



# California Fair Political Practices Commission

July 8, 1992

Mr. Robert Westmeyer  
County Counsel  
Napa County Office of County Counsel  
1195 Third Street, Room 301  
Napa, CA 94559-3001

Re: Your Request for  
Informal Assistance  
Our File No. I-92-334

Dear Mr. Westmeyer:

You have requested advice concerning the campaign provisions of the Political Reform Act (the "Act").<sup>1</sup> Because your question is a general inquiry, we are treating it as a request for informal assistance pursuant to Regulation 18329(c)(3).<sup>2</sup>

## QUESTION

Does the Act prohibit a county from adopting a local ordinance which requires the disclosure of names and addresses of all persons making contributions in excess of \$25 rather than the \$100 threshold required by the Act?

## CONCLUSION

The Act does not prohibit a county from adopting a local ordinance which requires officeholders, candidates and committees active only in the county's jurisdiction to disclose the names and addresses of contributors in excess of \$25 rather than at \$100 as required by the Act.

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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.

<sup>2</sup> Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Section 83114; Regulation 18329(c)(3).)

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ANALYSIS

Local jurisdictions are permitted to impose additional requirements provided the requirements do not prevent a person from complying with the Act. (Section 81013.)

Gov. Code Section 81009.5(b) states:

Notwithstanding Section 81013, no local government agency shall enact any ordinance imposing filing requirements additional to or different from those set forth in Chapter 4 (commencing with Section 84100) for elections held in its jurisdiction unless the additional or different filing requirements apply only to the candidates seeking election in that jurisdiction, their controlled committees or committees formed or existing primarily to support or oppose their candidacies, and to committees formed or existing primarily to support or oppose a candidate or to support or oppose the qualification of, or passage of, a local ballot measure which is being voted on only in that jurisdiction, and to city or county general purpose committees active only in that city or county, respectively.

Enclosed please find the following advice letters regarding this subject matter:

Eckis Advice Letter, No. I-87-148  
Eckis Advice Letter, No. I-87-202  
Ketner Advice Letter, No. I-91-433

If you have any further questions regarding this matter, please contact me at (916) 322-5662.

Sincerely,

Scott Hallabrin  
Assistant Chief Counsel



By: Sandra L. Taylor  
Political Reform Consultant

Enclosures