

M-79-197

POST-ELECTION STATEMENT MAY SUBSTITUTE FOR FINAL ABBREVIATED STATEMENT

A committee is required to file a final abbreviated statement with the local jurisdiction and a complete post-election statement in connection with a state election. At the opinion request meeting of April 3, 1978, the staff determined that a committee could file a copy of the complete post-election statement in both places and satisfy their filing obligations if:

- a. All reportable activities from both jurisdictions were included on both statements; and
- b. The statement was filed in time to satisfy both filing deadlines.

The staff previously gave advice that the filing of a complete campaign statement would satisfy one's abbreviated statement filing obligations; however, such a complete statement would be treated as an abbreviated statement and, therefore, information may have to be repeated on a subsequent semi-annual or post-election statement.

FILING ABBREVIATED CAMPAIGN STATEMENTS

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At the beginning of 1977, the Political Reform Act was amended by Government Code Section 84204.1, which provides for the use of abbreviated statements (Form 480) by certain campaign committees involved in local and special elections.

Because there has been some confusion regarding the correct use of abbreviated statements, the Commission staff has reassessed past advice and now is interpreting the requirements of Section 84204.1 as follows:

- A. All campaign committees which make contributions or expenditures totaling \$250 or more to support or oppose a single candidate or

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measure in a local or special election must file abbreviated statements rather than complete campaign statements when:

1. The election in which the committee is participating is not held on the same day as the direct state primary election (June 6, 1978) or general election (November 7, 1978); and
2. the committee is not controlled by one or more candidates in the local or special election; and
3. the principal political activity of the committee does not relate to any candidate or measure in the local or special election.

B. All campaign committees which make contributions or expenditures totaling \$250 or more to support or oppose the qualification of a state or local measure for the ballot must also file abbreviated statements if the principal political activity of the committee does not relate to the qualification of that measure.

C. Important facts regarding the use of an abbreviated statement:

1. All contributions of \$50 or more received by a committee must be itemized. Contributions of less than \$50 received from a single source need not be reported.
2. Contributions and expenditures of \$50 or more made by a committee need be reported only when they are made in connection with the election or the measure qualification drive for which the abbreviated statement is filed.
3. If the contributions and expenditures made in support or opposition of a single candidate or measure in a local or special election, or the qualification of a single ballot measure, do not total \$250 or more, a committee is not required to file an abbreviated statement in connection with that election or qualification drive. However, contributions and expenditures under \$250 must be disclosed when the committee subsequently files a complete campaign statement.
4. The filing of abbreviated statements does not relieve the committee from the requirement of filing a complete semi-annual statement.
5. The information contained in an abbreviated statement must be repeated in any subsequent statement, including a semi-annual statement, except that the itemization of contributions and expenditures may be incorporated by reference if the subsequent statement and copies are filed with the same filing officers as the abbreviated statement.

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Because of past confusion regarding the use of abbreviated statements, some committees have filed complete campaign statements when they should have filed abbreviated statements. In the future, if complete campaign statements are filed when abbreviated statements should be filed, the complete statements will be deemed to be abbreviated statements.

NEW DATE FOR HEARING ON AUDITING PROCEDURES

The Fair Political Practices Commission's special public hearing on campaign and lobbyist auditing procedures will be held on Thursday, November 3 starting at 10:00 a.m.

The hearing, postponed from October, will be held in Room 150 of the State Personnel Board, 801 Capitol Mall, Sacramento.

Persons interested in testifying or in submitting written comments should contact General Counsel Robert Stern. The Commission wishes to receive testimony from persons who have been audited by the Franchise Tax Board, and welcomes proposals to improve or modify existing procedures.

Under the Political Reform Act, audits and field investigations are conducted by the State Franchise Tax Board. Changes in the auditing process can be accomplished through amendments to the Act, by Commission regulation or by modification of auditing procedures.

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NOVEMBER 15, 16, 17 MEETINGS --- CONFLICT OF INTEREST

The Fair Political Practices Commission will consider a request for exemption from the requirement to adopt a Conflict of Interest Code submitted by the Board of Pilot Commissioners. Anyone wishing to review the request for exemption may do so at the Commission's office after November 7, 1977. The request for exemption will be available for persons wishing to purchase a copy at 10 cents per page.