



FAIR POLITICAL PRACTICES COMMISSION

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April 24, 2009

Ms. Nancy L. Warren
Warren & Associates, L.L.C.
20 Galli Drive, Suite A
Novato, California 94949-5731

Re: Your Request for Advice
Our File No. A-09-060

Dear Ms. Warren:

This letter responds to your request for advice regarding the campaign provisions of the Political Reform Act (the "Act").¹

QUESTION

How can you electronically file a committee's name on its statement of organization (Form 410), in compliance with the Act's requirements, when the name exceeds 200 characters and the committee name field in Cal-Access only accepts 200 characters?

CONCLUSION

A filer with a long name should list the full name of the committee on the paper version of its statement of organization. On the electronically filed statement of organization, the filer should list the identical committee name in the name field up to the first 200 characters, and should also include the full name of the committee in the memo field for the Form 410.

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

FACTS

You are working with a new client: "Revitalize Alameda Point – a committee with major funding by Cal Land Venture LLC & Affiliated Entities, through SCC Alameda Point LLC, a company under contract with the City of Alameda to master Plan Alameda Point."

You have filed the original statement of organization – Form 410 (paper version) including this entire name. Once the committee qualifies as an electronic filer (or once the ballot measure letter is assigned) you will need to amend this Form 410 and file it electronically. You note that the committee name will get longer once the ballot measure letter is assigned.

The Cal Format for electronically filing with the Secretary of State only allows 200 characters for a committee name. The Revitalize Alameda Point committee's name is 212 characters and will continue to grow. You have considered options including truncating words, or putting a partial name on page 1 of the Form 410 and including the full name on page 4 as a note. You ask what the Commission advises you to do to comply with the new name regulations and still be able to file electronically.

ANALYSIS

Political committees that qualify as a committee under Section 82013(a), by receiving contributions totaling \$1,000 or more in a calendar year for political purposes, must file a statement of organization under the Act. (Section 84101.) A recipient committee must include its name on its statement of organization. (Section 84102(a).)

Section 84102(a) provides that the statement of organization required by Section 84101 shall include:

"The name, street address, and telephone number, if any, of the committee. In the case of a sponsored committee, the name of the committee shall include the name of its sponsor. Whenever a committee has more than one sponsor, and the sponsors are members of an industry of other identifiable group, a term identifying that industry of group shall be included in the name of the committee."

Regulation 18402, copy enclosed, contains the general committee name requirements. In addition, Sections 84107, 84504, and Regulation 18450.3 contain other committee name requirements applicable to a primarily formed ballot measure committee. Section 84107 requires that within 30 days after the order of the propositions on the ballot has been designated, a committee primarily formed to support or oppose a ballot measure must include the letter or number of the measure in its name. Section 84504 and Regulation 18450.3 further require a committee primarily formed to support

or oppose one or more ballot measures to identify itself using a name or phrase that clearly identifies the economic or other special interest of its major donors of \$50,000 or more in any reference to the committee required by law, including its statement of organization.

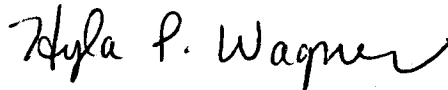
You are aware of these committee name requirements and are not asking about the requirements themselves, but rather how to list a committee name that exceeds 200 characters on an electronically filed statement of organization (Form 410), when the committee name field in Cal-Access only accepts 200 characters.²

The Office of the Secretary of State, Political Reform Division, advises filers with long committee names to file the full name of the committee on the paper version of their statement of organization. On the electronically filed statement of organization, the filer should list the identical committee name in the name field up to the first 200 characters, and should also include the full name of the committee in the memo field for the Form 410. Filing its statement of organization in accordance with this advice, the committee will be in compliance with Section 84102(a)'s requirement for listing the committee's name.

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

Sincerely,

Scott Hallabrin
General Counsel



By: Hyla P. Wagner
Senior Counsel, Legal Division

Enclosure

HPW:jgl

² Under the current Cal-Access system, an electronic filer's committee name is displayed up to 200 characters and truncated after that. We are informed that when the Cal Format for electronic filing is revised in the future, more characters will be added for the committee name field, or a memo field will be attached to the committee name.