD AND COMMERCIAL WORKERS, REGIONS 14 AND 15, AND PRESTON T. EPPERSOM, TREASURER, SI-92/735 (1993)

84203 - One (1) count
84200.7 - Two (2) counts
84211 - Three (3) counts
$7,800 fine

Southwestern Regional Council of United Food and Commercial Workers, Regions 14 and 15, a sponsored committee, and its treasurer Preston T. Eppersom, failed to report two late contributions in 1990 totaling $12,500 to the campaigns of John Garamendi and Dianne Feinstein within twenty-four hours of making the contributions and also failed to timely file two pre-election statements.

Additionally, respondents did not report receipt of in-kind contributions in 1990 totaling $29,967 from the committee's sponsoring organization. Finally, respondents failed to report that the committee made two expenditures in 1990 totaling $13,000 which were contributions.

SPARKS, ANNA, ANNA SPARKS FOR 5TH DISTRICT SUPERVISOR COMMITTEE, CITIZENS FOR LOCAL REPRESENTATION, SI-84/256 (1986)

84103 - One (1) count
84200 - One (1) count
84211 and 84213 - One (1) count
84305 - One (1) count
1,000 fine; $250 waived - Anna Sparks
$500 fine; $250 waived - Anna Sparks for 5th District Supervisor Committee
$500 fine; $250 waived - Citizens for Local Representation

Humboldt County Supervisor Anna Sparks, the Anna Sparks for 5th District Supervisor Committee, and a local campaign committee, Citizens for Local Representation, committed several campaign disclosure violations. The Commission had previously rejected the administrative law judge's proposed decision and elected to decide the case themselves.

The Commission found that Citizens for Local Representation was a committee controlled by Sparks and that all filings by that committee should have been signed and verified by Sparks. It also found that a last minute negative mailing sent during the 1982 supervisorial election should have identified the Anna Sparks Committee as the sender, instead of listing Citizens for Local Representation as the sender.

Sparks and the Citizens for Local Representation Committee also failed to file timely disclosure statements during 1984 identifying contributors who financed Sparks' trip to the 1984 Republican National Convention.

SPERAW, OLIVER, SPERAW FOR STATE SENATE AND GEORGE MURCHISON, SI-80/14 (1980)

81011 (currently 82025.5) - One (1) count
84203 (currently 84200.5) - One (1) count
84210 (currently 84211) - Three (3) counts
84214 (currently 84203) - One (1) count
84300 - One (1) count
84303 - One (1) count
$1,500 fine
$750 waived

State Senator Ollie Speraw committed violations when he was a candidate for the 31st State Senate District in a special election to fill the vacancy of former Senator George Deukmejian.

Speraw and his campaign committee failed to timely file the second pre-election campaign statement, to report in-kind contributions, late contributions, expenditures of $6,588 to subvendors, and receipt of a cash contribution of $200.

SPORTS MALL TASK FORCE AND GORDON REYNOLDS, TREASURER, SI-96/671 (1998)

84101 - One (1) count
84204 - One (1) count
$2,500 fine

Sports Mall Task Force, an unregistered committee in the City of Campbell, and its treasurer, Gordon Reynolds, sent out mailers in support of two candidates and raised approximately $20,000 but failed to timely register as a committee after being advised by the city clerk that they may have qualified as a committee. In addition, they failed to file a late independent expenditure report during 1996.

STAMEROFF, NICHOLAS, SI-88/382 (1990)

87402 - Two (2) counts
$4,000 fine

Nicholas Stameroff, a former state auditor, violated the "revolving door" restrictions in 1987 when, as a private auditor, he represented two taxpayers in cases on which he worked while employed by the state Board of Equalization.

Stameroff, while employed by the state Board of Equalization, conducted a business tax audit of the DeMarco U Save Super Market in Santa Rosa in 1986. The audit resulted in an additional $30,000 tax assessment against the market. Stameroff, within a month of leaving state service in March 1987, offered to represent market owner Joseph DeMarco in an appeal of the $30,000 assessment to the state Board of Equalization. He subsequently used the volunteer services of his brother, George, to proceed with the appeal although he prepared the documents used by his brother.

The second violation involved a state audit of the Diet Center of Petaluma in January 1986. While with the state Board of Equalization, Stameroff was disqualified from the assignment after finding that his brother had prepared the company's tax returns. Three months after leaving state service, Stameroff was retained by the owner of Diet Center of Petaluma to represent her in an appeal of the taxes assessed by the state Board of Equalization. The assessment had been based on an issue discovered by Stameroff as a state tax auditor.

STANDARD PACIFIC CORPORATION, SI-98/482 (1999)

84200 - One (1) count
$1,250 fine

Standard Pacific Corporation of Costa Mesa failed to file a semi-annual campaign statement for a contribution made to Lungren for Governor, a controlled committee, in 1998.

STARRH & STARRH COTTON GROWERS, SI-2001/40 (2001)

84200 - One (1) count
$600 fine

Starrh & Starrh Cotton Growers of Shafter failed to file a major donor campaign statement during 2000.

STATE BAR OF CALIFORNIA, THE, SI-97/125 (1998)

83116.5 and 86205 - One (1) count
$2,000 fine

The State Bar of California, a public corporation established in the judicial branch of government for the purpose of performing governmental functions in the administration of justice, entered into a contract with a

lobbyist which included a bonus clause contingent upon the enactment of proposed legislation.

STEFFAN, LAURENCE, AND COMMITTEE TO ELECT LAURENCE H. STEFFAN EL DORADO COUNTY SUPERIOR COURT JUDGE DEPARTMENT 2, SI-98/330 (1999)

84104 - One (1) count
$1,500 fine

Laurence Steffan, an unsuccessful candidate for El Dorado County Superior Court Judge Department 2 in 1996 and his controlled committee, Committee to Elect Laurence H. Steffan an El Dorado County Superior Court Judge Department 2, failed to maintain records necessary to prepare campaign statements whereby a mandatory audit of Steffan's campaign could be conducted.

STEIN, HELEN, PI-84/132 (1985)

84101 - One (1) count
87200 - One (1) count
$500 fine
$500 waived

Helen Stein, a campaign treasurer for the Westside United Democratic Campaign Committee, failed to file campaign disclosure reports.

STEINBRECHER & ASSOCIATES , SI-2001/41 (2001)

84200 - One (1) count
$600 fine

Steinbrecher & Associates of Encino failed to file a major donor campaign statement during 2000.

STEPHANIE & CARTER MCCLELLAND FOUNDATION, SI-2001/45 (2001)

84200 - One (1) count
$600 fine

The Stephanie & Carter McClelland Foundation of New York, N.Y., failed to file a major donor campaign statement during 2000.

STERN, MARC, SI-99/377 (2000)

84200 - One (1) count
84203 - One (1) count
$1,000 fine

Marc Stern of Los Angeles failed to timely file a major donor campaign statement and a late contribution report disclosing a contribution made to the Lungren Committee for Common Sense Conservatism in 1998.

STOOS, JOHN, SI-85/252 (1986)

82039 - One (1) count
$500 fine

John Stoos, a former Western Regional Director of American Life Lobbying, Inc., qualified as a lobbyist in 1984 and failed to register or file lobbyist reports with the Secretary of State in connection with his activities concerning abortion legislation.

STOP DANNEMEYER/NO ON 102 AND ROBERT WARD, TREASURER, SI-90/530 (1991)

84203 - Four (4) counts
$2,000 fine

Stop Dannemeyer/No on 102, a campaign committee, and Robert Ward, its treasurer, failed to file late contribution reports for contributions totaling $10,500 received during the last two weeks before the 1988 election.

STRADLING, YOCCA, CARLSON & RAUTH APC, SI-2001/238 (2001)

84200 – One (1) count
$400 fine

Stradling, Yocca, Carlson & Rauth APC of Newport Beach failed to file a major donor campaign statement during 2000.

STUART, BRUCE, SI-2000/501 (2000)

84203 – One (1) count
$2,000 fine

Bruce Stuart of Beverly Hills failed to file a late contribution report during the March 7, 2000, primary election.

SUE ASSOCIATES AND AMY SUE AKA ON-MEI SIN, SI-90/813 (1993)

84302 - Forty-six (46) counts
$40,000 fine

Sue Associates, an Oakland-based architecture and planning firm, and co-owner Amy Sue, committed campaign disclosure violations by acting as intermediaries when they laundered campaign contributions made to four candidates for Oakland City Council totaling $56,000. The true source of these contributions was William Dallas and his firm, Lucas Dallas, Inc., who were involved in a multi-million dollar development proposal with the City of Oakland. Sue Associates had a written agreement with Lucas Dallas, Inc., to handle the architectural work if the project went forward.

SULLIVAN, JOHN, SI-99/619 (2000)

87200 and 87203 - One (1) count
$500 fine

John Sullivan, member, Half Moon Bay Planning Commission, failed to timely file his 1998 annual Statement of Economic Interests.

SUN HEALTHCARE GROUP, SI-99/376 (2000)

84200 - One (1) count
$400 fine

Sun Healthcare Group, located in Albuquerque, New Mexico, failed to timely file a major donor campaign statement for contributions made to Dave Stirling for Attorney General Exploratory Committee; Friends of Dave Cox Committee; Dickerson for Assembly Committee; Californians for Gray Davis Committee; Lungren Committee for Common Sense Conservatism; and Pat Bates for Assembly Committee in 1998.

SUNRIDER CORPORATION, THE, DBA SUNRIDER INTERNATIONAL, SI-90/575 (1992)

84301 and 84300 (c) - Eleven (11) counts
$22,000 fine

Sunrider Corporation, a health and beauty care manufacturer, laundered 11 campaign contributions in 1990 to Angela "Bay" Buchanan, Republican candidate for State Treasurer, and Matthew Fong, Republican candidate for State Controller.

Sunrider Corporation is owned by Tei-Fu Chen and his wife. The Chens also own and operate T. F. Chen Products.

On May 7 and 8, 1990, five Sunrider distributors and the sister of Mrs. Chen's executive assistant wrote checks totaling $5,000 to Buchanan for Treasurer, all of whom were reimbursed for their contributions by Sunrider.

On September 25, 1990, five Sunrider distributors made contributions of $3,500 to the Matthew Fong for Controller Committee. All five were reimbursed by Sunrider.

SUPPORT OUR SCHOOLS AND FREDDA MILLER, SI-97/494 (2001)

84200.5 and 84200.8- Two (2) counts
84211 – One (1) count
84203 – One (1) count
$6,000 fine

Support Our Schools, a committee primarily formed in 1996 to support the qualification and passage of Measure A, a Calaveras Unified School District bond measure, and its treasurer, Fredda Miller, failed to file pre-election campaign statements and a late contribution report and failed to disclose contributors of $100 or more on its first pre-election statement in 1997.

SUTTER HEALTH, SI-97/581 (1998)

84200 - One (1) count
$1,500 fine

Sutter Health, a nonprofit corporation, contributed $75,000 to a statewide committee in support of an initiative on the November 1996 ballot and failed to timely file a major donor campaign statement reporting this contribution.

SUTTER HEALTH CENTRAL, SI-97/581 (1998)

84200 - One (1) count
$1,500 fine

Sutter Health Central and its affiliated entities contributed $19,760 to a statewide committee in support of an

initiative on the November 1996 ballot and failed to timely file a major donor campaign statement reporting the contributions.

SWA GROUP, THE, SI-96/36 (1996)

84301 and 84300 - Twenty-Five (25) counts
$40,000 fine

The SWA Group, a planning and landscape architecture firm, laundered a total of 25 campaign contributions to candidates for the San Joaquin County Board of Supervisors during 1992-1995.

TADINA, FREIDA, SI-96/424 (1998)

87100 - One (1) count
$1,000 fine

Freida Tadina, member of the Mount Shasta Planning Commission, violated the conflict of interest prohibition by using her official position to influence a Planning Commission recommendation involving the zoning of an area which included her property in 1996.

TAN, TUN S., SI-96/541 (1997)

84308(d) - One (1) count
$1,500 fine

Tun S. Tan, a Los Altos Hills resident, made a contribution to a Los Altos Hills Planning Commissioner and candidate for Los Altos Hills City Council only 24 days after the commissioner voted on Tan's project involving a site development permit.

TAXPAYERS AGAINST CRIME AND VIOLENCE, SAMUEL SAMSON, DONALD ALLEN, SI-83/365 (1986)

84200 - One (1) count
84211 - Three (3) counts
84206 (currently 84203) - One (1) count
84306 - One (1) count
$10,000 fine

Taxpayers Against Crime and Violence was formed in 1983 to support a proposed increase in local property taxes to fund a new Santa Clara County jail. The committee raised over $114,000 to support Measure A before the November 8, 1983, election, but failed to file any disclosure statements until a week after the election.

The committee treasurer Samuel Samson, a certified public accountant, failed to keep adequate records of the committee transactions and did very little to determine the reporting deadlines and disclosure requirements of the law.

Donald Allen, the committee chairman, failed to inform Samson until August 1984 of a $4,000 loan received on the eve of the election.

TAXPAYERS AGAINST FRIVOLOUS LAWSUITS, SI-98/137 (1998)

84211 - Two (2) counts
$4,000 fine

Taxpayers Against Frivolous Lawsuits, a committee primarily formed to oppose Proposition 211 in the November 1996 General Election, failed to disclose accrued expenses during the first and second preelection periods.

TAXPAYERS FOR BETTER EDUCATION PAC AND F. LAURENCE SCOTT, JR., SI-99/92 (1999)

84203 - Two (2) counts
$2,000 fine

Taxpayers for Better Education PAC, a general purpose committee formed in 1996, and its treasurer, F. Laurence Scott, Jr., failed to file late contribution reports for eleven contributions made during late reporting periods.

TAXPAYERS FOR COMMON SENSE, WITH MAJOR FUNDING FROM THE ALCOHOL BEVERAGE INDUSTRY AND THE BEER INSTITUTE, A COMMITTEE AGAINST PROPOSITION 134 AND RICHARD MANTER, TREASURER, SI-92/514 (1994 - CIVIL SUIT SETTLEMENT)

84211
84303
$85,000 fine

Taxpayers for Common Sense, a campaign committee funded primarily by the alcoholic beverage industry to oppose Proposition 134 and its treasurer Richard Manter

failed to accurately itemize $5 million in advertising expenditures to subvendors on their disclosure statements during 1990. The committee also failed to promptly report a $97,000 in-kind contribution.

TAXPAYERS TO LIMIT CAMPAIGN SPENDING, SI-89/350 (1992)

84203 - One (1) count
$1,500 fine

This was a committee primarily formed to support Proposition 68 in the June 1988 primary election. Respondent failed to file a late contribution report listing six late contributions that it had received totaling $32,000.

TAYLOR, BRUCE, SI-99/620 (2000)

87203 - One (1) count
$500 fine

Bruce Taylor, member of the Sanger City Council, failed to timely file his 1998 annual Statement of Economic Interests.

TAYLOR WOODROW HOMES, SI-98/484 (1999)

84200 - One (1) count
$1,250 fine

Taylor Woodrow Homes of Laguna Hills failed to file a semi-annual campaign statement for a contribution made to Lungren for Governor, a controlled committee, in 1998.

TESTA, ALFRED, SI-99/794 (2000)

87203 – One (1) count
$2,000 fine

The Commission issued a Default Decision and Order against Alfred Testa, a pro tem judge for the Los Angeles Municipal Court, who failed to timely file a 1998 annual Statement of Economic Interests.

THERMO ECOTEK CORPORATION, SI-98/727 (1999)

84200 - Two (2) counts
84203 - One (1) count
$5,000 fine

Thermo Ecotek Corporation, located in Waltham, Massachusetts, failed to file semi-annual campaign statements in 1997 and 1998 and failed to timely file a late contribution report in 1998 for contributions made to Californians for Clean Air, Yes on Proposition 7.

THOMASON, JON COLBURN, SI-96/37 (1997)

84300 and 84301 - Thirty-nine (39) counts
84200(b) - Three (3) counts
$84,000 fine

Jon Colburn Thomason, a Fresno developer, laundered 39 campaign contributions during 1990 through 1993 to various Fresno city and county officials and failed to file major donor campaign statements.

THOMPSON, MARK, SI-92/71 (1997)

83116.5 and 84102 - One (1) count
83116.5 and 84200 - One (1) count
83116.5 and 84203 - One (1) count
86116.5 and 84204 - One (1) count
$6,000 fine

Mark Thompson, Chief of Staff to Assemblyman Paul Horcher, and who initiated the formation of the Southern California Taxpayers Committee (SCTC), a controlled committee of Assemblyman Paul Horcher, whose sole purpose was to produce and send a negative political mailer in 1991, caused SCTC's failures to properly disclose information about the controlling candidate on its statement of organization, to timely and properly file a late independent expenditure report, to file a semi-annual campaign statement in 1991, and to file a late contribution report.

THOMPSON, MICHAEL R., SI-96/149 (1998)

84200 - One (1) count
$2,000 fine

Michael R. Thompson, Southern Regional Manager for Granite Construction Company located in Riverside County, failed to timely file a major donor campaign statement in 1996 to disclose a loan he made that was used to gather signatures for a statewide gaming initiative.

THOMSON, BERNARD HERSCHEL; ALSO KNOWN AS SKIP THOMSON, SI-96/497 (1998)

89510 and 89513 - One (1) count
84211 - One (1) count
$4,000 fine

Bernard Herschel Thomson, also known as Skip Thomson, a member of the Solano County Board of Supervisors, received excessive loan repayments from his controlled committee in 1995. Thomson also failed to correctly report the balance of cash and cash equivalents on hand at the beginning and the end of the reporting period on his campaign statements during 1994 and 1995.

TONG, JAMES, SI-91/376 (1993)

84301 - Two (2) counts
$4,000 fine

James Tong, a businessman who works in the City of Fremont, laundered $99 contributions made in support of Fremont mayoral candidate Bill Ball and city council candidate Gary Mello in 1989.

TORINO, BRETT, SI-90/341 (1995)

84300(c) and 84301 - Nine (9) counts
$15,000 fine

Brett Torino, a real estate developer from Las Vegas, Nevada, laundered contributions in the names of individuals associated with his business partners and their employees to Carl Guardino's unsuccessful campaign for Santa Clara County Board of Supervisors in 1990.

TORLAKSON, TOM, TOM TORLAKSON FOR SENATE, AND MICHAEL PASTRICK, SI-2000/358 (2001)

84203 – One (1) count
$1,750 fine

Tom Torlakson, a successful candidate for California State Senate, Tom Torlakson for Senate, his controlled committee, and Michael Pastrick, its treasurer, failed to timely file a late contribution report in 2000.

TORRES, ANDRES R., SI-2000/192 (2000)

87200 – One (1) count
$500 fine

Andres R. Torres, a planning commissioner in the City of San Fernando, failed to timely file an assuming office Statement of Economic Interests in 1999.

TORRES, ART, FRIENDS OF ART TORRES COMMITTEE, SI-89/188 (1989)

84211 (f) - One (1) count
84213 - One (1) count
$4,000 fine

A mandatory state audit of the Art Torres Committee found that at least 62 contributors of $100 or more failed to be properly disclosed on campaign statements filed for the first six months of 1985. The failure to itemize 62 campaign contributions resulted in $37,950 going unreported on the committee's statement. The unitemized and unreported contributions accounted for approximately 29% of the total contributions received by the committee for that period.

Senator Torres failed to adequately ensure that his committee treasurer used reasonable diligence in preparing the campaign statement, resulting in a violation of the law.

TORRES, MARISELA, SI-2000/576 (2001)

87203 – One (1) count
$2,000 fine

The Commission issued a Default Decision and Order against Marisela Torres, a San Fernando City Planning Commissioner, who failed to timely file her 1999 annual Statement of Economic Interests.

TOSTE, PAUL, SI-95/397 (1999)

87100 - Two (2) counts
$3,000 fine

Paul Toste, a Kerman City Councilman, participated and voted in governmental decisions in 1995 to approve development of a parcel of property located adjacent to his commercial property in Kerman.

TOVAR, IRENE, SI-94/584 (1996)

84200 - Fourteen (14) counts
$10,371 fine

Irene Tovar, a former candidate for the Los Angeles City Council, failed to timely file semi-annual campaign statements during 1993-1996.

TOWNSEND, ARNOLD, SE-89/394 (1991)

87302 - One (1) count
$2,000

The Commission accepted the administrative law judge's findings that Arnold Townsend, associate consultant with the California State Assembly, failed to timely file a Statement of Economic Interests despite repeated notices of his reporting obligations.

Townsend ignored numerous warnings and opportunities to voluntarily comply and did not file his annual Statement of Economic Interests until seven months after the deadline.

TOWNSEND, ARNOLD, SE-90/905 (1992)

87300 - Two (2) counts
$4,000 fine

Arnold Townsend, an associate consultant to the California State Assembly, failed to timely file an annual and leaving office Statement of Economic Interests.

TOWNSEND, MONROE S., JR., SI-95/216 (1996)

84302 and 84300(c) - Four (4) counts
$6,000 fine

Monroe S. Townsend, Jr., worked for Ahmanson Commercial Development Co. (ACDC) and was involved in an ACDC development project in San Francisco known as the "Pacific Center." In 1992, Townsend submitted a company check to the Committee to Elect Frank Jordan and acted as an intermediary in attributing the check as contributions from four other individuals.

TRADITIONAL VALUES COALITION, SI-92/330 (1992)

84300 (c) - One (1) count
$2,000 fine

Traditional Values Coalition, a conservative lobbying group made a $6,000 contribution to San Franciscans for Common Sense Against Proposition K using a cashier's check that did not have their name on it. This check was reported as an anonymous contribution by San Franciscans for Common Sense Against Proposition K.

TRADITIONAL VALUES COALITION, REV. LOUIS P. SHELDON, SI-99/84 (2001)

86115 – One (1) count
86113 – One (1) count
86110 – One (1) count
$1,000 fine

Traditional Values Coalition, a nonprofit legislative action group in Anaheim and qualified lobbyist employer, and its founder and Chairman, as well as compensated lobbyist, Rev. Louis P. Sheldon, failed to timely file lobbying disclosure reports and failed to maintain records in 1996.

TRETTEN, RUDIE, SI-89/88 (1991)

87100 - One (1) count
87300 - One (1) count
$1,500 fine

Rudie Tretten, Laguna Salada School District Board Member, committed violations of the conflict of interest provisions concerning a lease approval involving Pacifica Community Television, Inc., (PCT) who was a source of income to him. Dr. Tretten made loans to PCT and then failed to report the repayments on his annual Statement of Economic Interests.

TRIAS, TONY, TONY TRIAS FOR ASSEMBLY COMMITTEE, SI-88/489 (1991)

84200.5 - Two (2) counts
84203 - One (1) count
$1,500 fine

Tony Trias, a republican candidate in the 46th Assembly race in the November 1988 election, and the Tony Trias for Assembly Committee, failed to timely file two pre-election campaign statements and a late contribution report.

TSE FAMILY ASSOCIATION, YIM N. LOUIE, ALSO KNOWN AS LOUIE DEAR, YIM NUN LOUIE DER, AND LOUIE DER, PRESIDENT, GWING DER, TREASURER, AND KAI MING DEAR, ALSO KNOWN AS RONALD DEAR, SI-94/460 (1995)

84301 - Seven (7) counts
84302 - Nine (9) counts
$9,000 fine - Tse Family Association, Yim N. Louie, Gwing Der
$19,800 fine - Kai Ming Dear

Tse Family Association, located in San Francisco, Yim N. Louie, also known as Louie Dear, Yim Nun Louie Der, and Louie Der, president, and Gwing Der, treasurer, laundered contributions in the names of relatives and other individuals to the 1991 mayoral campaign of Tom Hsieh. Kai Ming Dear acted as an intermediary for these and other illegal contributions.

TUCKER, CURTIS, JR., SI-91/605 (1993)

89517(a) - Six (6) counts
$10,000 fine

State Assemblyman Curtis Tucker, Jr., violated the "personal use" provisions when he used campaign funds to pay for rent on a Sacramento apartment in 1990, which was rented in his name. During that time, Tucker also received an Assembly per diem for housing which he used for other expenses.

TUCKER, CURTIS, JR., SI-94/185 (1996)

89517 - Five (5) counts
$10,000 fine

Curtis Tucker, Jr., a member of the State Assembly, violated the personal use provisions by using campaign funds to pay rent on his apartment/house rental in Sacramento.

TULARE COUNTY DEPUTY SHERIFF'S ASSOCIATION POLITICAL ACTION COMMITTEE, SI-94/536 (1997)

84200 and 84200.5 - Two (2) counts
84200 - Three (3) counts
84203 - One (1) count
$8,000 fine

The Tulare County Deputy Sheriff's Association Political Action Committee failed to file and timely file campaign statements during 1992 through 1994.

TUNEUP MASTERS, INC. OF DELAWARE, MD-87/368 (1988)

84200(b) - Two (2) counts
$1,000 fine

Tuneup Masters, Inc. of Delaware failed to timely file two major donor campaign statements for contributions totaling $19,000 in 1986.

TURNER, JEROLD L., COMMITTEE TO ELECT JEROLD L. TURNER SUPERIOR COURT JUDGE, JOSEPH F. ETIENNE, TREASURER, SI-94/240 (1995)

84203 - Two (2) counts
84211 and 84303 - One (1) count
$2,500 fine

Jerold L. Turner, successful candidate for Judge of the Kern County Superior Court in 1992, his committee, and its treasurer, Joseph F. Etienne, failed to file late contribution reports for $11,850 and did not report subvendor expenditures amounting to $15,208 on campaign reports.

TURNER, RALPH, SI-97/660 (1998)

84301 and 84300 - Three (3) counts
$5,400 fine

Ralph Turner, owner of a manufacturing company located in the town of Ramona in San Diego County, made contributions in the names of others to the campaign of San Diego County Supervisor Dianne Jacob in 1995 without disclosing the true source of the funds.

UAW REGION 6 POLITICAL ACTION COMMITTEE AND HOWARD DICKERSON, TREASURER, SI-92/67 (1994)

84211(j) - Seven (7) counts
84203 - Two (2) counts
$18,000 fine

The UAW Region 6 is a regional division of the United Automobile, Aerospace and Agricultural Workers of America, an international labor union. Its political action committee and its treasurer, Howard Dickerson, failed to timely report on its campaign statements campaign contributions made in 1990 amounting to $57,000. In addition, late contribution reports were not filed for contributions made of $25,000.

UFCW REGION 8 STATE COUNCIL, ID #910874, 2000/513 (2000)

84203 – One (1) count
$2,000 fine

UFCW Region 8 State Council, ID #910874, of North Hollywood failed to file a late contribution report during the March 7, 2000, primary election.

ULLOA, JUAN, ULLOA FOR JUDGE COMMITTEE, AND HENRY MONROY, JR., SI-96/77 (1997)

84104 - One (1) count
84300 - One (1) count
84203 - One (1) count
$3,500 fine

Juan Ulloa, a successful candidate for Imperial County Superior Court Judge in the 1994 election, and his committee, Ulloa for Judge Committee, and its treasurer, Henry Monroy, Jr., a certified public accountant, failed to maintain adequate records for loans received or for occupation and employer information for contributions received, received cash contributions, and failed to timely report a late contribution received. These violations were uncovered through a Franchise Tax Board audit of the committee.

ULLRICH, WILLIAM, SI-90/614 (1992)

87100 - One (1) count
$2,000 fine

William Ullrich, Bradbury City Planning Commissioner, violated the conflict of interest provisions when he participated in approving an application to subdivide property in Bradbury owned by parties to whom he had entered into agreement with respect to real property located elsewhere in Duarte.

UMAX TECHNOLOGIES, SI-99/394 (2000)

84200 - One (1) count
$400 fine

Umax Technologies, located in Fremont, failed to timely file a major donor campaign statement for contributions made to Quackenbush for Senate 1998; Dave Stirling for Attorney General Exploratory Committee; and Lungren for Governor Committee in 1998.

UMBERG, TOM, TOM UMBERG FOR ATTORNEY GENERAL, SUSAN NAPLES, TREASURER SI-96/610 (1998)

84203 - Five (5) counts
$9,000 fine

Tom Umberg, candidate for Attorney General in 1994, his controlled committee, Tom Umberg for Attorney General, and its treasurer, Susan Naples, failed to file five late contribution reports in 1994.

UNITED DEMOCRATIC CAMPAIGN COMMITTEE AND WILLARD MURRAY, FC-88/400 (1992)

84218 - Six (6) counts
84220 - Sixteen (16) counts
84305.5 - Nine (9) counts
$16,700 fine

The Commission accepted the administrative law judge's findings that Assemblyman Willard Murray, treasurer and executive officer of the United Democratic Campaign Committee, failed to file campaign statements in 1988 and 1989 disclosing payments for the production of slate mailers; failed to file late payment reports for payments for slate mailers received during the final two weeks before the June and November 1988 elections; and failed to put correct sender identification and/or "notice to voters" information on slate mailers.

UNITED DEMOCRATIC CAMPAIGN COMMITTEE, WILLARD MURRAY, AND KEVIN MURRAY, TREASURER, SI-94/685 (1998)

84218 - Eight (8)
84220 - Twelve (12)
84305.5 - Five (5)
$38,000 fine

The Commission rejected the proposed decision of the Administrative Law Judge and issued its decision and order against United Democratic Campaign Committee, a slate mailer organization, Willard Murray, its founder and managing editor, and Kevin Murray, its treasurer, who failed to timely file semi-annual campaign statements, failed to timely report receipt of late payments, and failed to designate with an asterisk candidates and ballot measures which paid to appear in a slate mailer.

UNITED FOOD AND COMMERCIAL WORKERS LOCAL 135, SI-89/451 (1992)

84203 - One (1) count
84203.5 - Two (2) counts
84204 - One (1) count
$6,500 fine

The United Food and Commercial Workers Local 135 located in San Diego failed to timely file two independent expenditure reports, one late independent expenditure report, and one late contribution report in 1989 and 1990 to disclose their support of local candidates.

UNLIMITED CONSTRUCTION AND PAUL LITSCHER, SI-99/273 (2000)

84301 - Nineteen (19) counts
$34,200 fine

Unlimited Construction located in Ontario and its owner, Paul L. Litscher, laundered campaign contributions to three candidates for the Ontario City Council during 1995-96.

UPTON, JOHN, WILLIAM CONLON, AND THE COMMITTEE TO ELECT JOHN UPTON, SI-97/367 (1998)

84300 - One (1) count
84211 - Two (2) counts
84203 - One (1) count
$4,500 fine

John Upton, a successful candidate for supervisor in El Dorado County in 1994, the Committee to Elect John Upton, and its treasurer, William Conlon, accepted cash contributions of $100 or more totaling $1,000, failed to list expenditures for subvendors, failed to file late contribution reports, and failed to list occupation and employer information for contributors. An audit was conducted by the Franchise Tax Board for the years from 1990 through 1994 for contributors.

USSERY, WILFRED, WIL USSERY FOR BART, AND MAXINE USSERY, SI-92/12 (1994)

84200 - Five (5) counts
84200.7 - One (1) count
$11,500 fine

Bay Area Rapid Transit Director Wilfred Ussery, his controlled committee Wil Ussery for BART, and treasurer for the committee, Maxine Ussery, failed to timely file six campaign reports covering 1989 through 1992.

UTT, ROGER, AND ROGER UTT CAMPAIGN SAN DIEGO CITY COUNCIL, SI-94/152 (1995)

84200(a) - Two (2) counts
$4,000 fine

The Commission issued a Default Decision and Order against Roger Utt, a candidate for San Diego City Council, and his committee, who failed to file two campaign statements in 1993 and 1994 despite numerous requests from the filing officer and the Commission.

VALENTE, LARRY, FRIENDS OF LARRY VALENTE COMMITTEE, SI-88/552 (1989)

84305 - One (1) count
$1,500 fine

Larry Valente, a candidate for Poway City Council in 1988, failed to provide proper sender identification on a mass mailing entitled “Republican Update,” which was sent near the end of his campaign and paid for by the Valente committee. The mailer, entitled “Republican Record,” was designed to resemble a mailer sent by the San Diego Republican Party and featured the same logo, colors, and type used by this group. The front of the Valente mailer

stated "Correction Material Please Insert in Republican Record" and was designed to mislead the voters into believing this was an official endorsement.

VAN WINGERDEN, WALTER, SI-2000/759 (2001)

87300 and 87302 - One (1) count
$200 fine

Walter Van Wingerden, California Cut Flower Commissioner, failed to timely file a 1999 annual Statement of Economic Interests.

VANDERVOORT, J. JOSEPH, SI-89/471 (1990)

84301 - Five (5) counts
$10,000 fine

J. Joseph Vandervoort, a former Butte County Public Defender, laundered five campaign contributions through employees to a supervisor in August 1988. Vandervoort, at the time of the violation, was a contract public defender. He reimbursed five employees in his law office who had made contributions totaling $450 to incumbent Haskel "Bank" McInturf.

VARELA, JOHN, SI-96/142 (1998)

87100 - One (1) count
$1,500 fine

John Varela, Morgan Hill city councilman, violated the conflict of interest provisions when he voted on a decision to allocate grant funds to a nonprofit organization that was a source of income to his wife in 1993, 1994, and 1995.

VASCONCELLOS, JOHN, FRIENDS OF JOHN VASCONCELLOS, AND GLORIA ROSE OTT, TREASURER, SI-94/187 (1995)

84203 - Five (5) counts
84211 - Seven (7) counts
$15,000 fine

John Vasconcellos, a member of the California State Assembly, his controlled campaign committee and its treasurer Gloria Rose Ott, failed to timely file late contribution reports for contributions received totaling $95,058. The campaign also underreported payments made to its treasurer by $42,500.

VASQUEZ, JOHN, SE-88/140 (1989)

87202 and 87203 - One (1) count
$750 fine

John Vasquez, an appointed Solano County Planning Commissioner, failed to file a required financial disclosure Statement of Economic Interests in 1987.

VASQUEZ-RAMOS, ARMANDO, SI-88/293 (1990)

87300 - Two (2) counts
$2,000 fine

The Commission accepted the administrative law judge's findings that Armando Vasquez-Ramos, a commissioner of the California State University and Colleges Headquarters Building Authority in Long Beach, failed to provide timely disclosure of financial interests. Vasquez-Ramos failed to file 1987 and 1988 annual Statements of Economic Interests.

VASQUEZ-RAMOS, ARMANDO, SI-90/643 (1991)

87300 - Two (2) counts
$4,000 fine

The Commission issued a Default Decision and Order against Armando Vasquez-Ramos, former commissioner with the California State University and Colleges Headquarters Building Authority in Long Beach, who failed to file a 1989 annual Statement of Economic Interests by the April 1, 1990, deadline and a leaving office Statement of Economic Interests within 30 days leaving office.

VELLANOWETH, FERNANDO, SI-2000/66 (2001)

89512.5 – Thirty-Five (35) counts
$35,000 fine

Fernando Vellanoweth of Sacramento and treasurer of the Workers' Compensation Defense Attorneys' Association Education Fund (PAC) and assistant treasurer for the Los Angeles Court Reporters PAC (LAPAC) from 1982 to 1996, caused PAC and LAPAC to make expenditures of

campaign funds which conferred a substantial personal benefit on him between 1993 and 1996.

VENTURE CATALYST INCORPORATED, SI-2000/418 (2000)

84203 – One (1) count
$2,000 fine

Venture Catalyst Incorporated of San Diego failed to file a late contribution report during the March 7, 2000, primary election.

VIDLER WATER COMPANY, INC., SI-2001/46 (2001)

84200 - One (1) count
$400 fine

Vidler Water Company, Inc., of La Jolla failed to file a major donor campaign statement during 2000.

VINCENT, EDWARD, SI-95/186 (1996)

89505 - Two (2) counts
$2,000 fine

Edward Vincent, Mayor of Inglewood and alternate commissioner on the California Coastal Commission and commissioner on the California World Trade Commission, exceeded the gift limit in 1994.

VINCENT, EDWARD, SI-87/127 (1990)

84203 - Three (3) counts
84211 - Four (4) counts
84305 - One (1) count
$16,000 fine

Inglewood Mayor Edward Vincent committed campaign disclosure violations in connection with an April 1987 local election. Four violations involved Vincent's failure to disclose contributions made by his committee in support of a local ballot measure, Proposition 1, which would have nearly tripled the mayor's $18,000 salary. The contributions totaling more than $2,300 to the "Yes on Proposition 1 Committee" resulted from payments for the production and distribution of two mass mailings, urging passage of the unsuccessful local ballot measure.

Two violations involved Vincent's failure to disclose contributions made during the 1987 election of Ervin "Tony" Thomas, a candidate for Inglewood City Council.

The contributions of more than $7,500 resulted from payments for the production and distribution of seven mailers in support of Thomas. The contributions included a payment of more than $2,000 during the late contribution period.

Another violation involved Vincent's failure to provide the required sender identification on a mass mailing from the Inglewood mayor's office.

VINEYARD, RICHARD, SI-90/205 (1991)

84305 - Two (2) counts
84300 (b) - One (1) count
84211 (j) - One (1) count
$8,000 fine

Richard Vineyard, candidate for Hawaiian Gardens City Council, committed violations of the mass mailing provisions in connection with two mailers which failed to identify him as the sender. In order to conceal his connection to the mailer, Vineyard paid for the mailer in cash and then he failed to report the mailer expenditures on his campaign statements.

VOTER REVOLT TO CUT INSURANCE RATES, WILLIAM WESTERMEYER, TREASURER, SI-98/333 (2000)

84104 – One (1) count
$2,000 fine

Voter Revolt to Cut Insurance Rates, a primarily formed recipient committee located in Santa Monica, and its treasurer, William Westermeyer, failed to maintain detailed accounts necessary to prepare campaign statements for the period during 1994 to 1996.

VYDRA, SCOTT, SI-99/295 (2000)

87300 - One (1) count
$500 fine

Scott Vydra, field representative with the California State Assembly, failed to timely file his 1997 annual Statement of Economic Interests.

WAGNER, ERIS H., AND ERIS WAGNER FOR SUPERIOR COURT JUDGE, SI-2000/851 (2001)

84200.5 and 84200.7 - One (1) count
84203 - One (1) count
$2,500 fine

Eris H. Wagner, successful candidate for Superior Court Judge of Humboldt County, and her controlled committee, Eris Wagner for Superior Court Judge, failed to file a pre-election campaign statement and a late contribution report in 1998.

WAHL, J. REGINALD, SI-79/42 (1980)

86105 (currently 86110) - One (1) count
86107 (currently 86113) - One (1) count
$450 fine

J. Reginald Wahl, a registered lobbyist for the Association of American Publishers, failed to report and itemize expenditures for lobbying activity on his lobbyist report. He also failed to list the expenses and the full name and official positions of the persons who were furnished food and beverages. This case was initiated as a result of an audit by the Franchise Tax Board.

WAI, BONNIE, FRIENDS OF BONNIE WAI FOR CITY COUNCIL, AND JOSEPH WONG, TREASURER, SI-92/286 (1995)

84104 - One (1) count
84203 - One (1) count
84211(f) - Three (3) counts
84211(j) - One (1) count
84300(a) and 84211(f) - Two (2) counts
84300(b) - Two (2) counts
$12,500 fine

Bonnie Wai, candidate for Monterey Park City Council, her committee, Friends of Bonnie Wai for City Council, and its treasurer and Ms. Wai's husband, Joseph Wong, failed to itemize numerous monetary contributions, loans, and expenditures during 1991-1992. The campaign also received illegal cash contributions and made illegal cash expenditures. Finally, the campaign failed to maintain records for cash contributions.

WAITT, TED, SI-2001/134 (2001)

84200 – One (1) count
$2,000 fine

Ted Waitt of La Jolla failed to file a major donor campaign statement during 2000.

WALKER, DENNIS, SI-94/237 (1996)

87401 - Five (5) counts
87402 - One (1) count
$9,000 fine

Dennis Walker, a former employee of the state Department of Motor Vehicles (DMV), separated from state service in 1990 to work for Tandem Computers, Inc. Walker subsequently violated the revolving door provisions when he assisted in representing Tandem in one of DMV's information technology projects, the Data Base Redevelopment Project, the same proceeding in which he participated while he was employed as the Project Director and EDP Division Deputy Chief for the DMV.

WALKER, LARRY, WALKER FOR SUPERVISOR COMMITTEE, GARY AYALA, RUBEN AYALA, AND AYALA DINNER COMMITTEE, SI-86/435 (1988)

84203 - Two (2) counts
84305 - One (1) count
$750 fine Larry Walker, the Walker for Supervisor Committee, and Gary Ayala
$750 fine - Larry Walker and the Walker for Supervisor Committee
$750 fine - Ruben Ayala and the Ayala Dinner Committee

San Bernardino County Supervisor Larry Walker, campaign consultant Gary Ayala and state Senator Ruben Ayala committed violations of campaign reporting and mass mailing. The mass mailing violations by Mr. Walker and Gary Ayala involved failure to properly identify the candidate as the source of a Howard Jarvis endorsement letter sent to 24,000 Republican households. The pair also was cited for failing to file a late contribution report for a $10,000 non-monetary contribution received from Senator Ruben Ayala's campaign committee.

The Ruben Ayala Committee failed to report the value of the postage for an Ayala letter endorsing Larry Walker.

WALKUP, MELODIA, KELLY & ECHEVERRIA, SI-2000/419 (2000)

84203 – One (1) count
$2,000 fine

Walkup, Melodia, Kelly & Echeverria, located in San Francisco, failed to file a late contribution report during the March 7, 2000, primary election.

WALLIS, BRUCE M., SI-91/512 (1994)

87100 - One (1) count
$1,750 fine

Bruce Wallis, a former member of the Hemet Unified School District Board, violated the conflict of interest provisions on July 16, 1991, when he voted on a motion directly involving a client of his law firm. Wallis' pro rata share of income from that client during the 12 months preceding the vote exceeded $250. Wallis voted in favor of moving forward with the possible purchase by the school district of a parcel of property owned by his client. The gross purchase price being considered for the property would have been in the range of $2 million. Ultimately, the school district did not purchase the property in question.

WALTHER, ROGER O., SI-96/415 (1996)

84300 and 84301 - Six (6) counts
$10,800 fine

Roger O. Walther, a resident of the City of San Francisco and owner of ELS Educational Services, Inc., laundered contributions made to San Francisco Mayor Frank Jordan prior to the November 1995 general election and the December 1995 run-off election.

WANG, NICHOLAS, MD-87/495 (1988)

84200(b) - Two (2) counts
$1,500 fine

Nicholas Wang of Los Angeles failed to timely file two major donor campaign statements for contributions totaling $34,756 in 1985 and 1986.

WANTA, PATRICK, SI-98/551 (2000)

87300 - Two (2) counts
$800 fine

Patrick Wanta, former appointed member of the Loan and Grant Committee of the California Department of Housing and Community Development, failed to timely file his 1997 and 1998 annual Statements of Economic Interests.

WARD, LARRY, LARRY WARD FOR ASSEMBLY COMMITTEE, CHRISTINE HINTON, SI-87/458 (1990)

81004 - Two (2) counts
84211 - Three (3) counts
84213 - Two (2) counts
$13,000 fine

Larry Ward, unsuccessful candidate for the state Assembly in 1986, and his committee, committed violations involving the reporting of false contributions and expenditures. The candidate and his committee inflated campaign receipts by $20,000 in its May campaign statement and claimed $17,590 in fictitious expenditures in its August filing. Committee treasurer, Christine Hinton, also improperly verified that the campaign statements were true and complete without viewing any legally required supporting documentation. The candidate contributed to the violation by directing his treasurer to make the false entries.

WARNER, CHRISTOPHER, SI-99/811 (2000)

87300 and 87302 - One (1) count
$200 fine

Christopher Warner, board member of the San Francisco Conservation and Development Commission, failed to timely file his 1998 annual Statement of Economic Interests.

WASHBURN, GARY M., SI-93/262 (1995)

87100 - Two (2) counts
87200 and 87207 - Three (3) counts
$4,000 fine

Gary M. Washburn, mayor of Lake Elsinore, failed to disclose loans received on his Statements of Economic Interests during 1990 through 1994. During this time, Mr. Washburn participated in decisions directly involving the source of one of the loans. He also failed to report income from the sale of property on his Statements of Economic Interests.

WASHINGTON, CARL, CARL WASHINGTON FOR ASSEMBLY, AND PAM GOODWIN, TREASURER, SI-2000/362 (2001)

84211 – One (1) count
$1,000 fine

Carl Washington, successful Paramount candidate for State Assembly in 1998, his controlled committee, Carl Washington for Assembly, and Pam Goodwin, its treasurer, failed to timely disclose a contribution on a semi-annual campaign statement in 1998.

WATERS, NORMAN S., SI-91/406 (1992)

89519 - One (1) count
$1,000, fine

Norman Waters, former state assemblyman, failed to properly dispose of video equipment that had been purchased by his campaign committee. After losing in the November 1990 election, respondent kept the equipment at his personal residence instead of disposing of it as permitted by law.

WATSON, DIANE E., SI-88/66 (1988)

87203 - One (1) count
$2,000 fine

Los Angeles Senator Diane E. Watson failed to provide timely disclosure of loans on her Statement of Economic Interests. The loans were obtained in 1987 from sources other than commercial lending institutions for home improvement costs. One loan was from a real estate and consulting firm, while the other was a $5,000 loan from Willie Hausey, a longtime friend and registered lobbyist who represented health care interests.

WATSON, THOMAS, WATSON FOR SUPERVISOR, FRED KARLEN, AND GEORGE ARZOO, SI-90/80 (1990)

84104 - Two (2) counts
84211 -Two (2) counts
84213 - Two (2) counts
84300 - One (1) count
$14,000 fine

Thomas Watson, candidate for Riverside County Supervisor, his controlled committee, and campaign treasurers failed to disclose a Riverside County developer as the true source of two large cash contributions.

The contributions in 1986 -- $20,000 in April and $11,000 in May -- were made by developer Louis Laramore to the Watson for Supervisor Committee during the candidate's unsuccessful primary campaign in Riverside County. The developer made his contributions through Watson's paid political consultant, John Furtak, who "misinformed" the committee treasurers about the true source of the funds.

Committee treasurers, Fred Karlen and George Arzoo acted improperly because, based on other information available to them, they had reason to know that the funds came from some source other than a $99 per person fundraiser. The treasurers also violated the law by receiving cash contributions of $100 or more and failed to maintain the detailed records necessary to prepare the campaign statements in question and properly disclose contributions.

WEAVER, FLOYD H., SI-95/183 (1995)

84211 - One (1) count
89512 - One (1) count
$4,000 fine

Floyd Weaver, a member of the Stockton City Council, used campaign funds to buy personal life insurance. He also failed to report the expenditures for the life insurance on his campaign statements.

WEBB, STEPHEN, AND THE CITIZENS TO ELECT STEPHEN WEBB, SI-88/152 (1990)

84211(c) and (f) - One (1) count
87100 - Five (5) counts
$12,000 fine

Stephen Webb, former Moreno Valley City Councilmember, committed conflict of interest and campaign reporting violations. Five of the six counts involved conflicts of interest violations stemming from Webb's votes in January and February 1986 to approve two development projects, Moreno Valley Ranch and Hidden Springs, that were likely to materially benefit a source of income.

Webb had a financial interest in the decisions requiring disqualification because of income received from Moreno Valley Cablevision. Webb, a general partner with an eight percent ownership interest, received between $2,000 and $3,000 a month in 1985 and 1986 from the cable television company. Approval of the housing projects were likely to benefit Webb's company, which was one of the only two firms with franchises to operate in Moreno Valley. Moreno Valley Cablevision eventually received contracts to install underground cable for part of the houses in both development projects.

The campaign reporting violation involved the failure of the candidate and his controlled committee, Citizens to Elect Stephen Webb, to properly cumulate and itemize four $99 contributions received the same day in September 1985 from Dale Griffin personally or through his companies.

WEBVAN GROUP, INC., SI-2001/47 (2001)

84200 – One (1) count
$400 fine

Webvan Group, Inc., of Foster City failed to file a major donor campaign statement during 2000.

WEINBERG, DENNIS, SI-2001/48 (2001)

84200 – One (1) count
$400 fine

Dennis Weinberg, of Camarillo failed to file a major donor campaign statement during 2000.

WENTE, PHILIP, SI-87/57 (1992)

87100 - Two (2) counts
87300 - Three (3) counts
$9,000 fine

Philip Wente, director of the Alameda County Flood Control and Water Conservation District, Zone 7, violated conflict of interest disqualification and disclosure provisions. Wente, who is executive vice-president of Wente Brothers, voted on proposed capital improvements for the Zone 7 water distribution and treatment system that would benefit the Ruby Hills property first owned by his corporation and then by a developer who purchased the Ruby Hills Property from Wente Brothers. He also failed to disclose his interest in the Ruby Hills property on Statements of Economic Interests filed in 1987 and 1989. In 1988, he failed to disclose the buyer of Ruby Hills as a source of income.

WESTCO CAPITAL CORPORATION, WILMINGTON FINANCIAL CORPORATION, MD-87/369 (1988)

84200(b) - One (1) count
$1,750 fine

Westco Capital Corporation of Culver City and an affiliated entity, Wilmington Financial Corporation, failed to file a major donor campaign statement disclosing a total of $110,000 contributed to the Curb Committee. Only a single campaign statement was required because they are affiliated entities.

WESTCO COMMUNITY BUILDERS, INC., SI-2001/239 (2001)

84200 – Two (2) counts
$800 fine

Westco Community Builders, Inc., of San Leandro failed to file two major donor campaign statements during 2000.

WESTERN MOBILEHOME ASSOCIATION POLITICAL ACTION COMMITTEE, SI-92/407 (1994)

84203.5 - One (1) count
84304 - Four (4) counts
$7,000 fine

Western Mobilehome Association Political Action Committee (PAC) made four late independent expenditures totaling $10,000 for which it failed to timely file four late independent expenditure reports just prior to the September 17, 1991, San Diego primary election for city council. The PAC also failed to file independent expenditure reports for two independent expenditures totaling $5,000.

WESTERN PACIFIC HOUSING-EDGEWOOD 45 LLC, SI-2001/233 (2001)

84200 – One (1) count
$400 fine

Western Pacific Housing-Edgewood 45 LLC of Pleasanton failed to file a major donor campaign statement during 2000.

WHITFIELD, BRENDA, SI-2000/147 (2001)

87300 and 87302 - One (1) count
$2,000 fine

The Commission issued a Default Decision and Order against Brenda Whitfield, a Los Angeles County Housing Commissioner, who failed to timely file her assuming office Statement of Economic Interests in 1999.

WILLCO ASSOCIATES, JOHN J. WILL, AND STEVE WILL, SI-92/543 (1993)

84301 and 84300(c) - Fifteen (15) counts
84301 - Ten (10) counts
$40,000 fine

Willco Associates, a partnership located in Santa Maria, and its two partners, John J. Will, and Steve Will, laundered contributions made to several Santa Barbara and San Luis Obispo County Board of Supervisor campaigns and one State Assembly campaign from 1989 through 1992. John J. Will and Steve Will and their numerous business enterprises are engaged in various construction-related activities.

WILLIAM BOLTHOUSE FARMS, INC., SI-2001/178 (2001)

84200 – One (1) count
$600 fine

William Bolthouse Farms, Inc., of Bakersfield failed to file a major donor campaign statement during 2000.

WILSON, CRAIG, FRIENDS OF CRAIG WILSON AND DAVID HAWKINS, TREASURER, SI-98/304 (2000)

84211 and 84303 – One (1) count
84211 - One (1) count
$2,000 fine

Craig Wilson, unsuccessful candidate for the State Board of Equalization in 1998, his controlled committee, Friends of Craig Wilson and David Hawkins, its treasurer, failed to disclose subvendor information for expenditures and failed to properly disclose the consideration received for expenditures in 1998.

WILSON, LIONEL J., MAYOR'S COMMITTEE FOR OAKLAND, HAROLD A. WILSON, TREASURER, AND WARREN B. WILSON, SI-90/813 (1994)

84203 - Four (4) counts
84211 - Twenty-four (24) counts
84300 - One (1) count
84301 and 84300 - Two (2) counts
$40,000 fine

Lionel Wilson, Mayor of the City of Oakland from 1977 to 1990, unsuccessfully ran for re-election in 1990. Mayor's Committee for Oakland was Wilson's campaign committee and his brother Harold Wilson served as the committee treasurer. During 1990, Mayor's Committee for Oakland failed to report receipt of a $2,400 contribution, failed to timely file late contribution reports for contributions totaling $38,000 and failed to diligently collect and report occupation and employer information about campaign contributions totaling $33,000 that principally arrived in two large bunches. It was subsequently determined the true source of this $33,000 was William Dallas or Lucas Dallas, Inc.

Finally, Harold Wilson made an illegal cash contribution of $225 to another candidate and Warren Wilson laundered two $1,000 campaign contributions to his brother by reimbursing his secretary and daughter for issuing checks to the committee.

WILSON, PETE, PETE WILSON FOR GOVERNOR COMMITTEE, F. LAURENCE SCOTT, TREASURER, AND TARGET ENTERPRISES, SI-92/492 (1992 - CIVIL SUIT SETTLEMENT)

84211
84303
84105
84203
$100,000 fine

Pete Wilson, a successful candidate for Governor in 1990, his committee, the committee treasurer, and the committee's media firm failed to timely report $7.1 million which was paid to various media subvendors. However, payments to the media firm were properly reported. The committee also failed to notify 244 major contributors of $5,000 or more of their own possible filing requirements. Late contributions totaling $105,698, and contributions totaling $14,000 were not properly reported. Accrued expenses totaling $126,884 were not timely reported.

WINDSOR FINANCIAL CORP., MD-87/299 (1989)

84200 - One (1) count
$2,000 fine

Windsor Financial Corporation failed to file timely, major donor campaign statements in connection with more than $75,000 in contributions made in 1986.

WINDWAY CAPITAL, SI-98/293 (1998)

84200 - One (1) count
84203 - One (1) count
$4,000 fine

Windway Capital located in Sheboygan, Michigan, failed to file a late contribution report for contributions made to the Californians for Paycheck Protection, a ballot measure committee, controlled by Governor Pete Wilson in support of Proposition 226, in 1998. In addition, Windway Capital failed to file a semi-annual campaign statement for contributions to the Yes on 209 committee in 1996.

WINGS WEST AIRLINES, INC., MD-87/300 (1989)

84200(b) - One (1) count
$1,000 fine

Wings West Airlines failed to file a major donor campaign statement for contributions totaling $11,250 made to six state candidates in 1986. The statement due no later than January 31, 1987, was not filed until September 1988.

WINTEC, LTD., SI-92/110 (1994)

84301 and 84300 - Seven (7) counts
$14,000 fine

The Commission issued a Default Decision and Order against Wintec, Ltd., a wind energy partnership, which laundered seven campaign contributions totaling $7,000 to the campaign of Riverside County Supervisor Norton Younglove in Spring 1990.

WOLFSHEIMER, ABBE, AND THE ABBE WOLFSHEIMER RE-ELECTION COMMITTEE, SI-89/417 (1992)

84305 - Eleven (11) counts
87100 - One (1) count
$20,000 fine

San Diego City Councilwoman Abbe Wolfsheimer violated mass mailing provisions by failing to put proper sender identification on the outside of 11 mass mailings sent out during the three months prior to the November 1989 election. The councilwoman also violated conflict of interest provisions by voting to recommend that "final best offers" be obtained from all bidders in a bidding process where she had an investment interest in one of the bidders, GTE Corporation.

WOLKOWITZ, MARLA, SI-2000/146 (2000)

87302 - One (1) count
$400 fine

Marla Wolkowitz, an elected member of the governing board of the Culver City Unified School District, failed to timely file her assuming office Statement of Economic Interests in 1999.

WOMEN'S POLITICAL COMMITTEE AND NANCY S. BRAKENSIEK, TREASURER, SI-97/371 (1998)

84211 - Fourteen (14) counts
$15,000 fine

Women's Political Committee, a general purpose committee active at the city, county, and state level located in Los Angeles, and Nancy S. Brakensiek, its treasurer, failed to disclose information for individual contributors of $100 or more on campaign statements filed between 1993 and 1996.

WONG, JOHN, SI-91/376 (1993)

84301 -Two (2) counts
$3,500 fine

John Wong, a Fremont developer, laundered $99 contributions made in support of Fremont mayoral candidate Bill Ball and city council candidate Gary Mello in 1989.

WOO, MICHAEL, SI-88/417 (1990)

84308 (c) - One (1) count
$2,000 fine

Michael Woo, Los Angeles City Councilmember, committed a conflict of interest violation in 1987 while serving as an appointed member of the Los Angeles County Transportation Commission.

Woo failed to disclose campaign contributions of $250 or more received during the preceding 12 months from a party seeking a noncompetitive bidding contract and failed to disqualify himself from the decision affecting the campaign contributor. Woo did not disclose the receipt of a campaign contribution from Gruen Associates at a meeting on February 11, 1987, prior to the vote, and did not disqualify himself from the proceeding.

WOO, MICHAEL, "MIKE WOO FOR MAYOR RUNOFF" COMMITTEE, SI-96/406 (1997)

84203 - Thirteen (13) counts
$13,000 fine

Michael Woo, candidate for the Mayor of the City of Los Angeles in 1993, and Mike Woo for Mayor Runoff, his controlled committee, failed to timely file late contribution reports.

WOODWARD, ROY, SI-88/448 (1990)

87100 - Three (3) counts
$6,000 fine

Roy Woodward, Santee City Councilmember, committed three conflict of interest violations in 1987. The violations stemmed from the councilmember's attempts to use his official position to influence a decision by the California Transportation Commission which was likely to materially affect his real property and business interests.

The state Transportation Commission was asked to extend Route 62 on an alignment that included an offramp on the street where the councilmember owned real property. The fair market value of the three pieces of commercial property in which Mr. Woodward held interests were in excess of $700,000. The extension would result in an increase to the rental income from the councilmember's real property interests, the broker's commission from his real estate business, and the income from a restaurant that he partially owned.

WOODY, MICHAEL ERIN, SI-97/289 (1999)

87203 - Four (4) counts
$3,000 fine

Michael Erin Woody, a member of the Fresno City Council, failed to disclose all of his sources of income on his 1993 through 1996 annual Statements of Economic Interests.

WOOLSTRUM, RICHARD, FRIENDS OF RICHARD WOOLSTRUM, RANDI MEYER, SI-86/342 (1987)

84305 - One (1) count
$2,000 fine
$500 waived

Richard Woolstrum, a candidate for the 4th District Supervisorial race in San Joaquin County in 1986, Randi Meyer and the Friends of Richard Woolstrum campaign committee failed to properly identify the sender of a mass mailing.

Two weeks prior to the June primary, Woolstrum retained Randi Meyer as a political consultant and campaign manager for his controlled committee. Meyer is the owner and operator of a Stockton print shop. Meyer produced a mass mailing which, although paid for by Woolstrum's committee, failed to identify the sender on the outside of the mailer. Meyer claimed that the omission of sender identification was due to an error in the printing process, but that she chose to ignore the error due to time pressures.

WORTHEN, JAMES, SI-93/74 (1997)

87100 - Three (3) counts
87203 - Five (5) counts
$9,000 fine

James Worthen, a Eureka City Councilman, violated the conflict of interest provisions by participating in two decisions of the Eureka Redevelopment Agency which indirectly affected a source of income to him and further attempted to influence a governmental decision in which he had a financial interest in 1992. Worthen further failed to report payments received for travel reimbursements from a business in which he had a financial interest on his 1991 through 1994 Statements of Economic Interests and failed to disclose income received from this business on his 1994 Statement of Economic Interests.

WRIGHT, CATHIE, CATHIE WRIGHT FOR ASSEMBLY COMMITTEE, AND THOMASINA CRIGER, SI-81/16 (1982)

84210 (currently 84211), 84214 (currently 84203), and 84216 - Four (4) counts
84300 - One (1) count
87207 - Three (3) counts
$1,000 fine - Cathie Wright
$3,500 fine - Cathie Wright for Assembly Committee
$500 fine - Thomasina Criger

Assemblywoman Cathie Wright, who was mayor of Simi Valley prior to her election to the Assembly, failed to disclose the true source and amount of contributions on a campaign statement, received cash contributions, and failed to disclose income on her Statement of Economic Interests.

WRIGHT, RICHARD, SI-95/213 (1998)

87100 - One (1) count
$2,000 fine

The Commission issued a Default Decision and Order against Richard Wright, President of Bakersfield Community College, who violated the conflict of interest provisions when he used staff members' computers at a seminar held in Lake Tahoe in 1994 by Vitek. Wright had a financial interest in this company due to his ownership interest and position as an officer.

WRIGHT, SHARON; JANET CONDRON, SI-96/162 (1998)

87200 and 87207 - Two (2) counts
87100 - Eight (8) counts
$17,500 fine

Sharon Wright and Janet Condron, Santa Rosa City Councilmembers, made, participated in, or attempted to influence governmental decisions that involved the Santa Rosa Chamber of Commerce (Chamber), a source of income to them. In addition, Wright failed to disclose receipt of income from the Chamber and the Sonoma County Alliance on her 1993 and 1994 Statements of Economic Interests.

YARMOUTH GROUP, INC., THE, AND THE YARMOUTH GROUP PROPERTY MANAGEMENT, INC., SI-93/337 (1994)

84300 and 84301 - Fifty-one (51) counts
$92,000 fine

Between October 1989 and March 1993, The Yarmouth Group, Inc., and the Yarmouth Group Property Management, Inc., laundered 51 contributions totaling $13,500 to city councilpersons in San Diego, San Jose, and Los Angeles. All of the contributions were made in the names of Yarmouth employees rather than in the respondents' names. Pursuant to local ordinance, each of the three cities where the contributions were laundered had campaign contribution limits in effect.

YELVINGTON, ALVAR, SI-79/21 (1980)

86102 - Two (2) counts
86105 (currently 86110) - One (1) count
86107 (currently 86113) - Two (2) counts
86110 (currently 86117) - Sixteen (16) counts
$2,000 fine
$1,000 waived

Lobbyist Alvar Yelvington failed to timely file lobbyist disclosure reports with the Secretary of State's office disclosing more than $9,000 in general lobbying expenses. He also illegally paid many expenses in cash, and on 32 occasions, purchased food or drink without disclosing the beneficiaries.

YES ON A, (COMMITTEE FOR MEASURE A) AND ADELE STOLER, SI-2000/225 (2000)

84200 – Two (2) counts
$1,000 fine

Yes on A, (Committee for Measure A), supporting a bond measure for the Long Beach Unified School District in 1999, and Adele Stoler, its treasurer, failed to timely file semi-annual campaign statements.

YES ON C IN EL SEGUNDO AND CARL JACOBSON, SI-97/312 (1999)

84200.8 - Two (2) counts
84203 - Two (2) counts
$6,000 fine

Yes on C in El Segundo, a committee primarily formed in 1997 to support a local bond measure, and its treasurer, Carl Jacobson, failed to file campaign statements and late contribution reports before the election in 1997.

YES ON MEASURE "A" QUALITY EDUCATION PROJECT, AND LEE AND BEDDO, INC., CAMPAIGN CONSULTANTS, SI-91/590 (1993)

84200.8 - One (1) count
84203 - Six (6) counts
$8,000 fine

Yes on Measure A/Quality Education Project (also known as Yes on Measure A for Quality Classroom Education), a recipient committee organized in September 1991 to support San Jose Unified School District Measure A, a bond measure on the November 1991 ballot, and the firm of Lee and Beddo, Inc., the committee's campaign consultant, failed to timely file their second pre-election campaign statement and six required late contribution reports (LCRS) with a cumulative total of contributions amounting to $14,250.

YES ON 111 & 108, AND THOMAS W. HILTACHK, TREASURER, SI-91/501 (1992)

84211 - Two (2) counts
$3,000 fine

Yes on 111 and 108, a committee formed to support Proposition 111, The Traffic Congestion Relief and Spending Limitation Act of 1990, and Proposition 108, The Passenger Rail and Clean Air Act of 1990, failed to properly itemize six contributions totaling $103,000 that were received during May 1990.

YES ON PROP. 2 COMMITTEE, SI-79/82 (1982)

84305 - Two (2) counts
$4,000 fine
$2,000 waived

Yes on Prop. 2 Committee misidentified the sender on approximately 483,988 campaign mailers containing an endorsement from Howard Jarvis. The political mailers were identified as coming from "Californians for Lower Interest Rates: A Project of the California Tax Reduction Movement." Inside the mislabeled envelopes was the message from Howard Jarvis, endorsing Proposition 2.

YOLO COUNTY REPUBLICAN CENTRAL COMMITTEE AND WILLIAM HIMMELMAN, TREASURER, SI-99/813 (2001)

84200 – Two (2) counts
84211 - Two (2) counts
$7,000 fine

Yolo County Republican Central Committee, a general purpose committee in Davis, and William Himmelman, its treasurer, failed to timely file two campaign statements and also failed to disclose contributor and payee information in 1999.

YOUNG, BRUCE, 63RD VOTER REGISTRATION COMMITTEE, 63RD VOTER COMMITTEE, AND SOUTHEAST AREA POLITICAL ACTION COMMITTEE, FC-82/01 (1983)

84200 and 84213 - Twelve (12) counts
84305 - Three (3) counts
$13,000 fine

Assemblyman Bruce Young failed to properly disclose his control of three separate campaign committees between 1979 and 1982 and failed to identify one of the committees as the true sender of the three campaign pieces mailed during the Lakewood City Council elections in early 1982. One of the three mailings sent to Lakewood voters, a hit piece, linked two city council candidates to the "radical" politics of Tom Hayden.

Since the committees were not designated as controlled committees, they only filed semi-annual statements and did not file disclosure statements before the elections.

This allowed Assemblyman Young to conceal the fact that he was soliciting and receiving contributions from political action committees representing industries which had sought Young's legislative support.

YOUNGLOVE, NORTON, YOUNGLOVE FOR SUPERVISOR, DONALD THOMAS, WILLIAM BONNETT III, SI-88/529 (1990)

84211 (f) - Three (3) counts
84213 - Three (3) counts
$7,500 fine

Norton Younglove, Riverside Supervisor, committed campaign reporting violations when he failed to properly cumulate and identify contributors of $100 or more and failed to verify campaign statements in 1985 and 1986.

YOUSSEF, NABIH, SI-99/336 (2000)

87300 - Two (2) counts
$1,200 fine

Nabih Youssef, former member of the state Building Standards Commission, failed to timely file his 1997 annual Statement of Economic Interests and a leaving office Statement of Economic Interests.

ZAHARIAS, DEAN, SI-95/364 (1997)

87203 - Two (2) counts
$4,000 fine

The Commission issued a Default Decision and Order against Dean Zaharias, Planning Commissioner for the City of Sonora, who failed to file annual Statements of Economic Interests in 1994 and 1995. In addition, the Commission ordered late filing penalties of $200 to be imposed.

ZAHARIAS, DEAN, SI-99/543 (2001)

87203 – Three (3) counts
$3,000 fine

Dean Zaharias, member of the Sonora Planning Commission, failed to timely file his 1997, 1998, and 1999 annual Statements of Economic Interests.

ZEPEDA, FRED, COMMITTEE TO ELECT FRED ZEPEDA, AND MIKE CALDERON, SI-96/554 (1997)

84200 - One (1) count
84214 - One (1) count
$2,000 fine

Fred Zepeda, unsuccessful candidate for Pasadena City Council in 1995, and The Committee to Elect Fred Zepeda, his controlled committee, and its treasurer, Mike Calderon, failed to timely file semi-annual campaign statements and termination statements.

ZOLLER, SHARRON, SI-2001/265 (2001)

87300 – One (1) count
$300 fine

Sharron Zoller, an elementary school principal of the Potter Valley Community Unified School District, failed to timely file a 2000 annual Statement of Economic Interests.

ZURICH COMMERCIAL, SI-99/507 (2000)

84203 - One (1) count
84200 - One (1) count
$1,000 fine

Zurich Commercial, located in Baltimore, Maryland, failed to timely file a late contribution report and a major donor campaign statement disclosing a $12,100 contribution to the Charles W. Quackenbush Re-election Committee in 1998.

ZURITA, DELORES, COMMITTEE TO ELECT DELORES ZURITA AND SATRA DEE ZURITA, TREASURER, SI-2000/143 (2001)

84200.5 – Two (2) counts
84203 – One (1) count
84200 – Two (2) counts
84211 – Three (3) counts
84300 – Two (2) counts
$10,000 fine

Delores Zurita, successful candidate for Compton City Council in 1999, her controlled committee, Committee to Elect Delores Zurita, and its treasurer, Satra Dee Zurita, failed to timely file pre-election campaign statements, failed to file a late contribution report, failed to file semi-annual campaign statements, failed to disclose contributions and contributor information, and made cash expenditures during 1998 and 1999.

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