

# REPORTING REQUIREMENTS

This chapter describes the campaign reporting requirements for major donor committees. Generally, the first statement a major donor files is the 24-Hour/10-Day Contribution Report, Form 497. This report is due for certain contributions of \$1,000 or more made within 90 days before a state or local election or on the date of the election. The one-page report provides immediate disclosure to the public, and the contribution is also reported by the recipient committee. All major donors must also complete Form 461, which provides a summary of all contributions and expenditures made. The report also provides the public with more information on the nature of the persons completing the report. This chapter concludes with additional reports that may be required depending on the committee's activity.

## A. Committee Type

### Initial Determination

When an individual or business entity qualifies as a major donor committee by making contributions or expenditures of \$10,000 or more in a calendar year, it must file as a state, county, or city committee.

**State Committee:** A major donor that makes one or more contributions to a state candidate, measure, or committee when it qualifies as a major donor committee will file as a state committee. The committee will also qualify as a state committee unless it qualifies as a county or city committee.

**County Committee:** A major donor that makes more than 70% of the initial contributions to candidates, measures, and other general purpose committees in only one county, or in more than one jurisdiction within one county is a county committee.

**City Committee:** A major donor that makes more than 70% of the initial contributions to candidates, measures, and other general purpose committees in only one city is a city committee (including consolidated city/county municipalities such as San Francisco).

**Calendar Year Determination:** A major donor qualifies anew each year and counts contributions or expenditures only during the current calendar year.

**Quarterly Review:** It is common for major donors to make payments in connection with more than one city, county, or state election. The FPPC recognizes the need to provide voters within the jurisdiction holding an election access to a donor's campaign statements and to abide by the local agency's campaign ordinance, if any. At the same time, the FPPC is aware of the reporting burden if major donors must file in multiple jurisdictions.

Regulation 18227.5 addresses this issue. A major donor must reassess and verify its reporting status at the end of each quarter. However, a committee is not prohibited from changing its status before the end of a calendar quarter if it chooses to do so.

This regulation provides a common ground for the diversity of major donors that spend money in both state and local California elections. Many donors prefer to file at the state level. Thus the regulation allows for filing with the Secretary of State when only a single contribution is made. Other major donors who give locally will remain local committees.

### Exceptions:

- A major donor that has not made contributions and/or expenditures of \$5,000 or more to support or oppose candidates/measures in the preceding quarter is not required to review or change its status.
- City and county committees that make four or fewer contributions to certain state candidates are allowed to remain local committees. See FPPC regulation 18227.5.

**Ex 4.1** – A committee's first two contributions were a \$4,000 contribution to a statewide elected officer's committee and a \$7,000 contribution to a local committee. The committee is a state committee.

**Ex 4.2** – A committee's initial contribution was \$50,000 to a state ballot measure committee. The committee will remain a state committee for the calendar year no matter how many contributions it later makes to local committees.

**Ex 4.3** – A committee's initial contribution was \$50,000 to a city ballot measure committee. The following month, the committee made its second payment, a \$3,000 contribution to a state ballot measure committee. The major donor may start filing as a state committee immediately or do so at the end of the calendar quarter.

**Ex 4.4** – A committee's initial contribution was \$10,000 or more to a city committee. The following month, the committee made a contribution of \$100,000 in connection with a county ballot measure. The committee may elect to file immediately with the county filing officer or begin to file with the county following the end of the calendar quarter.

## Filing Locations

The filing locations are identified on the chart below. A committee that changes jurisdictions during a calendar year must file in each jurisdiction for that year. For example, a major donor that files its first semi-annual Form 461 as a city committee and later qualifies as a state committee will file the second semi-annual Form 461 with both the Secretary of State and the city filing officer.

<b>Committee</b>	<b>Location</b>
<b>State Committees</b>	Secretary of State Political Reform Division P.O. Box 1467 1500 11th Street, Room 495 Sacramento, CA 95814 Fax (916) 653-5045
<b>County Committees</b>	County Elections Office
<b>LAFCO Proposals</b>	File with the county elections office in the county that the proposal may be voted upon. Once a proposal is listed on a ballot, file as a multi-county, county, or city committee.
<b>City Committees</b>	City Clerk

### Quick Tip

FPPC regulations state that a major donor shall not knowingly file in an incorrect jurisdiction with the intent of avoiding legal disclosure to the public. Committees may always seek FPPC advice on where to file.

### Quick Tip

A county major donor committee qualified as a state major donor committee in the last six months of a calendar year. The semi-annual statement due January 31, covering the previous six months, must be filed with both the county and the state.

Deadlines for filing reports are provided on filing schedules posted on the FPPC website. Disclosure reports must be filed on time so that voters are informed before an election.

- Filing deadlines cannot be extended.
- For statements that are mailed, the date of the postmark is considered the date filed.
- Failure to file on time may lead to late filing penalties of \$10 for each day a statement is late.
- Failure to file a statement may result in additional penalties.

## Electronic Filing: Form 497 and Form 461

### State Committees

**Form 497:** State committees that make certain contributions totaling \$1,000 or more in the 90 days before a state election, or on the date of the election, file an electronic submission of the Form 497. This report is required when \$1,000 or more is made to the following committees:

- a candidate controlled committee within 90 days before the candidate's election, or on the date of the election;
- a ballot measure committee within 90 days before the measure's election, or on the date of election;
- a primarily formed candidate committee within 90 days before the candidate's election, or on the date of the election; or
- a political party committee within 90 days before any state election, or on the date of the election

All Form 497's are filed electronically even if the major donor has not made contributions or expenditures of \$25,000 or more. Committees may use the Secretary of State's online form.

**Form 461:** State committees must file this report electronically with the Secretary of State if cumulative contributions (including loans) or expenditures made are \$25,000 or more. The cumulative totals include expenditures a state committee makes regarding a local election or committee. Major donor committees need not file the Form 461 electronically in any calendar year in which they have not reached the \$25,000 threshold. (A Form 461 must also be filed on paper.)

For information about electronic filing requirements, contact the Political Reform Division at the Secretary of State's office at (916) 653-6224 or visit [www.sos.ca.gov](http://www.sos.ca.gov). Depending on when a committee qualifies, its first electronic filing may be either a 24-Hour/10-Day Contribution Report (Form 497) or a semi-annual statement.

#### Quick Tip

The Secretary of State may fine \$10 for the paper report and \$10 for the same report filed electronically, resulting in a \$20/day late fine.

**Ex 4.5** – One month before the November election, a major donor made a \$20,000 contribution to Yes on Measure G. The major donor must file Form 497 within 24 hours of making the contribution. (The Measure G committee also must report the receipt of the contribution.)

Ten days before a special state election to fill a vacant Assembly seat, a major donor makes a contribution of \$5,000 to the Riverside County Republican Central Committee. Regardless of the purpose for the contribution, the major donor must file Form 497, and the central committee receiving the contribution must file a report as well.

#### Quick Tip

Check the FPPC website for filing schedules.

#### Quick Tip

A contribution to a general purpose PAC does not trigger Form 497 (exception: state and local political parties).

Form	Paper Filers	Electronic Filers
461	Paper	Paper and Electronic
497	Electronic Only	Electronic Only

## Local Committees

Some local jurisdictions may require campaign forms to be filed electronically. Contact the local jurisdiction for information on whether there is a requirement to file electronically.

## B. Form 497 – 24-Hour/10-Day Contribution Report

A Form 497 must be filed if:

- During the 90 days before an election, or on the date of the election, a major donor makes contributions totaling \$1,000 or more, to a single candidate or primarily formed ballot measure committee and the candidate or ballot measure is being voted upon in that election.
- A committee makes a contribution of \$1,000 or more to a political party (including central committees) during the 90 days before **any** state election, or on the date of the election.

Note: The Form 497 is not required if a payment is made to a national political party or to a federal account of a state or local political party.

Generally, if a report is due on a Saturday, Sunday, or official state holiday, the 24 hour deadline is extended to the next business day. However, the extension does not apply to a Form 497 that is due the weekend before the election. For example, if a donor makes a contribution on the Saturday before the election, the Form 497 is due on Sunday.

## Where to File Form 497

### State Committees

The Form 497 is filed electronically with the Secretary of State - no paper copies are required. This is true even if the committee has not met the \$25,000 threshold that requires Form 461 to be filed electronically.

### Local Committees

The Form 497 must be filed by fax, email, guaranteed overnight delivery service, or personal delivery at the same location the committee files the Form 461. **Regular mail may not be used.** Some local agencies will require reports to be filed electronically.

# 497 Contribution Report

Type or print in ink.  
Amounts may be rounded to whole dollars.

497 CONTRIBUTION REPORT

A	NAME OF FILER Hart Corporation (including aggregated contributions)		Date of This Filing 6/2/XX	Date Stamp	<b>CALIFORNIA FORM 497</b> For Official Use Only
	AREA CODE/PHONE NUMBER (916) 876-5023	I.D. NUMBER (if applicable)	Report No. 1		
	STREET ADDRESS 4300 Industrial Park West		<input type="checkbox"/> Amendment to Report No. _____ (explain below)		
	CITY Sacramento	STATE CA	ZIP CODE 95817		

B	<b>Contribution(s) Made</b>				
	DATE MADE	FULL NAME, STREET ADDRESS AND ZIP CODE OF RECIPIENT (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CANDIDATE AND OFFICE OR MEASURE AND JURISDICTION	AMOUNT OF CONTRIBUTION	DATE OF ELECTION (IF APPLICABLE)
	6/1/XX	Republican Party 123 G Street Anytown, CA 95881 #0012233 (made by Hart Co.)		26,000	
6/1/XX	Yes on Prop 88, Voters for School Funding 34 Gough Street San Francisco, CA 94103 (made by Kline Ltd.)	Prop. 88, State	10,754		

## A How to Complete Form 497

- Enter the committee’s name, street address, city, state, and zip code.
- Indicate the date of filing this report.
- Assign a unique number to each late contribution report, such as 1, 2, 3, PR-1, PR-2, PR-3, etc.

## B For 24-hour contributions made, provide:

- The date made;
- The recipient’s full name and address;
- Office sought or held (if to a candidate);
- Ballot measure number or letter and jurisdiction (if to a ballot measure committee), you may also include full name and I.D. number;
- The amount of the contribution; and
- The date of the election, if a state committee is disclosing a late contribution to a local candidate.

## Amendments

To amend a previously filed Form 497, file a new Form 497 with the corrected information and the “Amendment” box checked. The “Report Number” of the report being amended should be included. There is no deadline for filing amendments. However, amendments should be filed before the respective election, or as soon as practicable. File the amendment in the same location(s) as the original.

## Answering Your Questions

- A. If a contribution of \$1,000 or more is made to one of a candidate's campaign committees (e.g., legal defense, ballot measure, past election), but not to the committee that is formed for the election triggering the 24-hour reporting, are the candidate and/or the donor required to file a Form 497?**

Yes. When a candidate is in a 90-day reporting period, each contribution of \$1,000 or more to any of his or her committees requires the Form 497 to be filed by both the candidate and the donor.

- B. A major donor committee gives \$500 to a candidate for the special primary election a few days before the election, and another \$500 a few days after the primary election, when the candidate moved to the special general election. Both contributions were received during the 90 days before the general election. Is a Form 497 required to be filed by the donor and/or the candidate?**

No. Because \$1,000 or more was not made in connection with one election, the Form 497 is not required to be filed.

- C. How does a major donor determine its reporting obligations in the 90 days before a state election, when contributing to a political party?**

A political party and a donor to a political party must report each contribution of \$1,000 or more during the 90-day period before any state election or on the date of the election. Check FPPC's website for state special election filing schedules.

**D. Is a Form 497 required if a major donor makes a contribution of \$1,000 or more to a general purpose recipient committee, such as a trade association's or union's PAC?**

No. The Form 497 is not required to be filed when contributions are made to a general purpose committee.

**E. A major donor made two separate contributions to a city council candidate seeking an election. A \$500 contribution was made 60 days before the election and a \$700 contribution was made 40 days before the election. Is a Form 497 required?**

Yes. Contributions aggregating \$1,000 or more to a candidate, if made 90 days before the election, or on the date of the election, trigger Form 497. The Form 497 must be filed within 24 hours of making the \$700 contribution. Both contributions should be reported on the form.

**F. A major donor made two separate contributions. One was \$500 to a city ballot measure committee and the other was \$600 to a city candidate. Is Form 497 required?**

No. A contribution of \$1,000 or more was not made to a single candidate or ballot measure.

**G. A major donor made a \$1,500 contribution to a candidate during the 90 days before the candidate's election. The major donor filed a Form 497. Does the major donor file a subsequent Form 497 if the only other contribution, before the election, was \$200?**

No. The contributor must make additional contributions totaling \$1,000 or more to trigger another Form 497.

**Quick Tip**

Check the FPPC website for filing schedules. Most local election and all state election filing schedules are published there.

## C. Form 461 – Committee Campaign Statement

Major donors use Form 461 to report contributions and independent expenditures made to support or oppose California state and local candidates, officeholders and ballot measures, and contributions to campaign committees such as PACs and political parties. The statement provides the public with information regarding the nature and interests of the person making the contributions or payments.

### When to File Form 461

#### Semi-Annual Statements: All Committees

January 1 – June 30: Due July 31

If an entity qualifies as a committee during the first six months of the year, the Form 461 is due no later than July 31, covering the period January 1 through June 30. If no additional contributions or independent expenditures are made during the second semi-annual period, July 1 through December 31, no other Form 461 is required during the calendar year.

July 1 – December 31: Due January 31

If an entity qualifies as a committee during the first six months of the year and any amount of contributions are made after June 30, a Form 461 covering the period July 1 through December 31 is required. If an entity or individual qualifies as a committee during the second six months of the year, its Form 461 will be due no later than January 31, covering the period January 1 through December 31 of the prior year.

#### Odd Year Report: State Committees

During an odd-numbered year, Form 461 must be filed if the major donor committee makes contributions totaling \$10,000 or more to **elected state officers**, their controlled committees, or committees primarily formed to support or oppose any elected state officer between January 1 and March 31, or between July 1 and September 30. The special odd-year reports are due April 30 and October 31, respectively.

#### Quick Tip

If your committee makes both contributions and independent expenditures, also refer to FPPC Campaign Disclosure Manual 6 for Independent Expenditure Committees.

**Ex 4.6** – During March of an odd-numbered year, ABC Corporation makes a contribution of \$3,000 to a state officeholder's controlled ballot measure committee, and four contributions to four different Assembly officeholders of \$3,000 each. The corporation files a Form 461 covering the period January 1 through March 31. The report is due no later than April 30 to the Secretary of State.

Major donors are not subject to quarterly filings in even-numbered years because elected state officers file campaign statements disclosing contributions received from major donor committees more frequently in even-numbered years.

Form 461 is triggered if contributions are made to any controlled committee of an elected state officer, including controlled general purpose ballot measure committees, controlled primarily formed ballot measure committees, officeholder committees, legal defense committees, or recall committees.

The form is completed and filed in the same manner as a regular semi-annual statement and includes all of the major donor committee's activity during the reporting period, not just contributions to elected state officers.

### **Early Filing**

A major donor may file campaign statements in advance of a deadline. For example, if a major donor makes contributions in the first quarter of a year triggering the special odd-year report (see page 4.10), and does not expect to make additional contributions that year, it may file a statement covering the period January 1 through June 30 on or before April 30. A semi-annual statement would not be required for the July 31<sup>st</sup> deadline. If additional contributions are made, a Form 461 must be filed.

### **Amendments**

If, at any time, a committee determines that an error has occurred on a previous filing, an amendment is required. Check the amendment box on Form 461 and complete Part 1. Only the amended information, including Part 3, if applicable, must be disclosed. Online filers may submit a complete corrected statement. The verification must be completed.

## Where to File Form 461

<b>State Committees</b>	<b>Secretary of State</b> Political Reform Division P.O. Box 1467 1500 11th Street, Room 495 Sacramento, CA 95814 Fax (916) 653-5045
<b>County Committees</b>	<b>County Elections Office</b>
<b>LAFCO Proposals</b>	File with the county elections office in the county that the proposal may be voted upon. Once a proposal is listed on a ballot, file as a multi-county, county, or city committee.
<b>City Committees</b>	<b>City Clerk</b>

### Quick Tip

A committee that changes jurisdictions in a calendar year must file statements with both jurisdictions through the end of the calendar year. For example, a city major donor that becomes a state major donor in October must file its semi-annual statement due January 31 with both the city and the state.

A LAFCO agency may also require a campaign statement.

### Quick Tip

The public can view each electronically filed report by visiting the Secretary of State's website at [cal-access.sos.ca.gov](http://cal-access.sos.ca.gov).

## How to Complete Form 461

### **A** Statement Period and Date of Election

If this is the first filing of the calendar year, the "from date" should be January 1. Otherwise, this date should be the day after the closing date of the most recently filed Form 461. The closing date of the statement depends on the type of statement being filed.

**Major Donor and Independent Expenditure Committee Campaign Statement**

Type or print in ink.

Date Stamp

**CALIFORNIA FORM 461**

Page 1 of 2  
For Official Use Only

**A** Statement covers period  
from 1/1/XX  
through 6/30/XX

Date of election if applicable:  
(Month, Day, Year)  
\_\_\_\_\_

**1** SEE INSTRUCTIONS ON REVERSE

**1. Name and Address of Filer**

NAME OF FILER  
Hart Corporation (including aggregated contributions and independent expenditures)

RESIDENTIAL OR MAILING ADDRESS (NO. AND STREET)  
4300 Industrial Park West

CITY STATE ZIP CODE  
Sacramento CA 95817

RESPONSIBLE OFFICER (If filer is other than an individual)  
Howard Hart

AREA CODE/DAYTIME PHONE  
916-876-5023

**2. Nature and Interests of Filer** (Complete each applicable section.)

A FILER WHO IS AN INDIVIDUAL MUST LIST THE NAME, ADDRESS, AND BUSINESS INTERESTS OF EMPLOYER OR, IF SELF-EMPLOYED, THE NAME, ADDRESS, AND NATURE OF THE BUSINESS

NAME OF EMPLOYER/BUSINESS BUSINESS INTERESTS

ADDRESS OF EMPLOYER/BUSINESS

A FILER THAT IS A BUSINESS ENTITY MUST DESCRIBE THE BUSINESS ACTIVITY IN WHICH IT IS ENGAGED  
Gourmet Food

A FILER THAT IS AN ASSOCIATION MUST PROVIDE A SPECIFIC DESCRIPTION OF ITS INTERESTS

A FILER THAT IS NOT AN INDIVIDUAL, BUSINESS ENTITY, OR ASSOCIATION MUST DESCRIBE THE COMMON ECONOMIC INTEREST OF THE GROUP OR ENTITY

**3. Summary**

(Amounts may be rounded to whole dollars.)

1. Expenditures and contributions (including loans) of \$100 or more made this period. (Part 5.).....	\$ 72,754
2. Unitemized expenditures and contributions (including loans) under \$100 made this period.....	\$ 0
3. Total expenditures and contributions made this period. (Add Lines 1 + 2.).....	SUBTOTAL \$ 72,754
4. Total expenditures and contributions made from prior statement. (Enter amount from Line 5 of last statement filed. If this is the first statement for the calendar year, enter zero.).....	\$ 0
5. Total expenditures and contributions (including loans) made since January 1 of the current calendar year. (Add Lines 3 + 4.).....	TOTAL \$ 72,754

**4. Verification**

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 7/15/XX By \_\_\_\_\_  
DATE SIGNATURE OF INDIVIDUAL DONOR OR RESPONSIBLE OFFICER, IF OTHER THAN AN INDIVIDUAL

**1 Filer Information**

Enter the legal name of the individual or entity filing the statement. If the filer is commonly known to the public by another name, that name may be used. When a person directs and controls the making of contributions and independent expenditures by a related entity (e.g., a subsidiary or a majority shareholder of a corporation) that must be aggregated and reported on Form 461, list as the "Name of Filer" the name of the individual or entity that directs and controls the making of the contributions.

**Ex 4.7** – Rosebud Productions is disclosing a \$10,000 contribution made on May 1. Its Form 461 will show the period as January 1 through June 30. In the second half of the year, Rosebud made another contribution. Its second Form 461 for the year will show the period as July 1 through December 31.

In addition:

- Indicate that the campaign statement includes the contributions of other entities. For example, "ABC Corporation, including aggregated contributions."

Other examples for listing major donors and affiliates: Johnson, Dana/DJ Capitol Group, Inc.; Rivera, Mark/Sara A. Rivera Family Trust; Feather River Tribal Council/Bear Mountain Casino; Spar Industries, Inc; Robert L. Spar; Darryl Spar; Solano Engineers, Inc.; Gulf Oil Products and affiliated entities.

**Ex 4.8** – Hector Flores is the sole owner of two separate businesses. Hector directed a \$7,000 contribution from one business to a local ballot measure committee in January and a \$5,000 contribution from the other business to a local candidate in February. No other contributions were made in the calendar year. Hector will file the Form 461 under the name “Hector Flores (including aggregated contributions).” The Form 461 will identify both contributions and the business entity name associated with each contribution. Hector must also notify the ballot measure committee and the candidate that the contributions must be reported under the name Hector Flores.

- Identify any entities added to the report that were not included in a prior report filed for the current calendar year, as well as any entities included in a prior report for the current calendar year that are no longer required to aggregate under the name of filer.
- Identify both names if the “Name of Filer” listed on a previous report filed for the current calendar year is different from the name identified on this report. For example, “Tim Lewis, formerly Lewis Construction.”
- Enter the name of the responsible officer of an entity or organization filing the statement.

## 2 Nature and Interests of Filer

The nature and interests of the filer must be clearly identified. The business activity, association interests, or economic interest must be defined in the appropriate category. When payments from different persons are reported, if there are different interests, an attachment must identify the various persons and respective interests.

## 3 Summary

The summary lists the totals of all expenditures and contributions (including loans) made during the period covered by the statement. Collectively, Lines 1-3 represent the expenditures and contributions made during the reporting period. Line 4 must be the same figure shown on Line 5 of the previously filed statement or zero if it is the first statement for the calendar year. Line 5 represents the total of all expenditures and contributions made since January 1 of the current calendar year.

## 4 Verification

An attorney, a certified public accountant, or a responsible officer of an entity may sign the verification on behalf of the entity. A statement filed by an individual must be signed by the individual rather than the individual’s attorney or certified public accountant. The Form 461 is not considered filed if it is not signed.

The amendment box is checked if an amendment is being filed to a previously filed Form 461. A brief explanation of the change is required and the period covered by the statement being amended should be noted above in the “statement covers period” box.

## 5 Contributions and Expenditures Made

- Disclose the dates of the contributions or independent expenditures made during the period. (See Chapter 2 for determining when a contribution is made.)
- Each payment of \$100 or more must be itemized. The name, street address, city, state, and zip code of the payee must be included. Also include committee I.D. numbers if applicable. Do not use a post office box number.

5

**5. Contributions (Including Loans, Forgiveness of Loans, and Loan Guarantees) and Expenditures Made**

*(If more space is needed, use additional copies of this page for continuation sheets.)*

DATE	NAME, STREET ADDRESS, CITY, STATE AND ZIP CODE OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	TYPE OF PAYMENT	DESCRIPTION OF PAYMENT (IF OTHER THAN MONETARY CONTRIBUTION OR LOAN)	CANDIDATE AND OFFICE, MEASURE AND JURISDICTION, OR COMMITTEE	AMOUNT THIS PERIOD	CUMULATIVE AMOUNT RELATED TO THIS CANDIDATE, MEASURE, OR COMMITTEE
4/10/XX	Committee to Save California and Oppose J. Addams, AD 5 2018 4733 Rancho Road Sacramento, CA 95821 #1251273 (made by Hart Co.)	<input checked="" type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input type="checkbox"/> Non-Monetary Contribution <input type="checkbox"/> Independent Expenditure		Jane Addams, AD 5  <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose	6,000	6,000
6/1/XX	Republican Party 123 G Street Anytown, CA 95881 #0012233 (made by Hart Co.)	<input checked="" type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input type="checkbox"/> Non-Monetary Contribution <input type="checkbox"/> Independent Expenditure		Republican Party  <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	26,000	26,000
5/27/XX	KZYY 1240 AM 4700 Broadway Sacramento, CA 95814 (made by Kline Ltd.)	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input type="checkbox"/> Non-Monetary Contribution <input checked="" type="checkbox"/> Independent Expenditure	air time	Doug Janet, AD 9  <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose	30,000	30,000
6/1/XX	Pym and Associates 34 Gough Street San Francisco, CA 94103 (made by Kline Ltd.)	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input checked="" type="checkbox"/> Non-Monetary Contribution <input type="checkbox"/> Independent Expenditure	advertisement	Yes on Prop. 88, State or Yes on Prop. 88, Voters for Schools  <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	10,754	10,754
<b>SUBTOTAL \$</b>					<b>72,754</b>	

- For aggregated activity, identify the name of the entity making the contribution or independent expenditures for each itemized payment made.
- Check the box indicating what type of payment was made. If the payment was a nonmonetary contribution, provide a description of the payment.
- If a total of \$100 or more was contributed or expended during a calendar year to support or oppose a single candidate, ballot measure, or general purpose committee (e.g., a political party or a PAC), the name of the candidate and the office sought or held, the name and jurisdiction of the ballot measure, or the name of the general purpose committee must be disclosed. For each candidate or measure listed, indicate whether the payment was made to support or oppose the candidate or measure.
- The amount of contributions or expenditures made this period relative to each candidate, measure, or committee and the cumulative amount contributed or paid since January 1 of the current calendar year must be provided.
- **Multi-Purpose Organizations.** When a multi-purpose organization uses non-donor funds to make contributions or independent expenditures, it must briefly describe in the “Description of Payment” field or in a memo entry on the Form 461, the source of non-donor funds used. For example, if interest income was used to make the political payments, that must be noted.

## Reporting Tips

**Affiliated Entities.** When contributions or expenditures from affiliated entities are itemized on one statement, each affiliated entity must be identified with its specific payment. In addition, the statement must also identify the addition or deletion of any entity for which contributions and expenditures are aggregated together.

**Loans.** Loan repayments are not reported. However, if a loan was made and forgiven during the same calendar year, the amount of the forgiveness under “Description of Payment” is reported. The same is true if a loan guarantee is made and payments to the lender are made during the same calendar year.

**Giving to Primarily Formed Committee.** When a payment is made to a primarily formed committee for a candidate or measure, disclose the name of the primarily formed committee under the “name of the payee” section. Under the applicable section, disclose the candidate and office or measure and jurisdiction and whether the committee to which you contributed “supports” or “opposes” the particular candidate or measure. For example, the oppose box would be marked if a contribution was made to the Committee to Oppose Candidate Saxton.

**Returned Contributions.** A contribution that is returned, uncashed, during the reporting period is not reportable. If a candidate returns a contribution that has been previously reported, do not amend the previous report. The contribution may be noted as returned in the subsequent report.

**Federal Candidates.** Contributions made to federal candidates or candidates in other states should not be reported on Form 461.

**Transferred Contribution.** A contribution that has been transferred by a candidate to another of his or her controlled committees does not need to be reported again. However, in some cases, the transferred contribution counts toward the state contribution limit for the new committee for that donor.

**Spouses.** The contributions of spouses and domestic partners are calculated separately for purposes of qualifying as a major donor committee. If both individuals qualify as major donor committees, they must file separate forms.

**Cumulating Contributions.** Contributions to an officeholder’s committee are cumulated with the candidate’s future election committee contributions for purposes of contribution limits.

For purposes of reporting on Form 461, the following payments are not cumulated:

- Contributions made to a candidate’s election committee and contributions to that candidate’s controlled ballot measure committee, legal defense fund, recall committee or officeholder committee.
- Independent expenditures supporting a candidate and contributions to that same candidate’s campaign.

**Nonmonetary Contributions.** If goods on hand were contributed (e.g., paper or postage), describe the goods or services in the “Description of Payment” column, and disclose the fair market value of the goods or services. The fair market value is the amount it would cost the recipient to purchase the goods on the open market.

**Subvendor Payments.** If a payment was made to an agent or independent contractor who then made payments on behalf of the filer (subvendor payments), disclose payments made to the subvendor in addition to the payments made to the agent. Report the name and address of the agent, followed by the name and address of each subvendor paid \$500 or more. Amounts paid to the agent are disclosed in the “Amount this Period” column and the amounts paid to a subvendor(s) are reported in the “Description of Payment” column or may be in another format as long as it is clearly identified.

**5. Contributions (Including Loans, Forgiveness of Loans, and Loan Guarantees) and Expenditures Made**

*(If more space is needed, use additional copies of this page for continuation sheets.)*

DATE	NAME, STREET ADDRESS, CITY, STATE AND ZIP CODE OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	TYPE OF PAYMENT	DESCRIPTION OF PAYMENT (IF OTHER THAN MONETARY CONTRIBUTION OR LOAN)	CANDIDATE AND OFFICE, MEASURE AND JURISDICTION, OR COMMITTEE	AMOUNT THIS PERIOD	CUMULATIVE AMOUNT RELATED TO THIS CANDIDATE, MEASURE, OR COMMITTEE
5/28/XX	AMCD Political Consulting \$30,000 444 Main Street Sacramento, CA 95826	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input checked="" type="checkbox"/> Non-Monetary Contribution <input type="checkbox"/> Independent Expenditure	Mailing - subvendor Joe's Printing, 222 Front St, Sac CA 95811 \$10,000	Proposition A, Sacramento County  <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	10,000	40,000
6/3/XX	AMCD Political Consulting (continued) Subvendor: KKPP radio, 444 St, Sacramento, CA 95814 (\$15,000)	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input checked="" type="checkbox"/> Non-Monetary Contribution <input type="checkbox"/> Independent Expenditure	Radio Ads	Proposition B, Sacramento County  <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	15,000	15,000

**Staff Time.** If an employee spends more than 10 percent of his or her compensated time in any one month engaged in campaign activities that expressly advocate the support of or opposition to a candidate or measure (e.g., phone banks or precinct walking), the employer must report the payments as nonmonetary contributions. The names, addresses, and the specific salaries of the employees are not required to be disclosed.

**Candidate's Contributions.** A candidate's contributions to his or her own committee do not trigger the requirement to file Form 461. However, a candidate filing a Form 461 disclosing personal contributions made to other candidates or committees must also disclose personal contributions made to his or her own controlled committees.

**Intermediary.** If a contribution is made through an intermediary, list the name and address and committee number, if applicable, of the intermediary.

**Software Programs.** This manual provides reporting examples. Some software programs may vary the display of data. As long as voters may easily identify the required information, this is permissible. This is also true for a filer submitting a paper report.

## D. Additional Reports

In addition to the Form 461 and Form 497, other reports may be required depending on a committee's activity, including:

- Paid Spokesperson Report (Form 511)
- Report of Communications Identifying State Candidates (Form E-530)

A major donor that makes independent expenditures must report such payments on Form 461 and also on the following forms. See Manual 6 for guidance and examples on how to complete the following forms:

- Verification of Independent Expenditures (Form 462)
- 24-Hour/10-Day Independent Expenditure Report (Form 496)

**FPPC Reporting Forms for Major Donors**

	File
Makes contribution(s) totaling \$10,000 or more to support or oppose state and local candidates, measures, or committees	Form 461
Makes independent expenditures totaling \$1,000 or more to support or oppose a single candidate or ballot measure	Form 461, Form 462
Makes independent expenditures totaling \$1,000 or more to support or oppose a single candidate or measure during the 90 days before the candidate's or measure's election, or on the date of the election	Form 496
Makes independent expenditures totaling \$5,000 or more to support or oppose the <b>qualification</b> of a single local measure	Form 496
Makes contributions totaling \$1,000 or more to a single candidate or primarily formed ballot measure or candidate committee during the 90 days before the candidate's or measure's election, or on the date of the election	Form 497
Makes contributions totaling \$1,000 or more to a political party (including central committees) during the 90 days before a state election, or on the date of the election	Form 497
Makes contributions totaling \$5,000 or more to support or oppose the <b>qualification</b> of a single local measure	Form 497
Makes expenditures of \$5,000 or more for an individual to appear in a ballot measure advertisement	Form 511
Makes an expenditure of any amount for an individual to appear in a ballot measure advertisement that states or suggests that the individual is a member of an occupation that requires licensure, certification, or other specialized, documented training as a prerequisite to engage in that occupation (e.g., nurse, doctor, firefighter, scientist, engineer, lawyer)	Form 511
Makes payments of \$50,000 or more to "feature" a state candidate 45 days before an election	Form E-530

## Ballot Measure Ad – Paid Spokesperson Report (Form 511)

The Act requires specific disclosure when a committee pays an individual for his or her appearance in a ballot measure advertisement. The committee must file a Paid Spokesperson Report (Form 511) and include a disclosure on the ad in the following situations:

- **\$5,000 payment to individual in ad:** The committee makes expenditures totaling \$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 state or local ballot measure.
- **Any payment to individual in ad portraying a professional (e.g., nurse, doctor, firefighter, scientist, engineer, lawyer, etc.):** The committee makes expenditures of any amount to an individual for his or her appearance in an advertisement to support or oppose the qualification, passage or defeat of a state or local ballot measure that states or suggests that the individual is a member of an occupation that requires licensure, certification, or other specialized, documented training to engage in that occupation.

See Chapter 3 for information about the advertisement disclosure requirements.

### When to File Form 511

A committee that makes an expenditure identified above must file the Form 511 within 10 days. An expenditure is made on the date the payment is made or the date the services are received, if any, whichever is earlier.

### Where to File Form 511

**State Committees:** File Form 511 with the Secretary of State. Committees required to E-file must also file a paper version.

**Local Committees:** File Form 511 in the same location the committee files its regular campaign statements (i.e., Form 461).

## Paid Spokesperson Report

Type or print in ink. Amounts may be rounded to whole dollars.

Date Stamp

**CALIFORNIA  
FORM 511**

For Official Use Only

**NAME OF FILER**

Hart Corporation (including aggregated contributions and independent expenditures)

ID # (if required)

**AREA CODE/PHONE NUMBER**

(916) 876-5023

E-MAIL (Optional)

howard.hart@sbcglobal.net

Amendment (explain)

**STREET ADDRESS**

4300 Industrial Park West

**CITY**

Sacramento

**STATE**

CA

**ZIP CODE**

95817

**Payments Made** Attach additional information on appropriately labeled continuation sheets.

DATE	NAME AND ADDRESS OF SPOKESPERSON (OCCUPATION MAY BE REQUIRED - SEE INSTRUCTIONS)	BALLOT MEASURE SUPPORTED OR OPPOSED (INCLUDE BALLOT NUMBER OR LETTER AND JURISDICTION)	AMOUNT
10/1/XX	Judy Sanchez 10 Main Street Sacramento, CA 95814 (Hart Corp.)	Prop. 215, State of CA  <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	5,500
10/1/XX	Steve Fong 28 Gerber Drive Sacramento, CA 95814 (Kline Ltd.)	Prop. 215, State of CA  <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	7,000
		<input type="checkbox"/> Support <input type="checkbox"/> Oppose	

**Verification**

I have used all reasonable diligence in preparing this report. I have reviewed the report and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 10/5/XX DATE

By [Signature Required] SIGNATURE OF TREASURER/ASSISTANT TREASURER/FILER

## How to Complete Form 511

### Payments Made

In the first column, provide the date the payments were made or the services were received, whichever is earlier. In the second column, indicate the name and address of the individual who was paid to appear in the advertisement. In addition, the occupation of a spokesperson is required when an expenditure of any amount is paid to an individual for his or her appearance in an advertisement that supports or opposes the qualification, passage, or defeat of a state or local ballot measure and the advertisement states or suggests that the individual is a member of an occupation that requires licensure, certification, or other specialized, documented training as a prerequisite to engage in that occupation.

In the third column, provide the name, number or letter, and jurisdiction of the ballot measure supported or opposed by the advertisement. Finally, in the last column, indicate the total amount of the expenditure.

### Verification

**The Form 511 is not considered filed if it is not signed.**

### Amendments

To amend a previously filed Form 511, file another Form 511 with the corrected information. Check the “Amendment” box and give a brief description of the amendment. Like the original, the amendment must be signed and dated. There is no deadline for filing amendments. However, amendments should be filed prior to the respective election, or as soon as practicable. File the amendment in the same location(s) as the original.

### Communications Identifying State Candidates (Form E-530)

A major donor committee that spends \$50,000 or more for a communication disseminated during the 45 days before an election that clearly identifies a state candidate appearing on the ballot, but does not expressly advocate the election or defeat of that candidate, must file Form E-530 electronically with the Secretary of State within

**Ex 4.9** – A corporation pays \$30,000 for a public relations firm to produce a television advertisement supporting Measure B. A celebrity is paid \$5,000 or more to appear in the ad. The corporation must file the Form 511. In addition, the ad must state that the individual was paid to appear.

**Ex 4.10** – The Temple Company purchased billboard space up and down Interstate 5 stating, “Thank You, Governor Romez, for Supporting Assembly Bill 1 Helping California’s Children.” The billboard space was rented for the 30 days prior to the Governor’s election. The total cost for design, printing, placement, and space rental was \$65,000 and was paid on October 6. By October 8, the company must file the Form E-530 electronically with the Secretary of State.

48 hours of making payments, or promising to make payments, totaling \$50,000 or more. The report must disclose the amount and date of the payment(s), and the name of and office sought by the candidate identified in the communication. A separate report must be filed for each state candidate identified in the communication.

The report must be verified by a written “electronic filing declaration,” signed, dated, and verified on the same date that the report is transmitted to the Secretary of State. This declaration must be retained in the committee’s records for five years following the date that the campaign report to which it relates is filed. The statement must include the following language:

“I have used all reasonable diligence in preparing this report and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.”

**Form E-530 must be filed in addition to any semi-annual campaign statements the committee is required to file.**

### **How to File Form E-530**

There is no paper version of the Form E-530. To access the online form, go to the Secretary of State’s website ([www.sos.ca.gov](http://www.sos.ca.gov)) and click on “For Filers Only” under Campaign Finance. You must apply for a Filer ID and password using the form provided. Then, from the same location on the website, you can click on the E-530 link to access the form.

### **Committees Reporting Top Contributors**

The FPPC publishes information for voters on its website that identifies major funding sources of state campaigns. Specifically, state ballot measure committees that raise \$1,000,000 or more for an election must file a report (Form T-10) with the FPPC and identify the current top 10 contributors of \$10,000 or more to the committee. Similar reports are also filed by committees primarily formed to support or oppose state candidates. A major donor committee may be identified on these reports.

## Authority

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

### Government Code Sections

- 81004 Reports and Statements; Perjury; Verification.
- 81004.5 Reports and Statements; Amendments.
- 81005 Reports and Statements; Filing Deadline on Weekend or Holiday.
- 82015 Contribution.
- 82025 Expenditure.
- 82027.5 General Purpose Committee.
- 82036 Late Contribution.
- 82036.5 Late Independent Expenditure.
- 82044 Payment.
- 82046 Period Covered.
- 84200 Semi-Annual Statements.
- 84200.6 Special Campaign Statements and Reports.
- 84202.7 Time for Filing by Committees of Odd-Numbered Year Reports.
- 84203 Late Contribution; Reports.
- 84203.3 Late In-Kind Contributions.
- 84204 Late Independent Expenditures; Reports.
- 84211 Contents of Campaign Statement.
- 84213 Verification.
- 84215 Campaign Reports and Statements; Where to File.
- 84303 Expenditure by Agent or Independent Contractor.
- 84511 Ballot Measure Ads; Paid Spokesperson Disclosure.
- 84605 Who Shall File Online.
- 84615 Campaign Reports and Statements - Electronic Filing for Local Agencies.
- 85310 Communications Identifying State Candidates.

## Title 2 Regulations

- 18215 Contribution.
- 18227.5 General Purpose Committees: State, County or City.
- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18423 Payments for Personal Services as Contributions and Expenditures.
- 18427.5 Top Contributor Disclosure by Committees Primarily Formed for State Ballot Measures or Candidates.
- 18428 Reporting of Contributions and Independent Expenditures Required to be Aggregated.
- 18431 Reporting of Expenditures by an Agent or Independent Contractor.
- 18450.11 Spokesperson Disclosure.
- 18539.2 Reporting Payments Pursuant to Government Code Section 85310.