



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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December 07, 2021

Cathy Darling Allen
County Clerk/Registrar of Voters
Shasta County Elections
1643 Market Street
Redding, CA 96001

Re: Your Request for Advice
Our File No. A-21-162

Dear Ms. Darling Allen:

This letter is in response to your request on behalf of Shasta County regarding the campaign provisions of the Political Reform Act (the “Act”).¹

QUESTION

May the candidates and committees involved in the County’s February 1, 2022 recall election combine the semi-annual statement with the second pre-election statement due on January 20, 2022?

CONCLUSIONS

In connection with a February 1, 2022 recall election, candidates and committees may use a filing schedule that combines the semi-annual campaign statement with the second pre-election statement. The combined statement will be due on January 20, 2022, covering the period December 19, 2021, through January 15, 2022.

ANALYSIS

During an election, candidates and committees involved in the election are required to file two pre-election 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.) Semi-annual statements are filed January 31 and July 31, respectively. (Section 84200.)

There is a mechanism in the Act that permits the combining of statements when an overlapping reporting period occurs or the filing of the semi-annual statement would be an

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 18109 through 18998 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.

additional, unnecessary filing to the two pre-election statements. (Section 84205.) In most cases, because section 82018(a) provides that the "cumulative amount" of contributions received and expenditures made by candidates and committees is calculated on a calendar year basis (January 1 through December 31), a pre-election filing is not combined with the semi-annual statement covering through December 31 of the prior year. However, section 82018 provides that the cumulative amount of contributions received and expenditures made can be calculated over more than one calendar year under specified circumstances such as when a pre-election statement is filed in one calendar year for an election held in the following calendar year. (Section 82018(b).) In your situation, the first pre-election statement is filed in 2021 while the election will be held in 2022.

Thus, in this case, filing the two pre-election statements in connection with the February 1 election will satisfy the January 31, 2022, semi-annual filing requirement. A campaign statement filing schedule which outlines the due dates for filing statements in connection with the election is enclosed for your convenience.

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

Sincerely,

Dave Bainbridge
General Counsel



By: Erika M. Boyd
Senior Counsel, Legal Division

EMB:dkv