

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • 1100 K STREET BUILDING, SACRAMENTO, 95814
107 SOUTH BROADWAY • • • SUITE 7007 • • • LOS ANGELES, 90012

May 7, 1981

A-81-168

Mrs. Theresa M. Amador
Monterey Park City Clerk
320 West Newmark
Monterey Park, California 91754

Dear Mrs. Amador:

This letter is to verify my advice to your office during several conversations in the past few days with you and your staff regarding the campaign statements filed by Ms. Lily Chen, candidate for the office of City Council.

Under separate cover letter dated April 24, 1981, your office returned a copy of Mrs. Chen's campaign statement to her. Your office requested that an Amended campaign statement be filed within five (5) days since you felt that Mrs. Chen's original campaign statement was not in compliance of the Political Reform Act of 1974.

After discussing the issue and specific facts with our Technical Assistance and Analysis Division staff and Mr. Bob Stern, Chief Counsel to the Fair Political Practices Commission, I advised that:

a. Based on an opinion adopted by the Fair Political Practices Commission (1 Opp. 113 adopted August 21, 1975), Mrs. Chen's campaign statement would be viewed to be in compliance of the campaign disclosure provisions of the Political Reform Act. A copy of this opinion is enclosed for your information.

b. Government Code Section 84211(f) specifies that, "if the cumulative amount of contributions (including loans) received from a person is one hundred dollars (\$100) or more and a contribution or loan has been received from that person during the period covered by the campaign statement:

- (1) His or her full name;
- (2) His or her street address;
- (3) His or her occupation;
- (4) The name of his or her employer or if self-employed, name of business;
- (5) The date and amount received for each contribution received during the period covered by the campaign statement and if the contribution is a loan, the interest rate for the loan; and
- (6) The cumulative amount of contributions.

Mrs. Theresa Amador
May 7, 1981
Page Two

Therefore, your office is correct in requesting that an Amendment be filed in order to obtain all the information required by this Government Code Section.

c. In addition, I advised that the Political Reform Act does not contain any provision which allows a filing officer to assess a ten dollar (\$10) a day penalty to any filer filing an Amendment to any campaign statement.

Presently, there are no time limits as to when an Amendment must be filed. Government Code Section specifically states that "any report or statement filed pursuant to this title may be amended by the filer at any time. Amending an incorrect or incomplete report or statement may be considered as evidence of good faith."

I hope this information has been helpful. Please feel free to contact me for any further assistance.

Sincerely,



Helen P. Arriola
Political Reform
Consultant

HPA:jg

Enclosure: