

RAVI MEHTA
CHAIRMAN



FAIR POLITICAL PRACTICES COMMISSION

September 26, 1995

Marc Strassman
Transmedia Communications
15150 Dickens Street
Suite 105
Sherman Oaks, California 91403-3350

Re: Your Request for Advice
Our File No. I-95-291

Dear Mr. Strassman:

We respond to your request for advice regarding the contribution definition under the Political Reform Act (the "Act").¹ As your question is general in nature and does not relate any specific set of facts, we have deemed it to be a request for informal assistance. (Regulation 18329(c).)

You have requested advice in determining whether technological assistance would constitute a reportable contribution. Your examples include the donation of electronic equipment on a temporary basis, to a candidate or committee, to assist in the propagation of the campaign's political message or the gathering of signatures via the Internet.

Under Commission Regulation 18215(b)(3), a contribution includes any goods or services received by or at the behest of a candidate or committee at no charge or at a discount from the fair market value, unless the discount is given in the regular course of business to members of the public. Accordingly, as a general rule, the provision of computer programming services to a ballot measure committee for the purpose of establishing home pages on the Internet would result in reportable contributions. Additionally, any equipment or professional services provided to the committee would likewise result in a reportable contribution.

A proponent's obligation to report expenditures in support of a ballot proposal begins when the proposal becomes a measure. (In

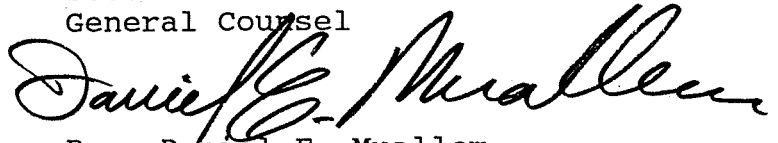
¹ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Sections 18109-18995.

re Fontana (1976) 2 FPPC Ops. 25.) Initiatives, referendums and recall elections become measures at the time petitions begin circulating to place the issue on the ballot. (Section 82043.) Proposals which require the action of an elected body to be placed on the ballot do not become measures until the appropriate body has placed the proposal on the ballot. (Martini Advice Letter, No. A-93-378.)

We trust that you find this response helpful. Should you have any additional questions please do not hesitate to contact the Commission.

Sincerely,

Steven G. Churchwell
General Counsel

A handwritten signature in cursive script that reads "Daniel E. Muallem". The signature is written in dark ink and is positioned below the typed name of the sender.

By: Daniel E. Muallem
Counsel, Legal Division

SGC:DEM:ak