



California Fair Political Practices Commission

February 7, 1990

Lance Olson
Olson, Connelly, Hagel, Fong & Leidigh
300 Capitol Mall, Suite 350
Sacramento, CA 95814

RE: Your Request for Advice
Our File No. A-90-028

Dear Mr. Olson:

You have requested advice on behalf of the California Dental Hygienists' Association Political Action Committee (CAL-HY-PAC) concerning the campaign provisions of the Political Reform Act.¹

QUESTION

Is CAL-HY-PAC required to maintain records on association members whose annual dues earmarked for the PAC are less than \$25 if the PAC knows the cumulative total for the calendar year from individual members may exceed \$25?

CONCLUSION

There is no requirement for CAL-HY-PAC to maintain records on members whose annual dues earmarked for the PAC are less than \$25 other than the date and total amount of such contributions, even though the total amount contributed by certain members may exceed \$25 for the calendar year.

Although you indicated that no member contributes \$100 or more in a calendar year, if this situation changes please note that even though the Political Reform Act does not require detailed recordkeeping of any source which contributes less than \$25 at a time, if the committee knows, or has reason to know, that any one source may contribute amounts under \$25 totaling \$100 during the calendar year, the purposes of the Political Reform Act will be served if detailed records of such contributions are kept and the total contributions itemized on the committee's campaign statement.

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.

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FACTS

CAL-HY-PAC is the sponsored committee of the California Dental Hygienists' Association. The PAC receives its contributions through a system where members of the association earmark a specific amount of their annual dues as contributions to the PAC.

The amount of the annual earmarked payment usually is less than \$25. No individual member's total earmarked contributions from annual dues equals or exceeds \$100.

Occasionally, members are solicited for direct contributions to the PAC in addition to the normal amount earmarked through their dues payment.

ANALYSIS

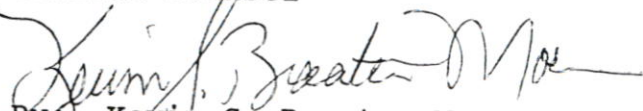
Section 84104 requires treasurers of committees to "maintain such detailed accounts, records, bills and receipts that are necessary to prepare campaign statements...." Regulation 18401 clarifies that:

...accounts (are not required to) contain detail as to contributions received of less than \$25 other than the date and total amount of such contributions; ...

If you have any additional questions, please contact me at (916) 322-5662.

Sincerely,

Kathryn E. Donovan
General Counsel


By: Kevin S. Braaten-Moen
Political Reform Consultant