

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18419. Sponsored Committees.

(a) The terms used in this section are defined as follows:

(1) “Sponsored committee” means a committee, other than a controlled committee, which has one or more sponsors.

(2) “Sponsor” of a committee means any person (except a candidate, proponent or other individual) to whom any of the following applies:

(A) The committee receives 80 percent or more of its contributions either from the person or from the person's members, officers, employees or shareholders in the preceding 24 months. A committee must make this determination at the time of filing each campaign statement based on activity occurring through the end of the statement period, and, if the committee is required to file a pre-election statement, upon receiving a contribution during the period between the second pre-election campaign statement period and the election;

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

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

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

(3) “Intermediate unit” means a chapter, local, branch, unit or similar component of a sponsor that collects money from its members, officers, employees or shareholders when, at the time of the making of the payment, the donor knows or has reason to know that the payment, or

funds with which the payment will be commingled, will be used to make contributions by the sponsored committee.

(4) "Member" includes a member, employee, officer, shareholder or any other person affiliated with a sponsor or an intermediate unit.

(5) "Member contribution" is a voluntary or mandatory payment made by a member of a sponsor or an intermediate unit when, at the time of making the payment, the donor knows or has reason to know that the payment, or funds with which the payment will be commingled, will be used to make contributions by a sponsored committee.

(b) In the case of a sponsored committee:

(1) The committee shall include the name of its sponsor in the name of the committee. If the sponsored committee has more than one sponsor and the sponsors are members of an industry or other identifiable group, the name of the committee shall include a term identifying that industry or group.

(2) The committee shall indicate on the committee's statement of organization the industry group or affiliation of the sponsor.

(3) The sponsor shall file as a committee if it meets the thresholds set forth in Section 82013 except as provided in subdivisions (c) through (f).

(c) A sponsor is not a committee within the meaning of Section 82013 if all of the following criteria are satisfied:

(1) The sponsor does not directly or indirectly make or receive a sufficient amount of contributions or independent expenditures, other than those in support of its sponsored committee, to satisfy the thresholds set forth in Section 82013. A sponsoring organization makes contributions and expenditures in support of its sponsored committee when it provides the

committee with member contributions or money from its treasury, with the exception of establishment or administrative costs (see Regulation 18215(c)(16));

(2) The sponsored committee reports all contributions and expenditures made in support of the committee by the sponsor, its intermediate units, and the members of such entities. With respect to a member contribution which is channeled through the sponsor or an intermediate unit, the member is the contributor;

(3) The sponsored committee reports as an intermediary the sponsor and, if required by subdivision (f) of this regulation, any intermediate unit, as an intermediary, if the sponsor or intermediate unit directly or indirectly provides the committee with \$100 or more in member contributions regardless of whether any member for whom the sponsor or intermediate unit acts contributed \$100 or more; and

(4) A responsible officer of the sponsor, as well as the treasurer of the sponsored committee, verifies the committee's campaign statement pursuant to Section 81004.

(d) A sponsor which is a committee pursuant to Section 82013 by virtue of making or receiving contributions or independent expenditures other than those in support of its sponsored committee:

(1) Need not report on its campaign statement member contributions to the sponsored committee if the committee discloses such contributions in compliance with the standards set forth in subdivisions (c)(2), (c)(3), and (c)(4) of this regulation;

(2) Must report contributions or payments for establishment or administrative costs it makes to the sponsored committee in the form of money from its treasury; and

(3) Must make a prominent reference on its campaign statement stating the name of its sponsored committee, including the committee's identification number issued by the Secretary of State's office.

(e) An intermediate unit is not a committee pursuant to Section 82013 by virtue of making contributions and expenditures in support of its sponsor's sponsored committee or by virtue of acting as an intermediary pursuant to subdivision (c)(3) of this regulation. An intermediate unit which is a committee by virtue of making or receiving other contributions or independent expenditures need not disclose member contributions if the sponsored committee follows the procedures set forth in subdivision (c)(3) of this regulation for reporting the member contributions.

(f) An intermediate unit is reportable as an intermediary on the sponsored committee's campaign statement pursuant to subdivision (c)(3) of this regulation only if the name of the intermediate unit is substantially different from the name of the sponsor.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82048.7 and 84102, Government Code.

HISTORY

1. New section filed 12-1-77; effective thirtieth day thereafter (Register 77, No. 49).
2. Amendment of subsection (b)(4) filed 1-25-80; effective thirtieth day thereafter (Register 80, No. 4).
3. Amendment filed 2-17-82; effective thirtieth day thereafter (Register 82, No. 8).
4. Amendment filed 3-3-86; effective thirtieth day thereafter (Register 86, No. 10).
5. Amendment of subsections (a)(3), (a)(5), (c)(1), (d)(3) and Note filed 6-19-96; operative 6-19-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 25).

6. Amendment of subsection (a)(2)(A) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
7. Amendment of subsections (c)(1) and (d)(2) filed 5-28-97; operative 5-28-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 22).
8. Change without regulatory effect amending subsections (a)(2), (a)(3), (a)(5), (b)(3)-(c)(1), (c)(4)-(d) and (e) filed 10-6-2003 pursuant to section 100, title 1, California Code of Regulations (Register 2003, No. 41).
9. Amendment filed 7-24-2020; operative 8-23-2020 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2020, No. 30).