



FAIR POLITICAL PRACTICES COMMISSION

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March 25, 2005

Charlene Cruz
County of Los Angeles
Registrar-Recorder/County Clerk
Campaign Finance
Disclosure Section, Room 2003
12400 Imperial Highway
Norwalk, CA 90650

**Re: Your Request for Informal Assistance
Our File No. I-05-046**

Dear Ms. Cruz:

This letter is in response to your request for advice regarding the campaign provisions of the Political Reform Act (the "Act").¹ Since your inquiry is general in nature, we are treating your request as one for informal assistance.²

QUESTION

How long must your agency retain duplicate copies of campaign statements?

CONCLUSION

Your agency is not required to retain more than one copy of a report or statement.

FACTS

The Registrar-Recorder of Los Angeles County is the filing officer for certain campaign statements. I confirmed with you in a telephone conversation that you are

¹ Government Code sections 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. (Section 83114; regulation 18329(c)(3), copy enclosed.)

inquiring about the copies your agency receives under sections 84215(a)(2) and 84215(b)(2).

ANALYSIS

Government Code section 84215 addresses where campaign reports and statements must be filed. Section 84215(a)(2) requires statewide elected officers and candidates for these offices other than the Board of Equalization, supreme court justices, and their controlled committees, committees formed or existing primarily to support or oppose these candidates, elected officers, supreme court justices, or statewide measures, or the qualification of state ballot measures, and all state general purpose committees, among others, to file two copies of their campaign statements with you. In addition, section 84215(b)(2) requires members of the Legislature or Board of Equalization, court of appeal justices, superior court judges, candidates for those offices, their controlled committees, and committees formed or existing primarily to support or oppose these candidates or officeholders to file two copies with you if Los Angeles County is the county with the largest number of registered voters in their districts.

Section 81009 addresses retention periods for reports and statements. It provides:


“...(f) Copies of reports or statements shall be retained by the officer with whom they are filed for a period of not less than four years, provided, however, that a filing officer is *not required to retain more than one copy* of a report of statement...” (Emphasis added.)

Therefore, although certain filers must provide your agency with two copies of campaign statements, based on the literal reading of this section, your agency is only required to keep one of the copies.

If you have any other questions regarding this matter, please contact me at (916) 322-5660.

Sincerely,

Luisa Menchaca
General Counsel


By: Trish Mayer *cw*
Political Reform Consultant

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