



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

September 21, 2026

Brandy Maddox
Outlook Managing Editor &
SASCC Project Manager
19655 Allendale Ave.
Saratoga, CA 95070

Re: Your Request for Advice
Our File No. A-26-094

Dear Ms. Maddox:

This letter responds to your request for advice on behalf of the Saratoga Area Senior Coordinating Council DBA Successful Aging Solutions & Community Consulting (“SASCC”) regarding the campaign provisions of the Political Reform Act (the “Act”).¹

Please note that we are not a finder of fact when rendering advice (*In re Oglesby* (1975) 1 FPPC Ops. 71), and any advice we provide assumes your facts are complete and accurate. If this is not the case or if the facts underlying these decisions should change, you should contact us for additional advice.

QUESTIONS

1. Should SASCC, in coordination with its regularly published newspaper, print and distribute a stand-alone nonpartisan “Election Guide” to its distribution list, and include a copy of the Election Guide on its newspaper website, would it be making a contribution to the featured candidates?

2. Should SASCC partner with KCAT Public Media to produce a candidate interview series would either entity be making a contribution to the candidates?

CONCLUSIONS

1. As the SASCC is a nonpartisan organization, production of its print Election Guide in the manner prescribed will constitute a “forum” under Regulation 18215(c)(10). Additionally, the inclusion of the Election Guide on The Outlook’s newspaper website falls under the

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 18104 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.

exclusion in Regulation 18215(c)(8). Thus, funds spent by SASCC for the production and publication of the Election Guide do not constitute contributions under the Act.

2. Production of a candidate series to air on a local cable channel comes within the exception to the definition of contribution for payments made by a broadcast station pursuant to Regulation 18215(c)(8). SASCC and KCAT Public Media will not be making contributions to the candidates through the production and airing of this series.

FACTS AS PRESENTED BY REQUESTER

You represent the SASCC, a California nonprofit public benefit corporation exempt under Internal Revenue Code section 501(c)(3). SASCC is not a political party, political committee, candidate, or candidate-controlled entity, and is not owned or controlled by any of the foregoing. It has never made a contribution or independent expenditure and is not registered as a committee.

The Outlook Newspaper / Election Guide

SASCC has published The Outlook newspaper since 2016. It is a free community newspaper distributed by mail and through community drop points serving Saratoga, Los Gatos, Monte Sereno, and Cupertino, with a distribution of approximately 57,000. It publishes original local reporting, community news, and features on a monthly schedule, is staffed by three editorial staff and approximately 20 contributing writers, and maintains a written ethics and corrections policy at theoutlookonline.org. It has covered local elections in prior cycles.

For the November 3, 2026 general election, SASCC proposes to publish a printed Election Guide covering candidates for Los Gatos, Saratoga, and Monte Sereno, produced under the following protocol:

1. Universal invitation. Every candidate who has qualified for the ballot in each covered race receives the same written invitation. No candidate is excluded and participation is free.
2. Identical questions. Two written questions, identical for every candidate in a given race, drafted by The Outlook's editorial staff.
3. Identical space. Responses limited to 200 words, printed substantially verbatim and edited only for spelling, typographical errors, and length. Each candidate receives the same space and one photograph of the candidate's choosing at the same size.
4. Neutral presentation. Candidates listed in alphabetical order, by city. No endorsement, recommendation, rating, ranking, or comparative commentary by SASCC, and no statement urging support for or opposition to any candidate or measure.

5. Non-participation. Candidates who do not respond are listed with a neutral notation that no response was received.

6. No sponsorship. Produced and distributed entirely from SASCC's general operating funds. No sponsorship, underwriting, or advertising tied to the guide, and no payment accepted from any candidate, campaign, committee, or party.

7. Distribution. Free to The Outlook's existing readership by mail in October, and posted at theoutlookonline.org. Not targeted by party registration, voting history, or any political criterion.

8. Transparency. The guide carries a note describing how it was produced and confirming it was funded from the general fund with no sponsorship.

In a follow-up conversation, you indicated that while being produced by SASCC and branded like The Outlook, the proposed Election Guide would be a stand-alone piece distributed to The Outlook's current distribution list. This includes distribution to the public and every residential home in the area served.

Television Series

SASCC would also like to partner with KCAT Public Media, a separate California nonprofit operating community access television in Los Gatos and Monte Sereno, on a candidate interview series. Every candidate would receive the same invitation, the same interview length, the same questions, and equal airtime. Neither organization would charge candidates or accept payment from campaigns. Reference to the series would be included in the printed election guide, and candidates who decline the televised interview remain eligible for the guide on identical terms. Candidates would be told this in the written invitation.

ANALYSIS

The Act defines "contribution" to include any payment made unless it is clear from the surrounding circumstances that the payment was not made for political purposes. (Section 82015.) Regulation 18215(a) specifies that a payment is made for political purposes if it is:

(1) For the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate or candidates, or the qualification or passage of any measure; or

(2) Received by or made at the behest of the following or any agent thereof:

(A) A candidate;

(B) A controlled committee;

(C) An official committee of a political party, including a state central committee, county central committee, assembly district committee, or any subcommittee of such committee; or

(D) An organization formed or existing primarily for political purposes, including, but not limited to, a political action committee established by any membership organization, labor union, or corporation.

However, the Act and its regulations provide some exceptions to the definition of “contribution.” Pursuant to Regulation 18215(c), the term “contribution” does not include:

...

(8) A payment made by any broadcasting station (including a cable television operator, programmer or producer), website, or a regularly published newspaper, magazine, or other periodical of general circulation, including any Internet or electronic publication, that routinely carries news and commentary of general interest, for the cost of covering or carrying a news story, commentary, or editorial.

...

(10) A payment for a debate or other forum sponsored by a nonpartisan organization in which at least two candidates appearing on the ballot for the same elective office were invited to participate.

Election Guide

Here, SASCC, a nonpartisan nonprofit organization, will be inviting all candidates for specified local elections to be included in the printed Election Guide. There is no cost to participate, and all candidates will be provided the same questions and space for response. Regulation 18215(c)(10) provides an exception to the definition of contribution for a payment made by a nonpartisan organization for a debate or other forum, where at least two of the candidates for the same office will be invited to participate. While traditional “forums” occur in a meeting place with a live audience, this nonpartisan Election Guide made available to all candidates in the local areas meets the exception provided in Regulation 18215(c)(10). (*See also Johnson* Advice Letter, I-96-260 [website hosted by nonpartisan League of Women Voters featuring all candidates was a “forum”]; *Jex* Advice Letter, A-00-271 [nonpartisan voter pamphlet was “other forum” in which at least two candidates would be participating].)

SASCC also intends to post the Election Guide on The Outlook newspaper’s website for viewing by the general public. The Outlook newspaper is a periodical of general circulation that routinely carries general interest news regarding the local areas it serves. Posting of the Election Guide online will come within the exception for payments made by newspapers for distribution via an electronic publication under Regulation 18215(c)(8).

Accordingly, since the Election Guide provided by the SASCC is not a contribution under the Act, you have no obligation to form a committee to report these payments. Likewise, because your organization will not become a committee due to its publication of the Election Guide, the Election Guide will not require any mass mailing or "Paid for by" disclosures pursuant to the Act.²

Television Series

SASCC also intends to partner with a local public access cable channel to produce a candidate interview series. Every candidate would receive an invitation to participate, the same interview questions, and equal airtime. There would be no charge to the candidates to participate in the series. In regard to KCAT Public Media, the proposed activity squarely falls under the exception to the definition of contribution found in Regulation 18215(c)(8) for payments made by broadcast stations for the cost of carrying news stories, commentary, or general editorials. SASCC's participation in the series will constitute payments for a "forum" excepted from the definition of contribution as analyzed previously.

As payments associated with the production of the interview series do not constitute contributions, the communications will not require disclosures pursuant to the Act. However, we must caution that our advice is limited to the Act. We can express no opinion regarding any laws outside the purview of the Act, including, but not limited to, disclosure requirements for broadcast communications of a political nature under other state and federal laws. SASCC and KCAT Public Media may wish to seek further legal counsel regarding any other laws that may apply.

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

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² We caution that this applies only to the activity as proposed here. Any change in the facts may alter the reporting or disclosure requirements.