

RAVI MEHTA
CHAIRMAN



FAIR POLITICAL PRACTICES COMMISSION

November 6, 1995

Steven S. Lucas
Nielsen, Merksamer,
Parrinello, Mueller & Naylor
591 Redwood Highway, #4000
Mill Valley, CA 94941

Re: Your Request for Informal
Assistance
Our File No. I-95-314

Dear Mr. Lucas:

You have requested advice concerning the campaign disclosure provisions of the Political Reform Act (the "Act").^{1/} Because your question is general in nature and you have not indicated that you are seeking this advice on behalf of a particular client, we will treat your letter as a request for informal assistance pursuant to Regulation 18329(c).^{2/}

QUESTION

Would a contribution of \$5,000 or more made by one committee to a multicandidate committee formed to support two or more elected state officers trigger the special odd-year filing requirements?

CONCLUSION

A contribution of \$5,000 or more made by one committee to a multicandidate committee formed to support two or more elected state officers would not trigger the special odd-year first and third quarter filing requirements.

^{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 84202.7 provides, in part:

(a) Except as provided in subdivision (b), during an odd-numbered year, any committee by virtue of Section 82013 which makes contributions totaling five thousand dollars (\$5,000) or more to elected state officers, their controlled committees, or committees primarily formed to support or oppose any elected state officer during a period specified below shall file campaign statements on the following dates:

(1) No later than April 30 for the period of January 1 through March 31.

(2) No later than October 31 for the period of July 1 through September 30....

"Primarily formed committee" means a committee pursuant to subdivision (a) of Section 82013 which is formed or exists primarily to support or oppose any of the following:

(a) A single candidate.

(b) A single measure.

(c) A group of specific candidates being voted upon in the same city or county election....

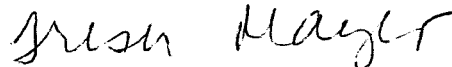
Section 82047.5.

A \$5,000 contribution made to a general purpose recipient committee and not earmarked for or made to elected state officers, their controlled committees, or committees primarily formed to support or oppose any elected state officer will not trigger the special odd-year campaign report required under Section 84202.7.

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

Sincerely,

Steven G. Churchwell
General Counsel



By: Trish Mayer
Political Reform Consultant
Technical Assistance Division