



# California Fair Political Practices Commission

September 24, 1987

Helen S. Kawagoe, CMC  
City Clerk  
P. O. Box 6234  
Carson, CA 90749

Re: Your Request for Advice  
Our File No. A-87-240

Dear Ms. Kawagoe:

This is to confirm my telephone advice to you regarding the flyer you sent to me entitled "The Good, The Bad And The Ugly News." The flyer has been circulated by former candidate Aaron Carter and a group called Concerned Homeowners of Carson. The flyer discusses a zoning matter pending before the Planning Commission and urges residents to sign petitions and attend Planning Commission meetings. You have asked whether you should notify Mr. Carter and the Concerned Homeowners of Carson of any campaign disclosure filing obligations under the Political Reform Act.<sup>1/</sup>

I advised you that Mr. Carter and the Concerned Homeowners of Carson have not incurred a filing obligation in connection with the flyer for the following reasons:

1) Mr. Carter is not currently a "candidate" as defined in Government Code Section 82007 and, therefore, is not required to disclose payments made or received in connection with disseminating the flyer.

2) Mr. Carter and the Concerned Homeowners of Carson are not a "committee" as defined in Section 82013 because payments made or received in connection with disseminating this type of flyer are not "contributions" or "expenditures" as defined in Sections 82015 and 82025 and Regulations 18215 and 18225. This is because the flyer does not expressly advocate the election or defeat of candidates or measures. (Section 82031, Regulation 18225(b).)

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<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Administrative Code Section 18000, *et seq.* All references to regulations are to Title 2, Division 6 of the California Administrative Code.

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Please let me know if I can be of further assistance.

Sincerely,

*Carla J. Wardlow*  
Carla J. Wardlow  
Political Reform Consultant