



California Fair Political Practices Commission

January 25, 1994

Linda J. Stehr
Deputy City Clerk
City of Pleasant Hill
100 Gregory Lane
Pleasant Hill, CA 94523-3323

Re: Your Request for Informal Assistance
Our File No. I-93-411

Dear Ms. Stehr:

You have requested advice concerning the campaign provisions of the Political Reform Act ("the Act").^{1/} Because it appears that you are not authorized to seek advice on behalf of Pleasant Hill Citizens for Responsible Growth and specific facts regarding current activities of the organization are unavailable, we can only provide informal assistance.^{2/}

QUESTIONS

Is Pleasant Hill Citizens for Responsible Growth a "committee" under the Act?

If yes, what are the committee's reporting obligations?

CONCLUSIONS

The Pleasant Hill Citizens For Responsible Growth is a committee if it continues to receive contributions or make expenditures to support or oppose candidates or measures.

^{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.

^{2/} Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Government Code Section 83114; 2 Cal. Code of Regs. Section 18329(c)(3).)

A committee which supports or opposes various city candidates is a city general purpose committee. A city general purpose committee must file semi-annual statements. In addition, a city general purpose committee must file pre-election statements in connection with a city election if the committee makes contributions or independent expenditures of \$500 or more during a pre-election reporting period.

FACTS

Approximately nine years ago, a group of citizens formed an organization called Pleasant Hill Citizens for Responsible Growth to support and oppose city candidates and measures. Membership dues and fundraisers provide revenue of approximately \$1,500 to \$3,000 each year. Support of candidates or measures is determined by a vote of the general membership. In the past, the organization has qualified as a controlled committee. However, currently the organization has no candidates or officeholders acting as principal officers and is registered as a general purpose committee.

In a telephone conversation with me on January 5, 1994, you indicated that this committee has made contributions to various city candidates. Copies of the committee's campaign reports indicate that in 1991 the committee contributed more than \$1,000 to city candidates. Campaign reports for the calendar year 1992 disclosed that the committee received contributions of \$2,855 and made expenditures of \$1,418. During 1992, no itemized contributions or independent expenditures were disclosed. The current treasurer has stated that the group is not political and questioned whether the committee must continue to file campaign statements under the Act.

ANALYSIS

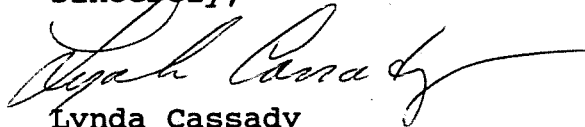
An organization qualifies as a committee if it receives contributions totaling \$1,000 or more in a calendar year. (Section 82013(a).) According to your facts, Pleasant Hill Citizens for Responsible Growth qualified as a committee nine years ago. The organization continued to qualify as a committee as long as it continued raising or spending funds to support or oppose candidates or measures. During 1991, it disclosed making contributions to various city candidates. Therefore, the committee was required to file campaign disclosure reports at least through the end of 1991.

In order for Pleasant Hill Citizens for Responsible Growth to terminate its filing obligations, the organization must satisfy all of the requirements in Regulation 18404 (copy enclosed). Until such time as those requirements are met, the organization must file campaign statements (Forms 425, 450 or 420).

Because Pleasant Hill Citizens for Responsible Growth makes contributions in support of various city candidates, it is a city general purpose committee. (Section 82027.5(d).) The Act requires city general purpose committees to file semi-annual statements. (Section 84200(a).) In addition, such committees must file pre-election statements during a six-month period in which the city holds an election if the committee makes contributions or independent expenditures totaling \$500 or more during the period covered by the pre-election statement. (Section 84200.5(e)(1) and (2).)

If you have questions concerning this letter, please contact me at (916) 322-5662.

Sincerely,



Lynda Cassady
Assistant Division Chief
Technical Assistance Division

Enclosure