

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

82013(a)

F.P.P.C.  
MAR 21 11 43 AM '77

March 15, 1977

A 77-03-041

Mr. Arnold Rotman  
Atty at Law  
Suite 315  
20121 Ventura Blvd.  
Woodland Hills, CA 91364

Dear Mr. Rotman:

This letter is in response to your inquiry of February 24, 1977, concerning campaign contribution requirements of the Political Reform Act.

You asked whether a committee receiving contributions and making expenditures for the purpose of influencing the actions of voters for or against the nomination or election of a person who does not expressly or implicitly announce his intention to run for office is subject to the Act. Once such a group collects \$500 or more in a calendar year, it becomes a "committee" under Government Code Section 82013 (a) required to register under Section 84101 and to file campaign statements according to the appropriate schedule prescribed in §§ 84200 - 84206. If a person gives his or her consent for such a group to collect contributions and make expenditures in his or her behalf for political purposes, that person is a "candidate" under Section 82007, even if the office to be sought is unknown, and also required to file campaign disclosure reports.

With regard to your inquiry as to whether Government Code §§ 85100 - 85108 are still in force and effect, I consulted the Commission's legal staff. In light of the court decisions in Buckley v. Valeo, 96 S.Ct. 612 (1976) and Citizens for Jobs and Energy v. Fair Political Practices Commission, 16 Cal.3d 671, the staff indicated the provisions are unconstitutional and plans to introduce legislation to repeal them.

Sincerely yours,

Nan Emmerson  
Special Compliance Representative

NE:jg

(25)