



California Fair Political Practices Commission

March 24, 1995

Diane M. Fishburn
Olson, Hagel, Fong, Leidigh,
Waters & Fishburn
300 Capitol Mall, Ste. 350
Sacramento, CA 95814

Re: Your Request for Informal
Assistance
Our File No. I-95-078

Dear Ms. Fishburn:

You have requested advice concerning the campaign disclosure provisions of the Political Reform Act (the "Act").^{1/} Because you have not identified the client on whose behalf you have requested this advice, we will treat your letter as a request for informal assistance pursuant to Regulation 18329(c).^{2/}

QUESTION

You have asked whether a state general purpose committee must file the supplemental preelection statement required by Section 84202.5 in connection with a March 7, 1995, ballot measure election. The measure was defeated on November 8, 1994, and rescheduled for a March 7, 1995 election. The committee made a \$5,000 contribution on October 24, 1994, and a \$4,000 contribution on February 1, 1995, to the committee primarily formed to support the measure.

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).)

CONCLUSION

The general purpose committee is not required to file a supplemental preelection statement in connection with the March election.

ANALYSIS

Section 84202.5 provides:

(a) Any candidate or any committee pursuant to subdivision (a) of Section 82013 which makes contributions totaling five thousand dollars (\$5,000) or more in connection with an election, including a runoff election, shall file a supplemental preelection statement no later than 12 days before the election, for the period ending 17 days before the election. This statement shall be filed with each office with which the candidate or committee filing the statement is required to file its next campaign statement pursuant to Section 84215.....

Regulation 18402.4 states that for purposes of Section 84202.5, "contributions made in connection with" a ballot measure election means contributions made to all committees primarily formed to support or oppose measures being voted on in one jurisdiction in one day during the period beginning six months prior to the election and ending 17 days before the election. Because the two contributions were made in connection with separate elections, they will not trigger the filing of a supplemental preelection statement in connection with the March election.

If you have questions concerning this letter, please contact me at (916) 322-5660.

Sincerely,



Carla Wardlow
Division Chief
Technical Assistance Division