



# California Fair Political Practices Commission

January 3, 1991

Mr. Mark Rynearson  
Friends of Sparks  
1715 Central Ave.  
McKinleyville, CA 95521

Re: Your Request Advice  
Our File No. A-90-695

Dear Mr. Rynearson:

You have requested advice concerning the campaign provisions of the Political Reform Act.<sup>1</sup> This letter will confirm our telephone conversation on November 21, 1990.

### FACTS

A group of individuals has provided funds for an ad in support of Anna Sparks for Supervisor. The group is not controlled by a candidate. Individual payments were made to a newspaper by each individual for the purchase of an ad on November 2, 1990. The total amount paid for the ad exceeded \$1,000. The group has filed a statement of organization (Form 410) as the Friends of Sparks and a statement of termination (Form 415) and has provided the filing officer with a copy of the checks used to make the expenditure and a list of all contributors.

### QUESTION

Is the group a "committee" with filing obligations under the Act and, if so, has the committee followed the correct procedure for reporting receipts and expenditures?

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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 Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

### CONCLUSION

Based on the facts presented in your letter, the group qualifies as a recipient committee and has incurred campaign disclosure reporting obligations pursuant to the Act. In addition to the statement of organization (Form 410) and the statement of termination (Form 415) that have already been filed by the committee, contributions received and expenditures made by the committee must be reported on a recipient committee campaign statement (Form 420, copy enclosed). In addition, the committee is required to file a "late contribution report."

### ANALYSIS

Under Government Code Section 82013, a recipient committee is formed when a person or combination of persons directly or indirectly receives contributions or makes expenditures or contributions for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of one or more candidates, or the passage or defeat of any measure. (Sections 82015 and 82025; Regulations 18215 and 18225 (copies enclosed).)

Two or more individuals must file as a single committee under Section 82013(a) whenever the individuals use their money to make joint expenditures. (Madden Advice Letter, No. A-85-223, copy enclosed.) The Friends of Sparks qualified as a committee on November 2, 1990. Therefore, the committee's campaign disclosure statement (Form 420) will be due by January 31, 1991, for the period covering January 1, 1990, through December 31, 1990. Each individual's payment to the newspaper must be reported as a monetary contribution on Schedule A. Expenditures to the newspaper should be reported on Schedule E. After completing the appropriate schedules, the summary page of the campaign disclosure statement must be completed.

In addition, Section 84203 (copy enclosed) requires that a "late contribution report" be filed since contributions totaling \$1,000 or more to a single candidate were made during the period covering October 21 through November 5. A late contribution report is sent by telegram, mailgram, guaranteed overnight

delivery, or personal delivery and must be sent within 24 hours of making the contributions. (See page 28 of the enclosed "Information Manual on Campaign Disclosure Provisions of the Political Reform Act" for detailed information.) When it is discovered after an election that a late contribution report was not filed, the report may be filed by regular mail, rather than by telegram. (Pessner Advice Letter, No. A-87-263, copy enclosed.)

If you have additional questions on this matter, please call me at (916) 322-5662.

Sincerely,

Scott Hallabrin  
Acting General Counsel



By: Sandra L. Taylor  
Political Reform Consultant

Enclosures