

FINANCES/RECORDKEEPING

One of the fundamental purposes of the Political Reform Act ("Act"), an initiative passed by the voters, is to ensure that receipts and expenditures in election campaigns are truthfully and fully disclosed. In order to do so, an individual that chooses to act as a committee treasurer, assistant treasurer, or principal officer must know and practice the finance and recordkeeping requirements and responsibilities discussed in this chapter.

A. Committee Treasurer and Principal Officer

Every committee must have a treasurer before the committee may accept contributions or make expenditures. An individual must be at a minimum 18 years of age to serve as a treasurer, assistant treasurer, responsible officer, or principal officer. In order to adequately perform the duties, the treasurer must understand the campaign finance laws and their responsibilities under the Act. The candidate controlling the committee may be the treasurer or assistant treasurer for their own committee. **No individual should accept the position of a committee treasurer as a mere figurehead.**

Contributions may not be accepted and expenditures may not be made if the treasurer's post is vacant at any time, even if the committee has an assistant treasurer. If the treasurer is unavailable to carry out their duties, a new treasurer must be designated and the committee's Statement of Organization (Form 410) must be amended. The individual listed on the most recent Form 410 filed with the Secretary of State continues to be liable until an amendment is filed to designate a new treasurer.

The committee treasurer or assistant treasurer must sign and verify all reports and statements filed. The verification is signed under penalty of perjury and indicates that:

- the signer has used all reasonable diligence in preparing the statement; and
- to the best of their knowledge, the statement is both true and complete.

The signer is legally responsible for the accuracy and completeness of the document, even if it is prepared by a third party, including a professional accountant. An unsigned statement is considered “not filed” and is subject to late fines.

Exception:

If a candidate’s committee makes independent expenditures in connection with a ballot measure, FPPC Form 462 must be signed by the candidate. The treasurer is not a signatory.

Treasurer Responsibilities

A committee treasurer is required to:

- Establish a system of recordkeeping sufficient to ensure that contributions and expenditures are recorded promptly and accurately in compliance with the Act’s recordkeeping and disclosure requirements. (Following the recordkeeping guidelines in this manual ordinarily constitutes compliance with this requirement.)
- Maintain campaign records personally or monitor records kept by others.
- Take steps to ensure all of the Act’s requirements are met regarding receipt, expenditure, and reporting of campaign funds.
- Prepare campaign statements personally or carefully review the statements and underlying records prepared by others.
- Correct any inaccuracies or omissions, and inquire about any information that would cause a person of reasonable prudence to question the accuracy of the campaign statements. Among the circumstances that might give rise to an inquiry regarding a contribution are: the size of the contribution; the reported source; the likelihood of that source making a contribution of that size; the manner in which the contribution is recorded in the campaign records; and all other circumstances surrounding receipt of the contribution.

QUICK TIP: Reconciling the committee's bank statement with the committee's records regularly will ensure accuracy and make completing the campaign forms easier.

Assistant Treasurer Responsibilities

An assistant treasurer may be designated on the Statement of Organization (Form 410). In the event that the treasurer is unavailable, the assistant treasurer is required, like the treasurer, to use reasonable diligence in preparing and reviewing any campaign statements that they sign, and must certify to that effect under penalty of perjury. For statements signed by the assistant treasurer, both the treasurer and the assistant treasurer are liable for any violations pertaining to that report.

There are no restrictions on who may be an assistant treasurer, although they should know the reporting obligations, restrictions, and prohibitions provided under the law. For a controlled committee, the candidate may be designated as the assistant treasurer.

Principal Officer(s) Responsibilities

A primarily formed committee must designate a principal officer(s) on the Statement of Organization (Form 410). The principal officer is also responsible for maintaining detailed accounts, records, bills and receipts necessary to prepare campaign statements. If no individual other than the treasurer has the primary responsibility for approving the political activity of the committee as described in this manual, the treasurer must be identified as both the treasurer and the principal officer.

QUICK TIP: Campaign committees should adopt internal controls and best practices to protect the committee's funds against fraudulent activities and the misappropriation of funds.

B. Candidate/Officeholder Responsibilities

A candidate or officeholder is required to:

- Carefully review the campaign statements prepared for filing by the committee and ensure that the statements are properly filed.
- Correct any inaccuracies and omissions in campaign statements of which the candidate is aware, and check and correct any information on campaign statements which a person of reasonable prudence would question based on all of the surrounding circumstances.
- Make sure that the treasurer is exercising all reasonable diligence in the performance of their duties.
- Take whatever steps are necessary to replace the treasurer or raise the treasurer's performance to required standards if the candidate or officeholder knows, or has reason to know, that the treasurer is not exercising all reasonable diligence in the performance of their duties.
- Perform with due care any other tasks assumed in connection with the raising, spending, or recording of campaign funds insofar as such tasks relate to the accuracy of information entered on campaign statements.

C. Education

The FPPC provides educational workshops for candidates and treasurers. In addition, there are numerous instructional materials available on the website. Candidates and treasurers may also seek advice from FPPC staff by calling the toll-free advice line (866-275-3772) or emailing questions to advice@fppc.ca.gov.

D. Audits

The Act authorizes audits. Most of the mandatory audits of candidates, their controlled committees, and primarily formed committees that support or oppose candidates are conducted by the Franchise Tax Board. Committees established for officeholder expenses and legal defense are also subject to mandatory audits under the Act if the controlling candidate's or officeholder's election committee is selected for audit.

Mandatory audits for the office of State Controller and members of the Board of Equalization are conducted by the Fair Political Practices Commission. Discretionary audits of any candidate and committee may be conducted by the Franchise Tax Board or the Fair Political Practices Commission.

Statewide Candidates

All candidates for statewide office who raise or spend \$25,000 or more in a primary or general election are subject to audit. In addition, ten percent of such candidates who raise and spend less than \$25,000 are selected for audit on a random basis.

Supreme Court, Court of Appeal, and Members of the Board of Equalization

Candidates for Supreme Court, Court of Appeal, or Board of Equalization who raise or spend \$25,000 or more in a primary or general election are subject to audit.

State Legislature

Twenty-five percent of the Senate districts, twenty-five percent of the Assembly districts and twenty-five percent of contested Superior Court Judge offices are randomly selected. Only candidates who raised or spent \$15,000 or more in the selected races are subject to audit.

Primarily Formed Committees for State Candidates

Primarily formed committees are subject to audit if the committee has spent more than \$10,000. Certain committees, found to be in substantial compliance, may be subject to random based audits.

Pre-Election Audits

The FPPC and FTB at the direction of the FPPC may audit any record required to be maintained under the Act to ensure compliance even if the record is related to a report that has not yet been filed.

QUICK TIP: The candidate and the treasurer may be fined by the FPPC if reporting and recordkeeping requirements are not met. Violations of the Act are punishable by fines of up to \$5,000 per violation.

Compel Disclosure

The FPPC may seek injunctive relief in Superior Court to compel disclosure.

E. Campaign Bank Accounts

Primarily Formed Committees

A non-candidate controlled “primarily formed committee” is not required to maintain a separate bank account; however, it is recommended that they do so. Committees may not commingle campaign contributions with any individual’s personal funds.

Candidate Controlled Committees

Candidates who anticipate soliciting or receiving contributions from others, or who anticipate spending \$2,000 or more of their personal funds in connection with their election, must open a campaign bank account. A candidate’s personal funds used to pay the filing fee or the ballot statement fee do not count toward the \$2,000 threshold.

Establishing the Account

The account may be established at any financial institution (i.e., bank, credit union) located in California. Under the Act's one bank account rule, a candidate or officeholder may only have one controlled committee with one bank account per election. Candidates running for one office while holding another must establish a separate campaign bank account for each office, but may not have more than one bank account per office per election.

State candidates may establish a separate bank account and committee for the primary and general elections, but are not required to do so. However, a separate bank account and committee are required each time a candidate runs for reelection or for a different elective state office. State candidates may not redesignate a campaign bank account for a different election, even if it is for the same office.

All campaign contributions must be deposited into the campaign bank account and all campaign expenditures must be made from the campaign bank account. Candidates must deposit **personal funds** to be used for the campaign in the campaign bank account **before** making campaign expenditures.

QUICK TIP: Campaign contributions may not be commingled with any individual's personal funds.

Exceptions:

- Candidates may use their personal funds to pay a filing fee, a ballot statement fee or the \$50 Secretary of State fee, without first depositing the funds into the campaign account.
- An officeholder may use personal funds to pay officeholder expenses. (See Chapter 9.)
- A candidate may contract with a vendor or collecting agent to receive contributions. Funds must be promptly transferred to the candidate's campaign bank account. Fees deducted by the vendor are reportable expenditures on the date they are deducted.

QUICK TIP: The Political Reform Act does not require a federal tax ID number. However, most banks will require one in order to open a campaign bank account. A tax ID number may be obtained on the IRS website, www.irs.gov.

Expenditures from Multiple Accounts

A candidate who has more than one campaign committee must make all expenditures in connection with an election from the campaign bank account established for that election, including:

- Campaign strategic planning and fundraising expenses;
- Services and actual expenses of outside political consultants, the campaign treasurer, other staff, pollsters, and other persons who provide services directly in connection with the election;
- Voter registration and get-out-the-vote drives; and
- Payments for mailings, political advertising, yard signs, opinion polls or surveys, and other communications if the payments are either:
 1. For a communication that makes reference to the candidate's future election or status as a candidate; or
 2. Made three months prior to an election for which the candidate has filed a Candidate Intention Statement (Form 501), a declaration of candidacy, or nomination papers with an elections official, or any other documents necessary to be listed on the ballot for an elective office.

Ex 3.1 - Marshall Wu, a State Assemblymember, still has an open committee from the Assembly election. Marshall is running for State Senate in the next election and has opened another bank account and committee for that race. Marshall Wu must use the campaign bank account for the Senate campaign to pay for mailers and all other expenses related to the upcoming Senate election.

Investments

Campaign funds may be transferred from a campaign bank account to certificates of deposit, interest-bearing savings accounts, money market funds, or similar accounts. The funds must come from a campaign bank account designated for a specific office and be deposited in investment accounts established only for that office. The funds must be redeposited into the same campaign bank account before being used for campaign expenses.

Credit Cards

One or more credit accounts may be established for each campaign bank account. A single credit card, however, may not be designated for more than one campaign bank account. In addition, payment of charges on a credit account must be made only from the appropriate campaign bank account.

In lieu of establishing a new credit account, a candidate may designate an existing personal credit card with a zero balance as the campaign credit card (list the card number and date of designation in the campaign records). The candidate must ensure that no personal expenses are charged to this account until after the election and after all campaign charges have been paid with funds from the campaign bank account. Once all campaign expenses charged to the account have been paid, the candidate may resume using the card for personal purposes.

Petty Cash

Candidates may use campaign funds to establish a petty cash fund at each campaign office so long as the following conditions are met:

- A petty cash fund may not hold more than \$100 at any time.
- No expenditure of \$100 or more may be made from the fund.
- The fund may be used only for expenses associated with the election to the specific office or for the expenses of holding the office for which the petty cash fund was established.
- Once the funds are spent, payments made from petty cash must be reported as expenditures.

Officeholder Committees, Legal Defense Committees, and Recall Elections

State candidates and officeholders may establish separate accounts and committees to raise funds for officeholder expenses, legal defense, and opposition to the officeholder's recall. (See Chapter 1.) All of these committees are subject to the recordkeeping requirements discussed in this chapter. In addition, legal defense committees must keep separate detailed accounts, records, bills, and receipts for each legal dispute.

A treasurer for a candidate controlled ballot measure committee should refer to FPPC Campaign Manual 3 for guidance.

F. Recordkeeping

An accurate and organized record must be kept of all campaign contributions received and expenditures made. All individuals who handle contributions and make expenditures must be aware of and practice the recordkeeping procedures required by the Act and FPPC regulations outlined in this manual. While others may be involved, the candidate and treasurer remain legally responsible for the controlled committee's records. Moreover, the treasurer and each principal officer, as listed on the committee's Statement of Organization (Form 410), remain legally responsible for the records of a committee primarily formed for a state candidate.

Record Retention

Candidates and committees must keep all records, including original source documentation and copies of completed campaign statements, for a period of four years from the date the campaign statement relating to the records was filed.

Ex 3.2 - Sharon Goldstein, a State Assemblymember, filed her first campaign statement on January 31, 2020. The records associated with completing that statement, such as receipts and information on contributors, must be retained until January 31, 2024.

Exceptions:

- Elected state officers serving a four-year term must keep for five years records associated with the campaign statements they filed during the first year following their election.
- The electronic filing declaration required to be filed with Form E-530 must be kept for five years following the date the report is filed.

Records of Contributions Received and Other Receipts

Two types of records are required for receipts: a **daily record**, showing how much money was received on any given day; and a **contributor record**, with detailed information on each contributor of \$25 or more. The daily record requirement may be met simply with bank statements, copies of checks received, or other documentation that provides the required information listed below.

Date Received

A monetary contribution is received on the date that the candidate or committee, or an agent of the candidate or committee, obtains possession or control of the cash, check, or other form of contribution, not the date it is deposited in the bank account. Contributions received by electronic methods such as wire transfer, credit card, or debit account transactions are also received on the date the candidate or committee obtains possession or control of the funds. The following list provides examples:

- A contributor makes a contribution over the telephone. The contribution is “received” by the committee on the date the contributor gives their debit/credit account information to the committee.
- A contributor makes a contribution via the Internet and the committee reviews the online transaction before the contribution is processed. The contribution is “received” by the committee on the date the committee receives the payment information.

- A contributor makes a contribution via the Internet and the contribution is made by direct deposit without review and before transaction reports are produced. The contribution is “received” by the committee when the committee has possession of the funds.
- A contributor makes a contribution by text message. The contribution is “received” by the committee on the date that the mobile fundraising vendor, acting as agent of the committee, obtains possession or control of the contribution.
- A contributor agrees to make contributions via installment payments by authorizing the committee to periodically charge their credit card or withdraw funds from their account. The contribution is “received” when the committee, or an agent of the committee, obtains possession or control of the funds for each installment payment. The contribution reported is only the amount of each installment payment when received. Installment payments scheduled to take place in the future, but not yet received, are not reportable.

Receipts Under \$25

A daily lump sum total must be kept for contributions received under \$25 and miscellaneous receipts under \$25.

Contributor Records

Contributions: \$25 to \$99.99

For each monetary or nonmonetary contribution or loan of \$25 or more, the date received, amount, type of contribution, and full name and street address, including zip code, of the contributor must be documented. In addition, the total amount received from the contributor over the course of the current calendar year (the “cumulative amount”) must be recorded.

Contributions: \$100 or More

If contributions totaling \$100 or more are received from an individual, in addition to the information required for contributions of \$25 or more as described above, the contributor's occupation and employer must be recorded. If the contributor is self-employed, that fact also must be noted along with the name of their business. If a check is received from a business entity, generally the contributor is the business entity, not the person who signs the check.

Additional name information must be recorded for contributions totaling \$100 or more from limited liability companies (LLCs). For contributions received from an LLC that has qualified as an independent expenditure committee or major donor, record the name of the LLC and the full legal name of the LLC's responsible officer as defined in Regulation 18402.2. For contributions totaling \$100 or more received from an LLC that has qualified as a recipient committee, record the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, record the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified and recorded.

A contribution of \$100 or more must be returned if the contributor's name, street address, and, if the contributor is an individual, their occupation and employer are not in the committee's records within 60 days from receipt of the contribution. Additionally, contributions of \$100 or more from an LLC must be returned if, within 60 days, the committee's records do not contain the name of the LLC and the full legal name of the LLC's responsible officer (for an LLC that has qualified as an independent expenditure committee or major donor); the name of the LLC's principal officer (for an LLC that has qualified as a recipient committee); or, for an LLC that has not qualified as a committee, the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified and recorded.

Such contributions may be deposited in the committee's bank account pending receipt of the information, in which case they must be reported on the next campaign statement required to be filed (including the \$5,000 and \$1,000 reports - Form 497).

The Recipient Committee Campaign Statement (Form 460) must be amended within 70 days from its closing date to disclose the missing contributor information unless the contribution is returned to the donor. The \$5,000 and \$1,000 reports – Form 497 need not be amended. The committee also must note in its records the date the contributor information is received, if that date is different than the date the contribution is received.

Ex 3.3 - Stanley Hughes, a State Senate candidate, received a contribution of \$100 from Martha Andersen on June 1. The only information Stanley had was Martha's name and address as listed on Martha's check. On Stanley's semi-annual statement covering the reporting period through June 30, Stanley reported receiving \$100 from Martha, listed Martha's name and address, and indicated that Stanley would amend the statement when Stanley received Martha's occupation and employer information. By July 31 of that same year, even after writing to Martha, Stanley still did not have Martha's occupation and employer information. The committee must return \$100 to Martha.

When a contribution cannot be returned to the contributor within 60 days from the date the contribution was received, the contribution amount must be paid to the Secretary of State for deposit in the state's general fund.

If a contribution is returned to the contributor by check and the check is not cashed by the contributor within 90 days, the contribution must be paid to the Secretary of State within the following 30 days for deposit in the state's general fund.

Intermediaries and Earmarked Funds

For contributions of \$25 or more made through an intermediary (See Chapter 4), records with the above information for both the intermediary and the contributor are required.

Records must also include the amount of earmarked funds, a notation that the funds have been earmarked, and the specific ballot measure, candidate or committee for which the funds have been earmarked.

A committee making contributions with earmarked funds must maintain documentation showing which earmarked funds were contributed.

For purposes of Sections 84501(c)(3)(A) and 85704(d) if a primarily formed committee that received earmarked funds makes contributions and still has earmarked or non-earmarked funds remaining, it must retain documentation showing how a determination of which top contributors to disclose on its advertisements was made. (See Chapter 8.) This determination must be done using a reasonable accounting method such as, but not limited to, the last in first out accounting method. Earmarked funds must be taken into account first before non-earmarked funds.

Affiliated Entities

Information from affiliated entities (See Chapter 4) that describes the connection of affiliated contributors must be maintained in the records.

Nonmonetary Contributions

If the contribution is nonmonetary and valued at \$25 or more, a description and the fair market value of the contribution must be recorded. (See “Valuing Nonmonetary Contributions” in Chapter 4.)

Loans Received

If the contribution is a loan of \$25 or more, in addition to the above information for monetary contributions, the following information must be recorded:

- Interest rate of the loan, if any;
- Due date of the loan, if any; and

- Name and street address of any guarantor and the amount guaranteed, if any. The occupation and employer of any individual who guarantees a loan of \$100 or more must also be recorded.

If a candidate receives a loan from a commercial lending institution for their campaign, both the institution and the candidate are reported as the source of the loan.

State candidates who make loans to their own campaign committee from personal funds may not charge the committee interest. In addition, state candidates may not have personal loans, including loans from a commercial lending institution, outstanding to their campaigns exceeding \$100,000 at any one time. (See Chapter 1.)

Documentation for Contributions Received and Other Receipts

The committee must keep copies of all documents reflecting deposits made and all records reflecting campaign bank account balances, such as bank statements, check registers, and passbooks.

The following documents produced or received by the committee also must be kept for receipts of \$25 or more: copies of contributor checks, contributor cards, letters of transmittal, notices received from contributors, memoranda or other records that describe the method used to determine the fair market value of donated goods or services (nonmonetary contributions), and loan agreements or other documents that reflect indebtedness.

Documentation for electronic transactions must include information collected when debiting the contributor's account, such as itemized transaction reports (including the credit card confirmation number), debit/credit account transaction records, and credit card receipts or vouchers. Documentation of contributions received over the Internet must include a record of the transaction created and transmitted by the cardholder including the cardholder's name, street address and the last four digits of the card number.

For contributions or other receipts of \$100 or more, copies of any letters or other communications sent by the committee to obtain the documents listed above must be kept.

Expenditures Made

Expenditures: Under \$25

A daily lump sum total of all expenditures under \$25 must be kept.

Expenditures: \$25 or More

For expenditures of \$25 or more to a single payee, or a series of payments for a single product or service that total \$25 or more, the following must be recorded:

- Full name and street address, including zip code, of payee;
- Expenditure amount;
- Date the expenditure was made or, for accrued expenses, the date the goods or services were received; and
- Description of the goods or services received.

Contributions to Other Candidates or Committees and Independent Expenditures

For expenditures that are contributions or independent expenditures, the amount of the expenditure and the cumulative amount paid in that calendar year in connection with the officeholder, candidate, committee, or ballot measure must be recorded.

QUICK TIP: See Chapter 9 for a detailed discussion and examples of when a contribution is made. Chapter 7 describes communications that are considered independent expenditures.

For all such expenditures of \$25 or more, the following information is required:

- Date the contribution or independent expenditure was made;
- Whether the expenditure was an independent expenditure;

- Name of the officeholder or candidate and the office and district they hold or for which they seek nomination or election, or the number or letter of the measure and the jurisdiction in which the measure is to be voted on; and
- Cumulative amount spent on behalf of the candidate, measure, or committee.

Loans Made to Others

The following additional information must be kept for loans made by the committee: interest rate, if any; due date, if any; and full name and street address of anyone guaranteeing the loan or who is liable directly, indirectly, or contingently for the loan. (For restrictions on loans to others, See Chapter 6.)

Transfers to Another Controlled Committee of the Candidate

A state candidate's controlled committee that transfers funds using the LIFO or FIFO method must keep records of the specific contributors attributed to each transfer. In the event that a transferring committee is no longer required to keep such documents, the receiving committee may use copies of the transferring committee's campaign statements or other available records that confirm the identity of the original contributors. (See Chapter 1.)

Expenditures by Agents and Independent Contractors

Agents must provide the treasurer information and documentation related to campaign expenditures made on behalf of the committee so that all of the reporting requirements are met.

Deadlines to provide the treasurer information:

- No later than three working days of the deadline for filing a campaign statement other than the Form 496 or Form 497.
- Within 24 hours of the time for reporting the expenditure on Form 496 or Form 497.

Expenditure Limits

Candidates who have accepted the voluntary expenditure ceiling must maintain records identifying how campaign expenditures that count toward the ceiling were allocated. (See Chapter 1 for information on the voluntary expenditure ceiling and to determine which expenditures count toward the ceiling.)

Expenditures for Gifts, Meals and Travel

A candidate controlled committee that makes an expenditure of \$100 or more for a gift, meal, or travel, must keep a dated memorandum or some other form of dated written record containing a brief description of the political, legislative, or governmental purpose of the expenditure, as well as the information described below:

- **Gifts:** The date of the expenditure, a description of the gift, and the name of any recipient who received a benefit of \$50 or more.
- **Meals:** The date of the meal, the name of each individual who attended the meal, and whether they are a member of the candidate's household or someone who has authority to approve expenditures of campaign funds.
- **Travel:** The dates of travel, the destination, the name of each individual who traveled, and whether they are a member of the candidate's household or someone who has authority to approve expenditures of campaign funds.

Documentation for Expenditures

All bank and credit card records for expenditures must be kept.

QUICK TIP: Expenditures may be made electronically using a bank account, credit card, debit card, or electronic payment service (e.g., PayPal) so long as detailed records are kept. It is important to note that electronic payment services such as PayPal or Venmo do not meet the one bank account criteria as outlined by the Act. Campaign bank accounts must be established through a bank with a physical location in California. A committee may use electronic payment services (e.g., PayPal) for expenditures, but the electronic payment service cannot serve as the campaign bank account.

For expenditures of \$25 or more, keep canceled checks, bills, invoices, or statements; receipts; credit card charge slips; vouchers; contracts; loan agreements; and other documents produced or received by the committee reflecting additional obligations. Copies of canceled checks may be retained if the copies contain a legible image of the front and back of the canceled check and the copies are obtained from the financial institution.

If no receipt, voucher, or invoice is available, a voucher should be written as soon as possible with the date and amount of the payment, the name of the payee, and a description of the goods or services received. A voucher is not required for payments under \$25.

G. Mass Mailings, Mass Emails, Telephone Calls, and Notices to Contributors of \$5,000 or More

The following must be retained for a period of four years following the date the campaign statement relating to the records is filed:

- **Mailers.** A copy of any mass mailing sent by the committee (See Chapters 7 and 8)
- **Mass Emails.** An original sample of each mass email, the date sent and the number of individual emails sent (See Chapter 8)

- **Political Calls.** A script of the call or a copy of the recorded phone message when the committee coordinates on and pays for 500 or more telephone calls to expressly advocate support for a candidate or ballot measure (See Chapter 8)
- **Major Donor Notices.** A copy or record of all notifications to contributors of \$5,000 or more (See Chapter 4)

Answering Your Questions

A. If, in the early days of the campaign, the candidate is not able to find someone to serve as the campaign treasurer, may the candidate serve in that capacity until another person is found?

Yes. In fact, a separate treasurer is never required. The candidate may serve as treasurer throughout the campaign.

B. Are there any specific accounting qualifications for someone to be able to serve as treasurer, or any conditions which would disqualify someone from being able to serve as treasurer?

No.

C. What should be done if the treasurer and assistant treasurer, or the candidate, are not able to sign before the deadline?

In order to ensure that the statement is filed on time, you may submit the filing if it is signed by one of the following: the candidate, treasurer, or assistant treasurer. If the candidate's signature is missing, submit an amendment to provide their signature as soon as possible. Likewise, if both the treasurer and assistant treasurer are unavailable, submit an amendment to provide the required signature as soon as possible.

Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

Government Code Sections

82015	Contribution.
82018	Cumulative Amount.
82025	Expenditure.
82044	Payment.
82047.5	Primarily Formed Committee.
82047.6	Principal Officer.
84101.5	Annual Fees.
84104	Recordkeeping.
84105	Notification to Contributors.
84300	Cash and In-Kind Contributions; Cash Expenditures.
84302	Contributions by Intermediary or Agent.
84305	Requirements for Mass Mailing.
84306	Contributions Received by Agents of Candidates or Committees.
84307	Commingling with Personal Funds.
84310	Identification Requirements for Telephone Calls.
84501	Advertisement.
85201	Campaign Bank Account.
85304	Legal Defense Fund.
85307	Loans.
85315	Elected State Officer Recall Committees.
85318	Contributions Received for Primary and General Elections.
85501	Prohibition on Independent Expenditures by Candidate Controlled Committees.
85700	Donor Information Requirements; Return of Contributions.
85704	Prohibition on Earmarking.
89511.5	Use of Personal Funds for Incumbent Elected Officers.
90000	Responsibility.
90001	Mandatory Audits and Investigations.
90002	Audits and Investigations; Time.
90003	Discretionary Audits.
90006	Audit and Investigation by Commission.
90007	Auditing Guidelines and Standards.

Title 2 Regulations

- 18250 Street Address.
- 18400 Treasurer, Assistant Treasurer, Responsible Officer, and Principal Officer Capacity.
- 18401 Required Recordkeeping for Chapters 4 & 5.
- 18402.1 Principal Officers.
- 18402.2 Limited Liability Companies, Responsible Officer.
- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18421.3 Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
- 18421.10 Reporting Contributions from Limited Liability Companies.
- 18421.31 Text Message Contributions.
- 18421.7 Reporting an Expenditure for a Gift, a Meal, or Travel.
- 18426.1 Assistant Treasurer.
- 18427 Duties of Treasurers and Candidates with Respect to Campaign Statements.
- 18427.1 Notification to Contributors of Filing Obligations.
- 18428 Reporting of Contributions and Independent Expenditures Required to be Aggregated.
- 18432.5 Intermediary and Earmarked Funds Disclosure.
- 18440 Telephone Advocacy.
- 18521 Establishment of Separate Controlled Committee for Each Campaign Account.
- 18521.5 Ballot Measure Committees Controlled by Candidates for Elective State Office.
- 18523 Nondesignated Contributions or Loans.
- 18524 Investment and Expenditure of Candidates' Campaign Funds.
- 18525 Incumbent Candidates' Election Expenses and Officeholder Expenses.
- 18530.4 Legal Defense Funds - State Candidates and Officers.
- 18530.8 Personal Loans.
- 18531.5 Recall Elections.
- 18531.62 Elected State Officeholder Bank Accounts.
- 18534 Required Committee Bank Accounts.
- 18536 Transfer and Attribution of Contributions.
- 18570 Return of Contributions with Insufficient Donor Information.
- 18994 Auditing and Investigations.
- 18995 Standards and Guidelines for Auditing Statements and Reports.