



FAIR POLITICAL PRACTICES COMMISSION

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July 23, 2001

Diane Guyon
El Dorado County Elections Department
P. O. Box 678001
Placerville, CA 95667-8001

Re: Your Request for Informal Assistance
Our File No. I-01-174

Dear Ms. Guyon:

This letter is in response to your request for advice regarding the provisions of the Political Reform Act (the "Act").¹ Since you are not requesting advice on the duties of a specific public official, we are treating your request as one for informal assistance pursuant to Regulation 18329(c).²

QUESTION

The County of El Dorado is holding a ballot measure election on August 7, 2001. The election is for the purpose of issuing bonds to maintain, acquire, construct, and equip a new recreational community center for the Cameron Park Community Services District and the ballot designation is Measure C. Since the first and second pre-election statements include the reporting period covered by the semi-annual statement due July 31, 2001, may committees formed to support or oppose this measure combine their semi-annual statement with their second pre-election statement?

CONCLUSION

Yes. Any committee formed prior to June 30, 2001, for the purpose of supporting or opposing your August 7, 2001, measure, may combine the semi-annual statement with the second pre-election statement. This combined statement must be filed no later than July 26, 2001, the deadline for the second pre-election statement.

¹Government Code sections 81000-91014. Commission regulations appear at title 2, sections 18109-18995, of the California Code of Regulations.

²Informal 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).)

ANALYSIS

Committees formed to support or oppose a ballot measure are required to file two campaign statements disclosing contributions received and expenditures made in connection with that election. These pre-election campaign statements are generally filed 40 days before the election and again 12 days before the election. (Section 84200.8.) Additionally, ballot measure committees must file quarterly statements and semi-annual statements. Semi-annual statements are filed January 31 and July 31, respectively. (Section 84200.)

The County of El Dorado is holding an election on August 7, 2001. The first pre-election statement filed in connection with this election is due June 28, 2001, and covers the reporting period of January 1 through June 23. The second pre-election statement is due July 26, 2001, and covers the reporting period of June 24 through July 21, 2001. Any ballot measure committee formed prior to June 30, 2001, would also be required to file a semi-annual statement by July 31 covering the period June 24 through June 30.

There is a mechanism in the Act which permits the combining of statements when an overlapping reporting period occurs or the filing of the semi-annual statement would be an additional, unnecessary filing to the two pre-election statements. (Section 84205.) It appears that combining the second pre-election statement with the semi-annual statement would be appropriate for the County of El Dorado's August 7, 2001, election.

Accordingly, any committee which came into existence prior to June 30, 2001, formed to support or oppose the August 7, 2001, ballot measure may combine its semi-annual statement with its second pre-election statement. The date for filing this combined statement is July 26, 2001, the date the second pre-election statement is due. A campaign statement filing schedule that outlines the due dates for filing statements is enclosed for your convenience.

If I may be of any further assistance, please do not hesitate to contact me at (916) 323-6935.

Sincerely,

Luisa Menchaca
General Counsel



By: Dixie Howard
Manager, Filing Officer Programs
Technical Assistance Division

Enclosure