

WHAT IS A SLATE MAILER ORGANIZATION?

A. Overview

The Political Reform Act (Act) requires organizations that receive payments for the purpose of producing one or more slate mailers supporting or opposing state and local candidates and ballot measures to file periodic campaign statements that disclose:

- All payments received in connection with producing slate mailers;
- All payments made in connection with producing slate mailers; and
- The identity of each candidate or measure supported or opposed by each slate mailer.

This chapter defines key terms and concepts that relate to campaign disclosure.

Payment

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

Slate Mailer

A slate mailer is a mass mailing (more than 200 substantially similar pieces of mail sent in a calendar month) that supports or opposes a total of four or more candidates or ballot measures.

QUICK TIP: The slate mailer identification and disclaimer requirements also apply to slate mailers distributed electronically.

Note: For a mass mailing supporting a candidate, any opponents of the candidate listed on the same slate are not counted toward the total required to qualify as a slate mailer.

Slate Mailer Organization

A slate mailer organization is any person who directly or indirectly:

- Is involved in the production of one or more slate mailers and exercises control over the selection of candidates and measures to be supported or opposed in the slate mailers; and
- Receives or is promised payments totaling \$500 or more in a calendar year for the production of one or more slate mailers.

Ex 1.1 – A business entity prepares a pamphlet called “Voter Guide 20XX” that lists 10 candidates and expressly advocates that the reader vote for the identified candidates. The entity received \$400 each from eight of the candidates. The entity qualifies as a slate mailer organization and must file registration and disclosure statements.

Ex 1.2 – The Youth Resources Group is an organization that meets regularly for luncheons and collects dues to help pay for the luncheon expenses. The group does not make contributions or independent expenditures to support or oppose specific candidates. However, in the upcoming state election, the group prepares a mailer expressly advocating a “yes vote” for a slate of 20 candidates. The group collected \$4,000 for the mailer; \$800 each from five of the listed candidates. The group qualifies as a slate mailer organization and must register and file reports.

A slate mailer organization does not include:

- An officeholder, candidate, or their controlled committee;
- An official committee of a political party;
- A legislative caucus committee; or
- A committee primarily formed to support or oppose an officeholder, candidate, or ballot measure.

B. When Does a Slate Mailer Organization also Qualify as a Campaign Committee?

A slate mailer organization may also qualify as a general purpose recipient committee if it receives “contributions” of \$2,000 or more in a calendar year. Some important factors to keep in mind when determining whether a slate mailer organization has received contributions and therefore qualified as a general purpose recipient committee are listed below.

- Payments *received* by the organization from candidates or committees who wish to appear on a slate mailer, or from a third party who is paying to have a specific candidate or measure included on a slate mailer, are not considered contributions to the slate mailer organization. Although such payments count toward the qualification as a slate mailer organization, they do not count toward qualification as a recipient committee.
- Third party payments would be considered contributions or independent expenditures made by the third party to or on behalf of the specific candidate or measure supported or opposed.
- Payments received by a slate mailer organization for the *general* production or distribution of slate mailers, or for the purpose of making contributions or independent expenditures, are considered contributions to the slate mailer organization. If the organization receives contributions totaling \$2,000 or more in a calendar year, it will also qualify as a recipient committee.

- Payments *made* by a slate mailer organization for the production and distribution of slate mailers are not considered contributions or independent expenditures to or on behalf of the candidates or measures supported or opposed in the slate mailers. Therefore, such payments do not count toward qualification as a recipient committee.

QUICK TIP: If a slate mailer organization also qualifies as a recipient committee, additional reporting obligations will apply.

Ex 1.3 – Citizens for Energy Resources is a general purpose recipient committee that receives contributions for the purpose of supporting candidates and ballot measures. The committee will produce a slate mailer in connection with the upcoming election and has received \$750 from four candidates who wish to appear on the slate mailer. The \$750 received from the candidates will qualify Citizens as a slate mailer organization.

Ex 1.4 – The Independent Natural Food Coalition is an organization that monitors legislation and produces educational materials concerning chemical free foods. Before an election, the Coalition receives \$2,000 from more than four candidates who wish to appear in a mailer. In addition, the Coalition receives \$4,200 from various other sources who wish to donate toward the cost of the slate mailer, but did not know at the time who the specific candidates were. The Coalition will qualify as a slate mailer organization by virtue of receiving *payments totaling* \$500 or more from candidates who wish to appear on the mailer, and as a general purpose recipient committee by virtue of receiving *contributions totaling* \$2,000 or more.

Authority

The following Government Code sections provide authority for the information in this chapter:

Government Code Sections

- 82048.3 Slate Mailer.
- 82048.4 Slate Mailer Organization.
- 82013 Committee.
- 82015 Contribution.