



# Sample Request Letter to Payee Organization Behested Payment Report (Form 803)

## Introduction

The Political Reform Act<sup>1</sup> requires an elected state official, elected local official, or Public Utilities Commission (PUC) member to disclose certain information about payments made for a charitable, legislative, or governmental purpose when the official is involved in making the request for payment, often where the official permits their name or photo to be featured in a charitable organization's fundraising solicitation. (See Government Code Sections 82004.5(c), 82041.3, and 84224 and the FPPC's Behested Payment Report Fact Sheet for more information.)

When the official makes a behest for payment but is otherwise unaware of the reportable payment information, the official may make a good faith estimate and practice reasonable efforts to obtain the required information from the payee organization.

Sending a written request, such as the FPPC's sample letter provided below, 30 days prior to the reporting deadline will constitute a reasonable effort to obtain the payment information and permit filing with estimated payment or estimated date information. Note: As a best practice, an elected official or their staff may provide the organization with the sample letter at the time the elected official agrees to participate in the organization's fundraising solicitation.

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## Sample Request Letter:

“Dear *[insert charitable organization]*:

I have agreed to work with your organization in its solicitation for funds related to *[name of the fundraising event or fundraising campaign]* to be held on *[date or range of dates]* for the purpose of *[state the charitable, legislative, or governmental purpose]*. Under the Political Reform Act, payments you receive in response to this solicitation may meet the definition a “behested payment” reportable by an elected official or Public Utilities Commission member within 30 days of the date the payment is made.

So that I may comply with my behested payment reporting requirements, please provide the following for any relevant payments your organization receives in response to the above noted solicitation: the name and address of the payor, payment date, and amount. If the payment is in the form of a donated service or goods, describe the item or service and provide its fair market value.

If the payment date or amount are not known or represent an estimate, note this, and provide information on when final, accurate amounts will be available. Briefly explain the reason for any delay. Please provide me with the accurate information as soon as it is available so I may comply with my reporting requirements under the Political Reform Act.”

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<sup>1</sup> 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.