



California Fair Political Practices Commission

January 3, 1995

Shirr'l Griffin
Records Clerk
City of Rancho Cucamonga
P. O. Box 807
Rancho Cucamonga, CA 91729

Re: Your Request for
Informal Assistance
Our File No. I-94-381

Dear Ms. Griffin:

You have requested advice concerning the retention period for campaign statements filed pursuant to the Political Reform Act (the "Act").^{1/} Your letter states only a general question. Therefore, we will treat it as a request for informal assistance pursuant to Regulation 18329(c).^{2/}

QUESTION

Section 81009(b) requires that campaign statements filed by certain local elected officers be retained indefinitely. What does the term "indefinitely" mean?

CONCLUSION

Campaign statements filed by candidates and officeholders as specified in Section 81009(b) must be retained permanently.

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. (Section 83114; Regulation 18329(c)(3).)

ANALYSIS

Section 81009 provides:

...(b) Original campaign statements of mayors, city council members, county supervisors, candidates for any of these offices, and committees supporting any officeholder or candidate shall be retained indefinitely, except that original campaign statements of candidates not elected to these offices and of committees supporting candidates not elected to these offices shall be retained by filing officers for a period of not less than five years.

* * *

(g) After an original report or statement or a copy has been on file for at least two years, the officer with whom it is filed may comply with this section by retaining a copy on microfilm or other space-saving materials available for public inspection instead of the original report or statement or copy....

The Act does not define the term "indefinitely." In Funk & Wagnalls Standard College Dictionary, the term is defined to mean "without a fixed number; indeterminate; unlimited." Therefore, the campaign statements designated in Section 81009(b) for indefinite retention must be retained by the filing officer forever.

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

Sincerely,

Carla Wardlow

Carla Wardlow
Division Chief
Technical Assistance Division