



FAIR POLITICAL PRACTICES COMMISSION

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December 6, 2001

Kelly Palmer
City of Riverside
Office of the City Clerk
3900 Main Street
Riverside, CA 92522

**Re: Your Request for Informal Assistance
Our File No. I-01-272**

Dear Ms. Palmer:

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 City of Riverside is having a run-off election on January 15, 2002. The closing date for the second pre-election statement is December 29, 2001, which leaves only two days for the semi-annual statement for the period ending December 31, 2001. May committees, which are controlled by or primarily formed to support or oppose candidates in the January 15, 2002, run-off election, combine the semi-annual statement for the second half of 2001 with the semi-annual statement for the first half of 2002?

¹ Government Code Section 81000-91014. Commission regulations appear at title 2, sections 18109-18997, 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. (Government Code Section 83114; 2 Cal. Code of Regs. Section 18329(c)(3).)

CONCLUSION

Yes. Any committee controlled by or primarily formed to support or oppose a candidate involved in the January 15, 2002, run-off election may combine the semi-annual statement for the second half of 2001 with the semi-annual statement for the first half of 2002.

ANALYSIS

Committees controlled by and primarily formed to support or oppose candidates are required to file two pre-election campaign statements disclosing contributions received and expenditures made in connection with an election. These pre-election statements are generally filed 40 days before the election and again 12 days before the election. (Section 84200.8.) In addition, committees which are controlled or primarily formed to support or oppose candidates are required to file semi-annual statements on January 31 and July 31. (Section 84200.)

The City of Riverside is having a run-off election on January 15, 2002, following the November 6, 2001, election. The first pre-election statement filed in connection with the run-off election is due December 6, 2001, and covers the reporting period October 21 through December 1, 2001. The second pre-election statement is due January 3, 2002, and covers the reporting period December 2 through December 29, 2001.

There is a mechanism in the Act which permits the combining of statements. (Section 84205.) We are authorizing the combining of the semi-annual statement for the second half of 2001 with the semi-annual statement for the first half of 2002.

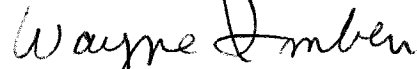
Accordingly, any committees controlled by or primarily formed to support or oppose a candidate involved in the January 15, 2002, run-off election may combine the semi-annual statement for the second half of 2001 with the semi-annual statement for the first half of 2002. The due date for this statement will be July 31, 2002, covering the period December 30, 2001, through June 30, 2002. A campaign filing schedule that outlines the due dates for filing statements is enclosed for your convenience.

In addition, committees involved in the election will cumulate contributions received and expenditures made from January 1, 2001, through June 30, 2002. Section 82018 provides that "cumulative amount" means the amount of contributions received or expenditures made in the calendar year." However, subdivision (b) of section 82018 provides: "[f]or a filer required to file a campaign statement or independent expenditure report in one year in connection with an election to be held in another year, the period over which the cumulative amount is calculated shall end on the closing date of the first semiannual statement filed after the election."

If I may be of any further assistance, please do not hesitate to contact me at (916) 322-3660.

Sincerely,

Luisa Menchaca
General Counsel

A handwritten signature in black ink that reads "Wayne Imberi". The signature is written in a cursive style with a large initial "W".

By: Wayne Imberi
Political Reform Consultant