



California Fair Political Practices Commission

October 12, 1994

Brenda J. LeBlanc
Town of Truckee
11570 Donner Pass Road
Truckee, CA 96161

Re: Your Request for Information
Our File No. G-94-311

Dear Ms. LeBlanc:

You have requested general information concerning the reporting requirements imposed on officeholders and candidates under the campaign provisions of the Political Reform Act (the "Act").^{1/}

1. What is a semi-annual statement?

Elected city officers whose salaries are \$100 per month, candidates, their controlled committees and committees primarily formed to support or oppose officeholders and candidates are required to file semi-annual statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.

Officeholders and candidates may file Form 470, Officeholder and Candidate Campaign Statement-Short Form, if they do not have a controlled committee and total receipts will remain less than \$1,000 and total expenditures will remain less than \$1,000 for the entire calendar year. City officeholders, and individuals who meet the definition of "candidate" during the first six months of the year, must file Form 470 no later than July 31. No other campaign filings are required for the remainder of the year as long as total receipts and total expenditures remain less than \$1,000. If an officeholder or candidate has a controlled committee or will receive contributions or make expenditures totaling \$1,000 or more, a Form 490, Officeholder, Candidate, and Controlled Committee Campaign Statement-Long Form, must be filed by July 31 and January 31 of each calendar year. (Campaign Disclosure Information Manual A/1991, pages 16-20.)

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

Officeholders whose salaries are less than \$100 a month are not required to file semi-annual statements during any six-month period in which they do not make or receive any contributions or make any expenditures. (Section 84200.)

Committees primarily formed to support or oppose elected officeholders or candidates must file a Form 420 or Form 450. Forms 420 and 450 must be filed by July 31 and January 31 of each calendar year until the committee terminates. (Campaign Disclosure Information Manual B, 1992/93, page 16.)

2. What is a pre-election statement?

A pre-election statement is a statement filed in connection with an election. Pre-election statements are filed in addition to the semi-annual statements. For the November 8, 1994 election, pre-election statements must be filed as follows:

First Pre-election Statement: Period covered is the day after the closing date of the last campaign statement filed or, if no previous statement has been filed, January 1 through September 30. This statement is due October 5, 1994.

Second Pre-election Statement: Period covered is October 1 through October 22. This statement is due October 27, 1994.

3. Who is required to file the pre-election statements due October 5 and October 27, 1994 in connection with the November 8th election? What campaign disclosure forms are required to be filed in connection with this election?

City officeholders and candidates being voted upon in the November 8th election and their controlled committees, and committees primarily formed to support or oppose candidates running in this election are required to file pre-election statements as follows:

Form 470:

- Candidates who do not anticipate raising or spending \$1,000 or more must file the Form 470 by October 5th.
- Incumbent officeholders who are being voted upon in this election, who do not anticipate raising or spending \$1,000 or more, must file a Form 470 by July 31. The

Brenda J. LeBlanc
Our File No. G-94-311
Page 3

officeholder must indicate the date of the election on his/her semi-annual statement. No additional statement will be required to be filed by the officeholder in connection with the election as long as all receipts and all expenditures remain less than \$1,000.

The Form 470 covers an entire calendar year.^{2/}

Form 490:

- Officeholders and candidates who are not eligible to file Form 470 must file Form 490 on or before October 5th, the filing deadline for the first pre-election campaign statement. Another Form 490 must be filed on or before October 27th, the filing deadline for the second-pre-election filing deadline. (Campaign Disclosure Information Manual A, 1991, page 16-20, 1994 Addendum to 1991 Information Manual A.)

- Primarily formed committees supporting or opposing a candidate(s) must file pre-election statements due October 5 and October 27 using Form 420, Recipient Committee Campaign Statement-Long Form, or Form 450, Recipient Committee Campaign Disclosure Statement-Short Form. (Campaign Disclosure Information Manual B, 1992/93, page 16.)

4. Current councilmembers receive a salary of more than \$100 per month. What are their filing requirements during the six-month period when there is an election?

This question is answered in numbers one through three above. Filing dates and deadlines will vary depending upon when the election is held.

^{2/} Effective January 1, 1994, an officeholder/candidate who has filed Form 470 in connection with an election and subsequently receives contributions totaling \$1,000 or more or makes expenditures totaling \$1,000 or more is required to send written notification. This notification must be sent to the Secretary of State's office, the filing officer who received the candidate's original Form 470 and to each of the opposing candidates within 48-hours of reaching \$1,000.

Brenda J. LeBlanc
Our File No. G-94-311
Page 4

5. What are the filing requirements for an incumbent city councilmember who is not being voted upon in 1994?

This question is answered in number one above.

6. Must an officeholder who does not raise or spend any funds for political purposes in a non-election year file campaign statements?

This question is answered in number one above.

Attached is a list of all of the campaign forms filed by officeholders, candidates, and committees. I cannot address in this letter when each campaign statement is required to be filed. Filing deadlines vary and the requirement to file a campaign disclosure statement will depend on the type of filer and the filer's level of activity during the calendar year. You have been provided a copy of each of the five campaign disclosure manuals listed below. The manuals have been prepared for each type of filer, e.g., candidates, primarily formed committees, general purpose committees, etc. Each manual describes what forms need to be filed and when the forms must be filed in addition to other pertinent information.

Manual A: Elected State and Local Officers (Including Judges) and Candidates for State and Local Elective Offices.

Manual B: Non-Controlled Committees Primarily Formed to Support or Oppose a State or Local Candidate.

Manual C: General Purpose Recipient Committees.

Manual D: Committees Primarily Formed to Support or Oppose the Qualification or Passage of a State or Local Ballot Measure (Including Ballot Measure Committees Controlled by an officeholder or a Candidate).

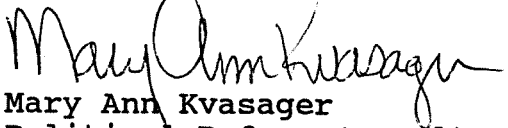
Brenda J. LeBlanc
Our File No. G-94-311
Page 5

Manual E: Independent Expenditure Committees and Major Donor
Committees

Manual F: Campaign Disclosure Provisions of the Political
Reform Act for Slate Mailer Organizations

I hope the above information is helpful. If you have any
questions concerning this letter, please call me at 916/322-5662.

Sincerely,


Mary Ann Kvasager
Political Reform Consultant

Attachment