



# 2024 CANDIDATE'S GUIDE

## FILING PERIOD:

*July 15, 2024 - August 9, 2024\**  
*(may be extended to August 14th)*

## CITY HALL

City Clerk's Office  
150 City Park Way, 3rd Floor  
Brentwood, CA 94513  
925.516.5440

Appointments Available during regular  
business hours. Monday to Friday  
8:00 AM - 5:00 PM



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## CONTACT INFORMATION

### CITY OF BRENTWOOD

150 City Park Way  
Brentwood, CA 94513  
Phone: 925-516-5440  
[www.brentwoodca.gov](http://www.brentwoodca.gov)

#### Margaret Wimberly, City Clerk

[mwimberly@brentwoodca.gov](mailto:mwimberly@brentwoodca.gov)  
Phone: 925-516-5182  
Cell: 925.963.3899

#### Amanda McVey, Assistant City Clerk

[amcvey@brentwoodca.gov](mailto:amcvey@brentwoodca.gov)  
Phone: 925-516-5187

[cityclerk@brentwoodca.gov](mailto:cityclerk@brentwoodca.gov)  
Fax: 925-516-5441

### SECRETARY OF STATE

P.O. Box 1467  
1500 11<sup>th</sup> Street, Room 495  
Sacramento, CA 95812-1467  
Phone (Elections): 916-657-2166  
Fax: (Elections): 916-653-3214  
Phone: (Political Reform) 916-653-6224

[www.sos.ca.gov](http://www.sos.ca.gov)

- ✓ Committee Identification Numbers
- ✓ Termination of Committees

### FAIR POLITICAL PRACTICES COMMISSION (FPPC)

1102 Q St suite 3000  
Sacramento, CA 95814  
Phone: 916-322-5660  
Toll Free: 1-866-275-3772  
(1-866-ASK-FPPC)

Fax: 916-322-0886

[www.fppc.ca.gov](http://www.fppc.ca.gov)

- ✓ Campaign Disclosure
- ✓ Conflict of Interest
- ✓ Proper Use of Campaign Funds

*E-mail advice:*

*[Advice@fppc.ca.gov](mailto:Advice@fppc.ca.gov)*

*To report a violation*

800-561-1861

### INTERNAL REVENUE SERVICES

877-829-5500 (located in Washington, D.C.)  
800-829-4933 (taxpayer i.d.)

[www.irs.gov](http://www.irs.gov)

- ✓ Federal Taxpayer I.D. Numbers (EIN)
- ✓ Any Other Tax Related Questions

### FEDERAL ELECTION COMMISSION

800-424-9530

[www.fec.gov](http://www.fec.gov)

- ✓ Federal Campaign Disclosure
- ✓ Contributions from National Banks, National Corporations, and foreign nationals

### CONTRA COSTA COUNTY REGISTRAR OF VOTERS

555 Escobar Street  
Mail: P.O. Box 271  
Martinez, CA 94553  
Voter Registration 925-335-7871  
General Information 925-335-7800

[www.contracostavote.gov](http://www.contracostavote.gov)

- ✓ Candidate Information
- ✓ Precinct Lists
- ✓ Polling Places

### STATE FRANCHISE TAX BOARD

[www.ftb.ca.gov](http://www.ftb.ca.gov)

800-852-5711

Committee Tax Status

- ✓ Tax Deductible Contributions
- ✓ Charitable Non-Profit Groups
- ✓ Any Other Tax Related Questions

### STATE ATTORNEY GENERAL

800-952-5225

[www.oag.ca.gov](http://www.oag.ca.gov)

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# GENERAL INFORMATION

- Candidates Guide
- Political Signs
- Council Policies
  - 110-1 City Council Meeting Rules & Procedures
  - 110-5 Code of Conduct

## Candidates Guide for Municipal Office

The following information is a non-comprehensive listing of some of the statutes, resolutions, and ordinances applicable to elections. It is provided as a courtesy to the candidates. The statutes listed below are neither complete nor reproduced verbatim and are not a comprehensive statement of the law regarding elections. The City does not guarantee the accuracy of the information contained herein. It is recommended that candidates and campaign staff research the law applicable to elections themselves or seek their own legal counsel to guide them through the election process.

## GENERAL INFORMATION

*Please note information regarding candidates who have pulled nomination papers and/or who have qualified is public information. To request this information, please contact the City Clerk.*

### ELIGIBILITY

A person must be a registered voter of the District in which they reside in, or within the City for Mayor, at the time nomination papers are issued for his/her candidacy.

### OFFICES TO BE FILLED

1 Mayor from the City of Brentwood (candidate must be registered to vote and reside within the City limits of Brentwood)

1 Council Member from District 1 (candidate must be registered to vote and reside in District 1).

1 Council Member from District 3 (candidate must be registered to vote and reside in District 3).

### COUNCIL SALARY

In accordance with the Brentwood Municipal Code:

#### **2.08.010 Monthly compensation designated.**

The mayor and each member of the city council shall receive compensation of nine hundred thirty-nine dollars and twenty-six cents per month for services to the city.

### NOMINATION PERIOD

Section 10220 – Elections Code

Monday, July 15, 2024, at 8:00 a.m., will be the first date and time that Nomination Papers will be available at the City Clerk's Office, 150 City Park Way, 3rd Floor, Brentwood, California.

Friday, August 9, 2024, at 5:00 p.m., will be the final date and time for filing any Nomination Papers. (Please allow at least a ½ hour for filing)

## NOMINATION PAPERS

### Section 10220 – Elections Code

The first step you should take in completing your nomination papers is to decide if you will be the circulator or if someone will circulate the papers for you. Remember, whoever circulates the petition must personally witness each person's signature. Any person who is over the age of 18 may circulate a nomination paper. Only one person may circulate each nomination paper. The circulator must complete the "Affidavit of Circulators" with his/her name and address. No voter may sign more than one nomination paper for the same office, and in the event a voter does so, that voter's signature shall count only on the first nomination paper filed.

### Section 10221 – Elections Code

The second step is to obtain the signatures. For the office of Council Member, each signature must be from the District from which you are seeking nomination for:

You will notice that you have been issued three identical petitions which have 10 spaces for signatures. Although only 20 valid signatures (signatures must be from registered voters residing in the District you are running for) are required, it is advisable to obtain 30. This will give you 10 extra signatures in the event any of the first 20 signatures do not qualify, as detailed below.

- Signatures must be from registered voters
- Signatures for candidates from District 1 and 3 must reside within their respective districts, signatures for Mayor must reside within the City limits.
- Each Signer may only sign one nomination paper for each office. In the event a voter has signed two nomination papers for an office, the first filed will be counted.

Once a nomination paper is filed with the elections official the nomination paper may not be returned to the candidate to obtain additional signatures. If the nomination paper is determined to be insufficient, prior to the filing deadline, or the candidate fails to obtain the correct number of valid signatures, on his or her nomination paper, the elections official shall retain the original nomination paper, provide a copy of the nomination paper to the candidate with an indication of which signatures are valid, and issue one supplemental petition to the candidate on which the candidate may collect additional signatures. The supplemental petition shall be filed no later than the last day for filing for that office.

## CANDIDATE'S GUIDE FOR MUNICIPAL OFFICE

### DECLARATION OF CANDIDACY AND CANDIDATE'S OATH OF ALLEGIANCE

#### Section 10223 – Elections Code

Upon filing the nomination papers, you will be required to complete a Declaration of Candidacy.

- (1) Declaration of Candidacy: This section is a declaration that the candidate will accept the nomination and the office in the event of his/her election. In addition, the candidate must state his/her ballot designation. The ballot designation shall conform to one of the designations permitted under the Elections Code relating to the forms of ballots generally.
- (2) Candidate's Oath of Allegiance: The City Clerk will administer the Oath at the time the papers are filed.

### FILING OF NOMINATION PAPERS

*(Please allow at least ½ hour for filing)*

#### Section 10224 – Elections Code

Once you have obtained all your signatures, you must file the Nomination Papers with the City Clerk. Please note that all papers (Nomination, Declaration of Candidacy, Ballot Designation Worksheet, Candidate Statement (optional), Form 501, Statement of Economic Interests, and items listed on the checklist) must be filed at the same time. Please refer to the checklist.

Filing – All Nomination Papers shall be filed with the City Clerk during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, but not later than 5:00 p.m. on the filing deadline of August 9, 2024. Until that time, but not after, a candidate may withdraw his or her nomination paper after it is filed with the elections official.

### SIGNATURES; VERIFICATIONS; RESIDENCE ADDRESS

Section 105 – Elections Code - For purposes of verifying signatures on any Nomination Paper, the Contra Costa County Elections Division shall determine that the residence address on the petition or paper is the same as the residence address on the affidavit of voter registration. If the addresses are different, or if the nomination paper does not specify the residence address, the affected signature shall not be counted as valid.

Any signature invalidated pursuant to this section of the Elections Code shall not affect the validity of other signatures on the nomination paper.

# CANDIDATE'S GUIDE FOR MUNICIPAL OFFICE

## PLACEMENT OF NAMES ON BALLOT

Section 13112– Elections Code

Following the close of nominations, the Secretary of State will make a random drawing of letters of the alphabet on. Candidates' names will be placed on the ballot by their surnames in the order determined by this drawing. The City Clerk will notify candidates of the ballot order after this drawing.

## CANDIDATE'S STATEMENT OF QUALIFICATIONS

Please see the tab title "Candidate's Statement Guidelines" provided with this candidate guide for important information to be used in completing your Statement. Before you file your nomination papers, send an electronic copy of the Statement to: [cityclerk@brentwoodca.gov](mailto:cityclerk@brentwoodca.gov)

Section 13307 – Elections Code

A Candidate's Statement may be filed by the candidate, if he/she so desires, for distribution to each voter with the sample ballot in the voter pamphlet. Such Statement must be filed with the candidate's Nomination Paper and may be WITHDRAWN, BUT NOT CHANGED, by the candidate after it is filed at any time prior to the close of the nomination period. A statement may NOT be resubmitted after it is withdrawn.

The Candidate's Statement may contain the candidate's NAME, AGE, and OCCUPATION plus a brief description of the candidate's EDUCATION and QUALIFICATIONS of not more than 250 words expressed by the candidate.

The Candidate's Statement will be printed in the voter pamphlet and mailed to each registered voter. In addition, Spanish and Chinese translations will be prepared for each statement by the County. There will be notices in Spanish on the cover of the sample ballot stating that the translation is available upon request from the City Clerk's Office.

The cost for printing and handling this Statement (including translation is the responsibility of the candidate.

If you wish to have a Candidate Statement printed, the total cost is required to be paid at the time the Statement is filed. Checks should be made payable to the City of Brentwood, or you may pay by credit card.

<b><u>Office</u></b>	<b><u>Cost</u></b>
<i>Council Member District 1</i>	<i>\$345.00</i>
<i>Council Member District 3</i>	<i>\$405.00</i>
<i>Mayor (at large)</i>	<i>\$984.00</i>



# CANDIDATE'S GUIDE FOR MUNICIPAL OFFICE

## Minority Language Provisions

Due to minority language provisions of the Federal Voting Rights Act, cities are required to provide election materials in Spanish and Chinese language in addition to English. The materials covered by this Act include Candidates' Statements. Therefore, all costs include translating and printing Candidates' Statements into the Spanish language.

## AFFIDAVIT OF ELIGIBILITY FOR CANDIDATES

Brentwood Municipal Code Section – 2.10.060

A. Each candidate either nominated for an elective office, or proposed for appointment in the case of a vacancy in an elective office, will sign under penalty of perjury an affidavit declaring that the candidate is eligible to hold office. The affidavit will be in a form as shown in subsection C of this section. The affidavit will be submitted to the city clerk no later than the time the candidate assumes office.

B. Each official in an elective office will annually sign under penalty of perjury an affidavit declaring that the official continues to be eligible to hold office. The affidavit will be in a form as shown in subsection D of this section. The affidavit will be submitted to the city clerk no later than the time required by law for the annual filing of "Statements of Economic Interests" with the Fair Political Practices Commission, or June 1st, of each year, whichever is later.

## SIGNS

CITY OF BRENTWOOD SIGN REGULATIONS (See Included Attachment)

A handout for the political sign regulations is included in this packet. As a reminder, no signs may be placed on any City owned property or within the public right of way as the signs will be collected by our Community Enrichment staff. For signs placed on private property, the mere presence of political signage is not a violation unless the signage exceeds 16 square feet cumulatively.

Please review the handout and share this information with your campaign staff and volunteers.

The most expeditious way to report any concern (including political signs) is via the City's Brentwood Connect 24/7 app: <https://www.brentwoodca.gov/government/public-works/service-request>.

## CANDIDATE'S GUIDE FOR MUNICIPAL OFFICE

Brentwood Municipal Code Chapter 17.640 regulates signs on private property. Listed below are selected sections of that chapter which apply to signs.

Signs are not allowed on public property, including in the public right-of-way. Any questions regarding the display of signs should be directed to the Community Enrichment Division at (925) 516-5405 or [communityenrichment@brentwoodca.gov](mailto:communityenrichment@brentwoodca.gov).

Signs allowed without sign permits—Nonresidential land uses.

L. In addition to the sign area otherwise allowed and subject to message substitution, temporary signs displaying only protected non-commercial messages may be displayed at all times and on all private properties, subject to the property owner's consent and a maximum cumulative sign area of 16 square feet. The signs allowed by this provision may not be illuminated, may not be activated by natural or mechanical wind or air, and may not interfere with the visibility triangle

Signs allowed without sign permits—Residential land uses.

A. General.

1. At all times, individual residential dwelling units may display signs with a cumulative sign area that does not exceed 16 square feet. Name plates, address indicators and flags do not count toward this maximum area limit.

Any questions regarding the display of signs in the City of Brentwood should be directed to the Community Development Department. (925) 516-5405.

Signs displayed that are not in compliance with the City's Municipal Code may be abated. Community Enrichment Staff can be reached at (925) 516-5405 or [communityenrichment@brentwoodca.gov](mailto:communityenrichment@brentwoodca.gov) to retrieve abated signs.

## CONTRA COSTA COUNTY SIGN REGULATIONS (UNINCORPORATED AREAS)

With the exception of signs located on legal commercial outdoor advertising structures, all political signs placed in areas under the jurisdiction of the Contra Costa County Community Development Department are regulated by Contra Costa County Ordinance Code Title 8, Division 88, Chapter 88-6, as follows:

Political Campaign Advertising

Political signs may be erected or displayed before an election until ten days after the election, inclusive.

## CANDIDATE'S GUIDE FOR MUNICIPAL OFFICE

These signs may not be erected in the right-of-way of any State highway, County highway, or public road or street.

Article 88-6 Section 88-6.810

### Signs On Utility Poles

No person shall post, place, attach, erect, or maintain any sign, poster, advertisement, or any material or object of any kind on a pole, post, wire, or structure maintained under a franchise by a public utility or public service corporation in the right-of-way of any County or public highway.

Article 88-6.8 Section 88.6.812

### Signs at Intersections

No outdoor advertising structure, except Type IV signs, shall be erected or maintained in such a location or position that operators of motor vehicles who are within one hundred feet of the intersection of any public road with any other public road or any railroad will not have a clear and unobstructed view of the intersection and of any traffic on all of the roads or railroads entering the intersection, for a distance of one hundred feet, along all the roads or railroads.

Article 88-6.8 Section 88.6.618

## FAIR POLITICAL PRACTICES COMMISSION (FPPC):

### FILING REQUIREMENTS

The FPPC mandates the filing requirements for local candidates. The City Clerk serves as the filing officer for local campaign disclosure statements. The City Clerk will e-mail you links to the campaign finance forms after you've been issued your nomination papers. Should you require a hard copy to be printed for you, please notify the City Clerk.

**Please refer to the Campaign Finance Tab for information on forms, filing deadlines, and contribution limits.**

The FPPC forms are available on the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov) or in the City Clerk's Office. These Statements must be filed in the City Clerk's Office no later than 5:00 p.m. on the due date.

# CANDIDATE'S GUIDE FOR MUNICIPAL OFFICE

## USE OF THE CITY SEAL

Government Code 34501.5: Use of the City's official seal in campaign materials is prohibited pursuant to Government Code section 34501.5.

## REQUESTS FOR INFORMATION FROM STAFF

As a candidate for City Council, City staff is aware there will be a great deal of information that you might be interested in obtaining or that you may be interested in meeting with staff to ask specific questions. In order to provide all candidates, even current Council incumbents, equal access to information available from the City, candidates requesting information from staff should submit all requests to the City Clerk's Office, and staff will forward any direction questions to the City Clerk's Office too. Requests will be assigned to the appropriate department staff for response and the responses will then be shared with all candidates within a few days, if not the same day. In addition there is a great deal of information available on the City's website for each of the City departments, and many responses may direct you there.

A City Council Candidate Orientation is tentatively scheduled for **August 15, 2024 at 4:00 PM via Zoom**, so that all candidates can meet the Executive Team including the City Manager, City Attorney, and department directors to receive an orientation, and ask questions about city operations and programming. Tours of city owned facilities will not be offered, but will be provided to successful candidates.

## CITY COUNCIL MEETING INFORMATION

City Council meeting Agendas and packets are generally available the Thursday before a Tuesday Council meeting on the City's website. Candidates will be added to the distribution list for agendas. In addition also available on the website are links to past meeting videos, agenda packets, minutes and a summary of actions taken at public meetings. [www.brentwoodca.gov/meetings](http://www.brentwoodca.gov/meetings)

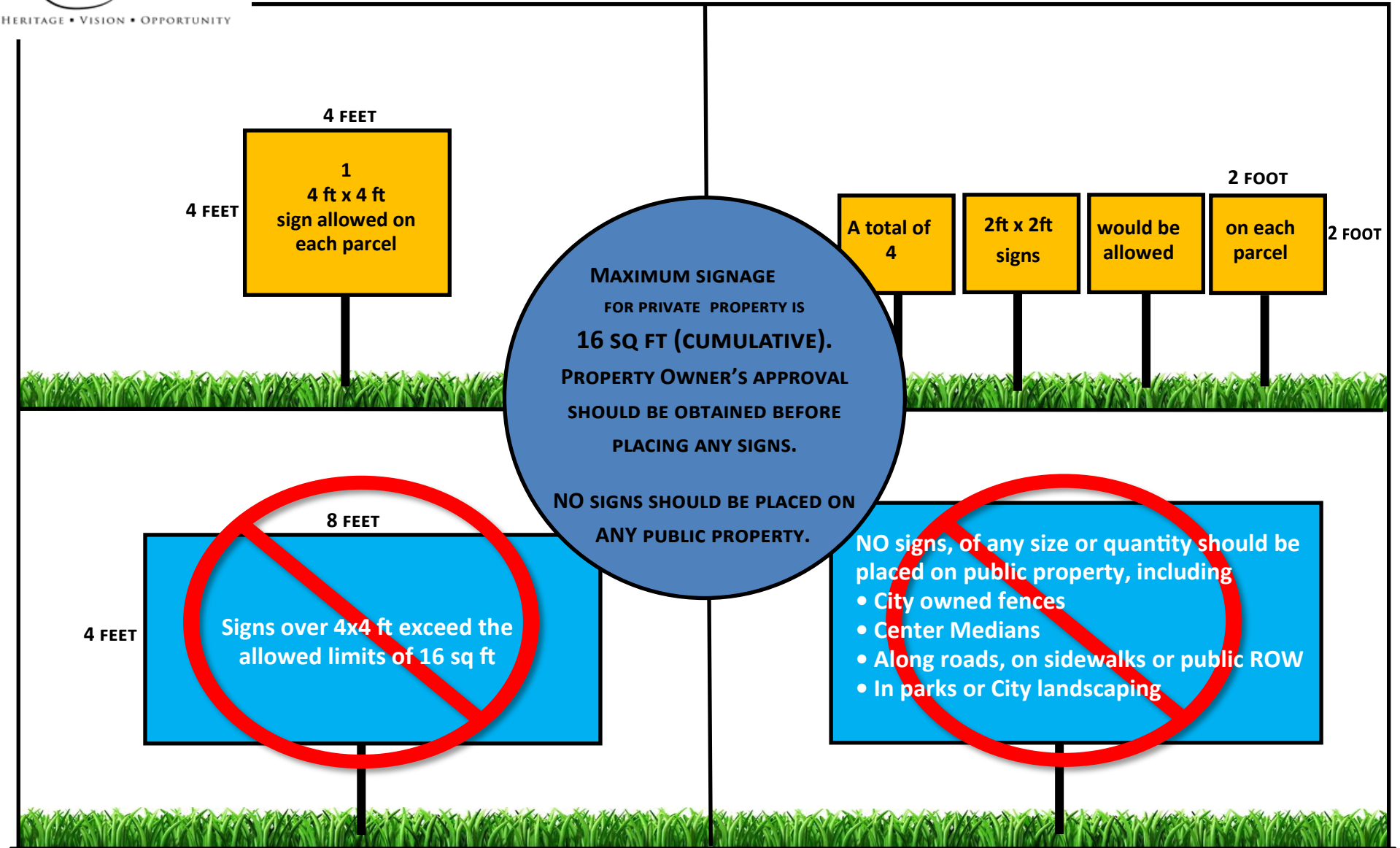
## MUNICIPAL CODE

The City establishes local law by adopting Ordinances which are then codified in the City of Brentwood's Municipal Code. The Municipal Code can be reviewed in the City Clerk's Office or at the following link: <https://ecode360.com/BR4906> The internet version provides search capabilities making research easier.

CITY OF BRENTWOOD'S FINANCIAL DOCUMENTS

A number of documents published by the City's Finance Department available on the City's website. These documents include Bond Official Statements, Capital Improvement Program (CIP), City Council Quarterly Reports, Comprehensive Annual Financial Reports (CAFRs), Cost Allocation Plans, General Fund Fiscal Models, Operating Budgets, Public Facilities Fee Reports (AB1600), Quarter Sales Tax Reports, Quarterly Investment Reports, and State Controller's Reports.

**POLITICAL SIGN PLACEMENT  
PRIVATE PROPERTY  
INCLUDING RESIDENTIAL, COMMERCIAL OR VACANT (UNDEVELOPED) PROPERTY**



**ANY SIGNS REMOVED FROM PUBLIC PROPERTY WILL BE HELD AT CITY HALL FOR 30 DAYS BEFORE BEING DESTROYED. PLEASE CONTACT COMMUNITY ENRICHMENT AT COMMUNITYENRICHMENT@BRENTWOODCA.GOV OR 925-516-5405 TO RETRIEVE SIGNS.**

## ***CITY OF BRENTWOOD SIGN REGULATIONS***

Brentwood Municipal Code Chapter 17.640 regulates signs on private property. Listed below are selected sections of that chapter which apply to signs.

Signs allowed without sign permits—Nonresidential land uses.

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Signs are not allowed on public property, including in the public right-of-way. Signs displayed that are not in compliance with the City's Municipal Code may be abated. For information on retrieving abated signs contact Community Enrichment Staff at (925) 516-5405 or [communityenrichment@brentwoodca.gov](mailto:communityenrichment@brentwoodca.gov).

**COUNCIL/ADMINISTRATIVE POLICY**

Subject: Meeting Rules and Procedures	Policy No: 110-1	Date: 10/10/2023
	Resolution No: 2023-123	Page 1 of 10

**CITY OF BRENTWOOD**  
**MEETING**  
**RULES AND PROCEDURES**

TABLE OF CONTENTS

Page

1. PURPOSE; APPLICABILITY .....2

2. MEETINGS: GENERAL RULES .....2

3. ELECTION OF CITY COUNCIL OFFICERS; DUTIES .....4

4. MEETING AGENDA: PREPARATION AND CONTENTS.....6

5. DECORUM .....7

6. VOTING AND DECISION; RECONSIDERATION .....8



# COUNCIL/ADMINISTRATIVE POLICY

Subject: Meeting Rules and Procedures	Policy No: 110-1	Date: 10/10/2023
	Resolution No: 2023-123	Page 2 of 10

## 1. PURPOSE; APPLICABILITY

**1.1 Purpose.** The purpose of the Council Meeting Rules and Procedures (these “Rules”) is to establish protocols that will be convenient for the public and contribute to the orderly conduct of City business. These Rules apply in addition to:

- the Ralph M. Brown Act Open Meeting Law (Brown Act, Gov’t. Code §55950 and following);
- the Political Reform Act (Gov’t. Code §81000 and following); and
- any other California laws that govern the conduct of City Council meetings.

**1.2 Applicability.** These Rules apply to meetings of the City Council and all City Commissions (unless: a provision is clearly not applicable, stated otherwise in the ordinance establishing a particular commission, or stated otherwise in state law). Reference to *Mayor, Council, Council Member, and City Clerk* shall respectively mean *Chairperson, Commission, Commissioner* and *Secretary*, when applicable to a City commission.

**1.3 Effect.** Failure to observe these Rules does not invalidate any otherwise lawful action.

## 2. MEETINGS: GENERAL RULES

**2.1 Meeting – Definition.** The term *meeting* means the gathering together of three or more members of the City Council (or a majority of the total members of any commission) to hear, discuss, deliberate, or take action on any matter within its jurisdiction. (Gov’t. Code §54952.2(a).)<sup>1</sup>

**2.2 Meetings Open to the Public.** Unless otherwise authorized by law to be held in closed session, all City Council meetings are open and public. (Cal. Const. art I, §3(b)(1); Gov’t. Code §54953(a).)

**2.3 Time and Place of City Council Meetings.** The City Council shall hold regular meetings at the dates, time, and location set forth in Municipal Code Chapter 2.04 and any related resolutions, or as modified by the Council.

**2.4 Quorum.** A majority of the total members of the Council shall constitute a quorum and is sufficient to transact regular business. A Council Member present but abstaining is counted for purposes of constituting a quorum. A Council Member disqualified from voting by law is not counted for purposes of constituting a quorum. (See Section 3.4a below.) If there is no quorum, the Mayor or City Clerk shall adjourn the meeting to a stated time and place.

**2.5 Presiding Officer.** The Mayor is the presiding officer of the Council. In the absence of the Mayor or in case of conflict under Section 3.4a, the Vice-Mayor shall preside. In the absence of the Mayor and Vice-Mayor, the City Manager shall preside over the election of a temporary chair. The temporary chair will preside until the return of one of the officers.

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<sup>1</sup> The Brown Act prohibits a majority of a city council, outside an open and noticed meeting, from using a series of communications of any kind (including telephone or email, or through intermediaries) to discuss, deliberate or take any action on city business. (Gov’t. Code §54952.2(b)(2).)

## COUNCIL/ADMINISTRATIVE POLICY

Subject: Meeting Rules and Procedures	Policy No: 110-1	Date: 10/10/2023
	Resolution No: 2023-123	Page 3 of 10

### 2.6 Types of meetings.

- a. Regular meetings.** This is the regular City Council meeting generally held twice per month, as established by the Municipal Code (Chapter 2.04) and City Council Resolution.
- b. Special Meetings.** A special meeting may be called by the Mayor or by a majority of the City Council. Notice must be given in conformance with Government Code §54956 at least 24 hours before the special meeting.
- c. Closed Sessions.** The City Council may meet in closed session (not open to the public), as provided by California law. No member of the City Council, City employee or person present during a Closed Session may disclose to anyone not present at the Closed Session the content or substance of any confidential written materials or confidential discussions which took place during the session, unless the City Council votes to authorize disclosure of such information by a majority vote, except as otherwise required by law. (Gov't. Code § 54956.5.)
- d. Adjourned Meetings.** The City Council may adjourn a regular or special meeting to a specific time and place. (If there is less than a quorum at any scheduled meeting or if all members are absent, the Mayor or City Clerk may declare the meeting adjourned to a stated time and place and post notice of that fact consistent with Government Code § 54955.)
- e. Continued Hearings.** The City Council may continue any hearing to a subsequent meeting, stating the specific date, time, and place. (Government Code § 54955.1).
- f. Emergency Meetings.** The City Council may hold an emergency meeting under Government Code section 54956.5 if a majority of the members of the City Council determine that there is 1) a work stoppage or other activity which severely impairs public health, safety, or both, or 2) a crippling disaster which severely impairs public health, safety, or both. Notice shall be given as provided in Government Code section 54956.5.
- g. Teleconferences.** The City Council may use teleconferencing for any City Council meeting. Each teleconference location must be open to the public, and an agenda posted at each location. Each teleconference location shall be identified in the notice and agenda of the meeting. At least a quorum of the Council Members must be present at locations within the City. All votes taken during a teleconferenced meeting shall be by roll call vote. (Gov't. Code § 54953.)
- h. Meetings with City Commissions.** The City Council may hold a joint meeting with a City Commission, or with another public agency, in conformance with the Brown Act.

- 2.7 Minutes; Record-keeping.** The City Clerk or his or her designee will take action minutes, consisting of the names of individuals speaking about an item, and the action taken by Council on each item including the motion and the vote. City Council and Planning Commission meetings are generally broadcast live and are also available for viewing later on the City's website. The City maintains audio recordings for other commission meetings. Copies or transcripts are available upon request, with prior payment of fees established by City Council resolution.

## COUNCIL/ADMINISTRATIVE POLICY

Subject: Meeting Rules and Procedures	Policy No: 110-1	Date: 10/10/2023
	Resolution No: 2023-123	Page 4 of 10

### 3 ELECTION OF CITY COUNCIL OFFICERS; DUTIES

**3.1 Election of Vice Mayor.** The City Council shall elect a Vice Mayor for a two-year term, at the meeting when new Council Members are sworn in after a general municipal election. If the office of Vice Mayor becomes vacant for any reason (including resignation, incapacity, death, recall, municipal election, or removal by majority vote), the City Council shall elect one of its members to fill the vacancy at the next regular meeting. The election or removal of the Vice-Mayor requires three affirmative votes.

**3.2 Duties of Mayor.** The Mayor has the power, authority, and discretion, without a vote of the majority of the Council (except as noted) to:

**a. Preside over Council meetings:**

- 1) maintain order and proper decorum (See Rule 5 below);
- 2) announce the business before the Council in the order set forth in the agenda (or as such order may be changed per Rule 4.3 below);
- 3) call for votes on each matter requiring a decision, and announce the results. The Mayor may make a motion, second and debate matters, subject only to the same limitations of debate as are imposed upon all members.);
- 4) when requested, make these Rules known and decide questions of order, subject to an appeal of the Council;
- 5) set time limits on Council discussion (subject to Council concurrence) and on communications from members of the public, consistent with the Brown Act; and
- 6) open public hearings.”

**b. Agendas.** Work with the City Manager in the preparation of agendas, and place items on a future Council meeting agenda, under Rule Sections 4.2 and 4.4 below.

**c. Signing.** Sign all documents as authorized by the City Council, and ceremonial documents.

**d. Subcommittees.** Create subcommittees, with a concurrence of the Council, under Section 3.4b.

**e. Appointments.** Make appointments to a public office or position, with the confirmation of a majority of the City Council.

**f. City Spokesperson.** Serve as the chief spokesperson and representative for the City and City Council for matters concerning public policy.

**g. Other duties.** Perform other duties as are required by law or as pertain to the office of Mayor.

## COUNCIL/ADMINISTRATIVE POLICY

Subject: Meeting Rules and Procedures	Policy No: 110-1	Date: 10/10/2023
	Resolution No: 2023-123	Page <b>5</b> of <b>10</b>

**3.3 Duties of Vice Mayor.** The Vice Mayor has the power and authority to:

- a. Exercise the duties and powers of the Mayor, in the Mayor's absence.
- b. Serve with the Mayor as spokesperson and representative for the Council.
- c. Assist the Mayor in anticipating an issue that may warrant a special meeting.

**3.4 Duties of all Council Members.** It is the duty of each Council Member to attend Council meetings, adhere to these Rules, and to cast votes as outlined below.

**a. Abstention from voting.** A Council Member must abstain from voting if:

- 1) the Council Member has a personal or financial interest in the matter as defined in the California Political Reform Act (Government Code §§ 81000 et seq.)<sup>2</sup>; or
- 2) the law otherwise declares the Council Member's participation to be a conflict of interest (e.g., Government Code §§ 1090, 1126, 81000 et seq.; or case law); or
- 3) the member is disqualified as to a particular matter because of his or her absence from a prior public hearing and inability or failure to review the prior testimony and evidence presented.

If a Council Member is disqualified, he or she shall declare this fact and the reason for it on the record, and shall leave the room until the matter is concluded. However, if the matter on which the Council Member is disqualified is on the Consent Calendar, and is not pulled from the Consent Calendar, the Council member does not need to step down from the dais during the vote. Rather, before the Consent Calendar vote, he or she should declare this fact and the reason for it on the record and state that he or she is not voting on that item.

**b. Committees and Boards.** The business of the City Council will from time to time require work in Council committees (either a standing committee or ad hoc committee), and through Council Member participation on boards of other governmental agencies.

The Mayor, a majority of the Council, or staff may recommend formation of a committee. A committee assists in the resolution or study of issues arising from a specific area of Council concern. All communications and advice from a committee shall be made to the Council. A committee serves until discharged by a majority of the Council.

It is the duty of any Council Member sitting on such a committee, or outside board, to make periodic reports to the City Council as a whole and to the general public at regular City Council meetings. It is also the duty of a Council Member to timely advise his or her alternate, if any, if the Council Member will be absent from any committee or board meeting.

**3.5 Absences.** A Council Member should endeavor to give notice to the Mayor, City Manager, or City Clerk in advance if he or she will be absent or late to a Council meeting. If a Council Member is absent without permission from all regular city council meetings for 60 days consecutively from the last regular meeting he or she attended, his or her office becomes vacant and shall be filled as any other vacancy. (Gov't. Code §36513.)

# COUNCIL/ADMINISTRATIVE POLICY

Subject: Meeting Rules and Procedures	Policy No: 110-1	Date: 10/10/2023
	Resolution No: 2023-123	Page 6 of 10

## 4 MEETING AGENDA: PREPARATION AND CONTENTS

**4.1 General.** The City Council will not discuss any item of business not appearing on the written agenda, except as provided in Government Code section 54954.2.

If other matters (not on the agenda) are raised by the public, the City Council or staff may refer the matter to staff or to a subsequent meeting.<sup>3</sup> (Gov't. Code §54954.2.)

**4.2 Agenda Preparation; Distribution.** There shall be a written agenda for each City Council meeting. The agenda shall contain a brief general description of each item of business to be transacted or discussed and shall include other matters as set forth in this Section 4. The City Clerk shall prepare the agenda in conjunction with the City Manager's office. Anonymous communications will not be considered nor placed on the agenda. Only the City Manager, City Attorney, the Mayor and Council Members may add items to a Council agenda. If a member of the public wishes an item to be added, he or she must have a Council Member sponsor the item. The agenda will be posted and distributed as required by the Brown Act. (Gov't. Code §§54954.2, 54954.1.)

**4.3. Agenda Contents; Order of Business.** The agenda shall include general information, a brief description of items of business, and the order of business (See Government Code § 54954.2).

The order of business is as follows, subject to change by the Mayor, Vice-Mayor (in the Mayor's absence), City Manager or a majority vote of the City Council:

- Call to Order and Roll Call
- Pledge of Allegiance
- Presentations (and Proclamations) (these may also be included on the Consent Calendar.)
- Public Comments (for items *not* on the public hearings or business items portions of the agenda, or requests for future agenda items)
- Informational Reports from Council Members, committees, liaisons, and staff
- Consent Calendar
- Public Hearings<sup>4</sup>
- Business Items
- Request for Future Agenda Items (by Council Members)
- Adjournment

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<sup>2</sup> A Council Member may not make, participate in making, or in any way attempt to use their official position to influence a governmental decision in which they know (or have reason to know) they have a financial interest. (Gov't. Code § 81000.)

<sup>3</sup> No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights, ask a question for clarification, or provide a reference to staff or other resource for factual information. (Gov't. Code §54954.2)

<sup>4</sup> Public Hearings. Public hearings are those having specific notice requirements by state law or City ordinance. At the hearing, the Council shall afford any interested person (and his or her representative) the opportunity to speak, present witnesses and evidence, subject to these Rules. Public hearings will be conducted in the following order: (1) Staff Reports and Council Member questions to staff; (2) Public hearing opened by Mayor; (3) Public testimony; (4) Mayor closes the public hearing, by majority vote; (5) Discussion among Council Members; and (6) Action by majority vote

## COUNCIL/ADMINISTRATIVE POLICY

Subject: Meeting Rules and Procedures	Policy No: 110-1	Date: 10/10/2023
	Resolution No: 2023-123	Page 7 of 10

### 4.4 Adding Future Agenda Items.

An item may be added to a future agenda, and staff time authorized, in either of the following ways:

- a. Standard agenda process for agenda preparation, under Rule Section 4.2 above, including:
  - 1) by the City Manager, City Attorney, or staff; or
  - 2) by written request to the City Manager by the Mayor or two Council Members at least one week before the publication of the next agenda (Thursday by 5:00 p.m.) and the City Manager determines that there is adequate staff time to prepare discussion and recommendation materials; or
  
- b. By an individual Council Member making:
  - 1) a written request to the City Manager at least one week before the publication of the next agenda to place the item under Request for Future Agenda Items on the next agenda; or
  - 2) a verbal request at a Council meeting to have an item placed on the next agenda under Request for Future Agenda Items.

In either case (b.1 or b.2), the listed item will identify the Council Member making the request and briefly describe the nature of the request. Council discussion will be limited to whether staff time and City resources should be spent on the item and the time period for scheduling. Staff will not spend time on the requested item unless and until the Council wishes additional information, except that if staff has already worked on a matter or the City Manager deems an item to be urgent, he or she may place it on the next agenda as an action item.

## 5 DECORUM

**5.1 Decorum Generally - City Council Members.** The Mayor and Council Members shall preserve order and decorum at City Council meetings. Council Members shall confine their remarks to the agenda item under consideration and speak only when recognized by the Mayor, except as otherwise provided in these Rules. Once a Council Member is recognized, he or she will not be interrupted unless called to order by the Mayor. A Council Member may not, by conversation or otherwise, disturb or disrupt the proceedings or the peace of the City Council in any way, nor disturb any other Council Member or member of the public while speaking, nor refuse to obey the instruction of the Mayor or City Council.

During a quasi-judicial hearing<sup>5</sup>, an applicant or appellant is entitled to due process of law, including a meaningful opportunity to be heard. Council Members should not receive information outside of the hearing on the matter unless they disclose the nature of the communications. Council Members will give full attention to speakers at the hearing.

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<sup>5</sup> A *quasi-judicial hearing* is one that involves the application of rules to a specific project or set of existing circumstances. Examples include land use matters (but not legislative decisions such as General Plan or zoning amendments, or development agreements), employee disciplinary proceedings, and proceedings for the revocation, suspension, or reinstatement of permits, licenses, and franchises.

# COUNCIL/ADMINISTRATIVE POLICY

Subject: Meeting Rules and Procedures	Policy No: 110-1	Date: 10/10/2023
	Resolution No: 2023-123	Page 8 of 10

Council meetings will be governed by common sense and good taste. In case of a dispute concerning a procedural matter not specifically covered in these Rules, the majority vote of the Council will control.

## 5.2 Decorum Generally - Public.

Members of the public wishing to speak during the public discussion are requested to fill out the speaker form provided and hand the card to the City Clerk at the beginning of (or during) the meeting. Comments by members of the public are generally limited to five minutes, or less time if a large number of speakers is anticipated, or if approved by the Mayor. A speaker may not allocate his or her time to another speaker. The Mayor will invite public testimony on each item at the appropriate time. Written documents or messages to the City Council or any Council Member while the City Council is in session, which pertain to the Council's business, shall be made only through the City Clerk.

A member of the audience must come forward to the lectern so that their remarks may be accurately recorded. All remarks shall be addressed to the Mayor, except that answers to questions posed by a City Council Member recognized by the Mayor may be addressed to the questioner. No person other than a member of the City Council and the person having the floor shall enter into any discussion, either directly or through a Council Member, without the permission of the Mayor. The comments must be pertinent to the agenda item under discussion. A member of the public may not ask a question of a Council Member or staff member, except through the Mayor. Speakers are urged to avoid unnecessary repetition in their remarks and instead simply indicate agreement with previous speakers.

If a meeting is willfully interrupted by any individual, group or groups of people so as to render the orderly conduct of the meeting unfeasible, the Mayor may recess the meeting and require the removal of individuals who are interrupting the meeting, or clear the room and continue the meeting allowing only members of the press to remain. (Gov't. Code §§ 54957.9.)”

## 6 VOTING AND DECISION; RECONSIDERATION

**6.1 Voting and Decision.** Ordinances, resolutions and other matters submitted to the Council must be adopted by a majority vote of the total membership of the Council unless a greater number of votes is required by law. A *majority* means three votes for the City Council (and for each City commission with a total of five members). If one or more Council Members is absent and a majority vote cannot be obtained, and no additional action is taken, the matter shall automatically be added to a future agenda, to be considered at least once with all Council Members present.

If a member (qualified to vote) does not vote in the affirmative or negative, the member shall be deemed to have voted in the affirmative.

A tie vote means the motion is not approved.

## COUNCIL/ADMINISTRATIVE POLICY

Subject: Meeting Rules and Procedures	Policy No: 110-1	Date: 10/10/2023
	Resolution No: 2023-123	Page <b>9</b> of <b>10</b>

After a vote is taken on a matter, if an appropriate resolution is not already prepared, the Council may direct the staff to prepare a resolution reflecting the City Council's findings and decision. A resolution brought back to the Council may be placed on the Consent Calendar. (No public comments can be received or considered unless a public hearing is re-noticed.) The vote is not considered final until the City Council reviews and approves the resolution at a later meeting.

**6.2 Reconsideration.** This section 6.2 does not apply to City Commissions.

**a. Reconsideration of Quasi-Judicial Actions.** (See footnote 5.) A motion to reconsider any quasi-judicial action taken by the City Council may be made by any Council Member who voted with the majority on a question, and may be seconded by any Council Member. The motion must be approved by a majority vote of the entire City Council. The City Clerk shall provide notice to all interested parties as soon as possible when a matter becomes the subject of a motion to reconsider.

**1) Timing.** The motion must be made at the same meeting at which the action was taken (including an adjourned or continued meeting), at the next regular meeting, or at any intervening special meeting. If a request for reconsideration is communicated to the City Manager by any Council Member who voted in the majority, at least 24 hours before the state law deadline for posting the City Council meeting agenda, then the request shall appear on the posted agenda for the next regular meeting or intervening special meeting. Otherwise, no City Council discussion or action on reconsideration may occur unless the item is appropriately added to the agenda under Government Code section 54954.2(b) which addresses adding items that are not listed on a posted agenda, when immediate action is necessary. (See Rule Section 4.1b.)

**2) Effect of Approval of Motion; Notice.** If the motion to reconsider is made and approved at the same meeting at which the initial action was taken and all interested persons (including applicants, owners, supporters, and opponents) are still present, the matter may be reconsidered at that meeting or at the next regular meeting or intervening special meeting (subject to the discretion of the maker of the motion) and no further public notice is required.

If the motion to reconsider is made and approved at the same meeting at which the initial action was taken but all interested persons are not still present, or if the motion is made and approved at the next regular meeting or intervening special meeting, the item shall be scheduled for consideration at the earliest feasible City Council meeting and shall be re-noticed in accordance with state law and the Municipal Code. In certain circumstances, a right may have vested after the initial decision, precluding reconsideration.

**b. Reconsideration of Legislative or Other Non-Quasi-Judicial Actions.** The City Council may rescind, repeal or amend its prior legislative or other non-quasi-judicial actions (unless precluded from doing so under applicable laws) at any regular or special meeting of the City Council. Noticing and scheduling of such actions shall be consistent with Rule Section 4 (Meeting Agenda: Preparation and Contents) and any required notice provisions.



## COUNCIL/ADMINISTRATIVE POLICY

Subject: Meeting Rules and Procedures	Policy No: 110-1	Date: 10/10/2023
	Resolution No: 2023-123	Page <b>10</b> of <b>10</b>

### Revision History

Date	Resolution
11/13/2001	2399 adopted policy
04/27/2004	2004-97 amended Rules 1-27 added rules 28-36
05/25/2005	2005-260 deleted Rule 8
04/11/2006	2006-73 deleted Rule 36
01/23/2007	2007-15 added Rule 13A
10/09/2007	2007-225 amended Rule 13A
05/24/2011	2011-67 deleted a portion of Rule 32 & amended Rule 28H
01/22/2013	2013-11 amended Rule 26 Priority of Business
12/10/2013	2013-174 amended Rule 35 in its entirety
12/09/2014	2014-182 amended Rule 13 A
6/14/2016	2016-74 Re-adopting new Meeting Rules and Procedures
12/12/2017	2017-162 Quorums and reconsideration of matters by City commissions
10/10/2023	2023-123 – Amended Rule 3.2 and 5.2

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 1 of 13

# CITY OF BRENTWOOD

## CODE OF CONDUCT POLICY

### Table of Contents

1. PREAMBLE .....	2
2. CODE OF CONDUCT .....	2
2.1 Council-Manager Form of Government .....	2
2.2 Ceremonial Events.....	2
2.3 City Letterhead; Correspondence Signatures.....	3
2.4 Travel Expenses. ....	3
2.5 Endorsement of Candidates.....	3
2.6 Conduct with City Staff.....	3
2.7 Conduct with Commissions.....	3
2.8 Conduct with Other Public Agencies .....	4
2.9 Conduct with the Public.....	4
2.10 Conduct with the Media.....	5
2.11 Conduct during Closed Session.....	5
2.12 Use of electronic and other personal devices.....	6
2.13 Conduct with Family Members.....	6
2.14 Gifts.....	6
2.15 Use of City Council or Commissioner Titles.....	6
2.16 Confidential Information.....	6
2.17 Statements of Behalf of the Council or Commission.....	6
2.18 Treatment of Individuals.....	6
2.19 Disclosure of Information.....	6
2.20 Use of Public Resources.....	6
2.21 Roles and Responsibilities of Staff.....	6
2.22 Adopted City Policies .....	7
2.23 Brown Act.....	7
3. IMPLEMENTATION AND ENFORCEMENT .....	7
3.1 General.....	7
3.2 Violations.....	7
c) City Council Discussion; Admonition or Sanction.....	9
d) Censure.....	9
e) Censure Hearing .....	10
CERTIFICATION .....	11

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 2 of 13

**1. PREAMBLE**

It is the intent of this Code of Conduct Policy (“Policy”) to promote and maintain fair, ethical, and accountable local government for the City of Brentwood (“City”). The people of Brentwood expect public officials to comply with both the letter and the spirit of the laws of the United States of America and of the State of California; the Brentwood Municipal Code; and established policies of the City affecting the operations of local government. All persons covered by this Policy will aspire to meet the highest ethical standards in discharging their responsibilities as elected officials of the City.

This Policy addresses various aspects related to the governance of the City of Brentwood and supplements, but does not supplant, other laws and rules regarding the legal responsibilities of City officials. These include, but are not limited to, the Federal and State Constitutions; various provisions of the California Government Code (such as the Brown Act and the Political Reform Act); laws prohibiting discrimination and harassment; and the City of Brentwood Municipal Code. Elected officials are expected to be familiar with these laws to ensure that they exercise their public responsibilities in a proper fashion.

While it is not possible to anticipate and provide a rule of conduct for all situations that public officials may face, this Policy is designed to provide a framework to guide public officials in their daily duties.

In this Policy, the term “City Council” or “Council Members” includes all member of the City Council, including the Mayor and Vice-Mayor, unless the context requires otherwise. Sections 3 of this Policy apply to Council Members acting in their official capacities and in the discharge of their duties. Section 2 apply to the City Council and Commissions..

In addition to the Code of Conduct Policy, attached are Statements of Values and Ethics adopted by the City Council.

**2. CODE OF CONDUCT**

**2.1 Council-Manager Form of Government.** The City of Brentwood municipal government operates under a council-manager form of government as established by the Municipal Code. Under this form of government, the Council provides legislative direction, sets City policy, and monitors its execution by the City Manager and Staff.

The City Manager serves as the City’s chief executive officer and is responsible for directing the operations of the City. Key provisions of the City of Brentwood Council-Manager form of government are outlined in the Brentwood Municipal Code.

**2.2 Ceremonial Events.** Requests for a City representative at ceremonial events will be coordinated by City staff. Invitations received at City Hall are initially presumed to be for official City representation. Invitations addressed to Council Members at their homes are presumed to be for unofficial, personal consideration.

The Mayor will serve as the designated City representative. If the Mayor is unavailable, then the Vice-Mayor will be asked to attend. If the Mayor and Vice-Mayor are both unavailable, then City staff will determine if event organizers would like another representative from the City Council. (See Policy 110-1, Section 3.3.)

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 3 of 13

**2.3 City Letterhead; Correspondence Signatures.**

a) City Letterhead. The use of City letterhead is only for official City business. The Mayor or an official designee is authorized to sign letters and various other documents on City letterhead for the following matters:

- Letters of commendation or appreciation.
- Responses to invitations.
- Cover letters accompanying ceremonial actions or official document submittals
- Letters supporting the League of California Cities position on a matter, unless the City Council has taken a contrary position.
- Letters supporting legislation related to approved City projects.
- Supplies of City letterhead stationery, including electronic versions, may not be given or utilized by individual Council, or Commission members.

b) Correspondence Signatures. City staff may prepare official letters in response to public inquiries and concerns when addressed to the Mayor and/or City Council. These letters will carry the signature of the Mayor unless the Mayor requests that they be signed by another Council Member or City staff. If correspondence is addressed only to one Council Member, that Council Member should check with the City Manager on the best way to respond to the sender ensuring the response is consistent with City policy and Council direction.

**2.4 Travel Expenses.** The policies and procedures related to the reimbursement of travel expenses for official City business by Council Members and City Commissioners are outlined in the City’s Travel Policy and Procedures. (See Council/Administrative Travel Policy No.20-4.)

**2.5 Endorsement of Candidates.** Council Members and City Commissioners have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings.

**2.6 Conduct with City Staff.** The City Council shall deal with the City staff solely through the City Manager or City Attorney and pursuant to Brentwood Municipal Code §§2.36.070 and 2.37.050 as may be applicable. City Commissioners shall deal with the City staff solely through the Department Director or staff person assigned as liaison to the particular Commission. If a City Council member or City Commissioner has a concern about the performance of a City employee, it will not be expressed in public, to the employee directly or to the employee’s manager. Instead, all comments will be made privately to either the City Manager or City Attorney, as appropriate.

**2.7 Conduct with Commissions.** The City has established several Commissions as a means of gathering more community input. Citizens who serve on Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City’s leadership and should be treated with appreciation and respect.

a) If a Council Member attends a Commission meeting and wishes to speak, they should state clearly whether they represent the view of the Council as a whole or is speaking on behalf of themselves or another person.

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 4 of 13

- b) Limit contact with Commission members to questions of clarification. It is inappropriate for a Council Member to contact a Commission member to lobby on behalf of an individual, business, or developer.
- c) Commissions represent and serve the whole community. Commission members are not answerable to an individual Council Member.
- d) A primary role of Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives.

Inappropriate behavior by a Commission member should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council and the individual is subject to removal from the Commission. Inappropriate behavior by a Commissioner can lead to removal, under the Municipal Code.

City Council Members must endeavor to follow the above process. Where a Council Member making the allegation first discussed the matter with a Council Member other than the Mayor, then the Council Member may, at least a week before the publication of the next City Council meeting, ask the City Manager to place the matter on the next City Council Agenda for discussion under Future Agenda Items.

**2.8 Conduct with Other Public Agencies.** When meeting with or appearing before another public agency (including a semi-public agency), a Council Member must be clear about whether the member is representing the City or their personal interests. If a Council Member appears before another public agency or organization to give a statement on an issue, the Council Member must clearly state whether their statement reflects personal opinion or is the official stance of the City.

If the Council Member is designated by the City Council to represent the City, the Council Member must support and advocate the official City position on an issue, not a personal viewpoint. If the Council Member is representing another organization whose position is different from the City, the Council Member should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Council Members should be clear about which organizations they represent and inform the Mayor and Council of their involvement. Commissioners shall not appear before another public agency or group as a representative of the City unless designated to do so. If a Commissioner makes a public statement during a public meeting or to another organization, they shall not use their City title as a Commissioner.

**2.9 Conduct with the Public.**

- a. In Public Meetings. Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.
  - 1) Be welcoming to speakers and treat them with respect.

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 5 of 13

- 2) Be fair and equitable in allocating public hearing time to individual speakers.
- 3) Be an active listener.
- 4) Ask clarifying questions seeking to understand, but avoid debate and argument with the public.
- 5) Council Members' and Commissioners' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing or public comment is closed.
- 6) Avoid personal attacks of any kind, under any circumstances.

**2.10 Conduct with the Media.** Council Members are frequently contacted by the media for background and quotes. Typically, the Mayor is the designated representative of the Council to present and speak on the official City position. However, if the media contacts an individual Council Member, the Council Member should be clear about whether their comments represent the official

City position or a personal viewpoint. Commissioners are not authorized to make statements to the media on behalf of the City or the Planning Commission, and should be clear that they are not representing an official position or viewpoint of the City if approached by a member of the media.

**2.11 Conduct during Closed Session.** Closed sessions are meetings conducted in private without the attendance of the public or press, as authorized by law. They are permitted for specific purposes as part of a regular or special meeting, and during an emergency meeting to consider threats to public facilities and services. Courts construe the statutory basis for closed sessions narrowly. To preserve the confidentiality of closed sessions, only essential staff may be present during a closed session.

- a) No person may disclose confidential information that has been acquired by being present in an authorized closed session to a person not entitled to receive that confidential information, unless the legislative body authorizes disclosure of that confidential information.
- b) "Confidential information" means a communication made in a closed session that is specifically related to the basis for the legislative body of a local agency to meet lawfully in closed session.
- c) All documentation provided for or during a closed session is confidential and shall not be shared for any reason with anyone not authorized to participate in the closed session. Documents distributed during closed session or notes taken shall be returned as directed by the City Attorney.

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 6 of 13

- d) City Councilmembers shall not use an electronic device to communicate with anyone during closed session. This notwithstanding, if, due to an emergency, a member of the City Council receives an electronic communication in the course of a closed session, they shall remove themselves from the meeting room to communicate with another individual.

**2.12 Use of electronic and other personal devices.**

- a) City computers are provided as a convenience for City Council and Commissioners to review presentations and publically available information included in staff reports. Use of City computers or personal devices shall not be used for communication purposes during a meeting

**2.13 Conduct with Family Members.** City Council and City Commissioners shall recuse themselves from participating in decisions when an immediate family’s financial interests may be affected by an action of the body consistent with state law and city policies. Immediate family members includes anyone that resides with a City Council member or City Commissioner and/or a spouse, domestic partner, parent, grandparent, child or sibling.

**2.14 Gifts.** City Council and City Commissioner shall not accept gifts, services or other special considerations for personal benefit because of their public position, consistent with state law and city policies.

**2.15 Use of City Council or Commissioner Titles.** Title(s) are only used when conducting official City business, for information purposes, or as an indication of background and expertise, and only after carefully considering whether the use of such titles would exceed or appear to exceed authority granted Council Member’s or Commissioner’s.

**2.16 Confidential Information.** Disclosing confidential information concerning litigation, personnel, property, or other affairs of the City, without proper authority is prohibited and shall not be used to advance one’s financial or other personal interests.

**2.17 Statements of Behalf of the Council or Commission.** City Council and Commissioners shall not make promises on behalf of their colleagues without their concurrence at a duly noticed public meeting.

**2.18 Treatment of Individuals.** All persons, claims, and transactions shall be treated in a fair and equitable manner and decisions based on the merits of the issue.

**2.19 Disclosure of Information.** If a member of the City Council or Commission receives substantive information that is relevant to a matter under consideration from sources outside the public decision-making process, that information should be shared with all colleagues and staff.

**2.20 Use of Public Resources.** The use of public resources, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes is prohibited.

**2.21 Roles and Responsibilities of Staff.** City Council and Commissioners respect the distinction between the role of office holder and staff, and should involve staff in meetings with individuals, those with business before the City, officials from other agencies and legislators to ensure proper staff support and to keep staff informed.

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 7 of 13

**2.22 Adopted City Policies.** City Council and Commissioners shall follow all established City policies and guidelines.

**2.23 Brown Act.** Nothing in this policy shall be construed to authorize conduct that would be prohibited under the Brown Act, codified at Government Code Section 54950, et seq.

**3. IMPLEMENTATION AND ENFORCEMENT**

**3.1 General.** City of Brentwood elected officials have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. This Policy will be most effective when the elected officials are thoroughly familiar with it and embrace its provisions.

Upon adoption of this Policy, all current elected officials shall be given a copy of it and asked to certify, in writing, that they have received the Policy, understand its provisions, and pledge to conduct themselves by the Policy. All new members of the City Council, upon election or reelection, shall be given a copy of the Policy and are required to certify, in writing, they have received it, and understand its provisions, and pledge to conduct themselves by the Policy. (See Attachment 1.

This Policy is intended to be a reflection of the City Council’s Statement of Values and Ethics in concurrence with those of the employees of the City of Brentwood and, as appropriate, may be enforced by the Council through Section 3.2 below.

**3.2 Violations.** The provisions of this Section 3.2 apply exclusively to the Mayor and Council Members, and do not extend to members of City Commissions. Violations by Commissioners of this Policy or any other applicable City Council/Administrative Policy may be considered by the City Council, or by a City Council Subcommittee, who will make a recommendation to the City Council on an appropriate City Council response.

A City Council Member who does not follow this Policy or any other applicable City policy may face admonition, sanction, or censure.

This Section 3.2 sets forth the procedures to be followed when there is a belief that a Council Member has violated this Policy or any other applicable City policy. This Rule shall not be used for violations of State or Federal laws as such laws are subject to separate penalty and enforcement provisions outside of the City’s purview.

**a) Notification of Allegation.** If a Council Member believes that another Council Member has violated this Policy or any other applicable City policy, they shall notify the Mayor. If the allegation is against the Mayor, the Vice Mayor shall be notified. If the allegation concerns both the Mayor and Vice Mayor, then the most senior Council Member shall be notified and, if two Council Members share seniority, then the Council Member who received the most votes in their most recent election shall be notified. The person selected will be provided with all background information that the Council Member making the allegation has in their possession.

Once an allegation has been received, the person receiving the allegation shall meet with the City Manager and the City Attorney. At that time, the person who received the



Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 8 of 13

allegation will determine whether more information is needed, whether the allegation is unfounded, or whether to recommend that the full Council hear the allegation.

If the person who received the allegation determines that the allegation is unfounded or requires additional information, they will notify the Council Member making the allegation. At that time, if the Council Member making the allegation is not satisfied with the person's determination, they may bring the matter to the full Council for review by asking the City Manager, at least a week before publishing the agenda for the meeting, to place it on the next City Council Agenda; and the City Manager and City Attorney will notify the Council Member against whom the allegation is made about the violation and the future agenda item.

If the person receiving the allegation determines that the allegation should be brought to the City Council for review, at least a week before the meeting they will ask the City Manager to place it on the next City Council Agenda for discussion under the New Business portion of the Agenda; and the City Manager will notify the Council Member against whom the allegation is made about the violation and future agenda item.

City Council Members must endeavor to follow the above process when seeking to add an item regarding City policy violations on a City Council Agenda. Where a Council Member making the allegation first discussed the matter with a Council Member other than the person designated to receive such an allegation, then the Council Member may, at least a week before publishing the agenda for the next City Council meeting, ask the City Manager to place the matter on the next City Council Agenda for discussion. In that event, the City Manager will notify the Council Member against whom the allegation is made about the violation and future agenda item. Additionally, the City Manager must identify the Council Member with whom the alleging City Council Member discussed the matter, both to the accused and in any staff report provided as part of the City Council Agenda.

Should an allegation be brought to the City Council, the City Manager, in consultation with the City Attorney, will prepare a brief staff report that, among other things, reminds the City Council of this Rule. It will be the responsibility of the City Council Member making the allegation to present the matter to their colleagues.

- b) Potential Council Actions.** While the City Council has broad discretion in deciding which of the three potential actions below it may choose to impose in response to violations of this Policy or any other applicable policy, the following are definitions and procedures related to three types of actions: admonition, sanction and censure. Admonition and sanctions are not considered punishments and there are no penalties associated with them; a censure is considered a punishment and should include penalties.

1) Admonition

This is the least severe form of action. Admonition may typically be directed to all members of the City Council, reminding them that a particular type of behavior is in violation of City policy and that, if it occurs or is found to have occurred, could make a member subject to sanction or censure. Admonition may be issued in response to a particular alleged action or actions, although it would not necessarily

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 9 of 13

have to be triggered by such allegations. Admonition may be issued by the City Council prior to any findings of fact regarding allegations, and because it is a warning or reminder, would not require a separate hearing to determine whether the allegation is true.

2) Sanction

This is the next most severe form of action. Sanction should be directed to a particular member of the City Council based on a particular action (or set of actions) that is determined to be in violation of City policy, but is considered by the City Council to be not sufficiently serious to require censure. A sanction is distinguished from censure in that it is not a punishment. A sanction may be issued based upon City Council review and consideration of a written allegation of a policy violation. The member accused of such violation will have the opportunity to provide a written or verbal response to the allegation. A sanction may be issued by the City Council and because it is not punishment or discipline, would not require a separate hearing.

3) Censure

Censure is the most severe form of action contemplated in this policy and available to the City Council. Censure is a formal statement of the City Council officially reprimanding one of its members. It is a punitive action, which serves as a penalty imposed for wrongdoing. It may be combined with loss of committee assignments (either within the City of Brentwood or with inter-governmental agencies) or the restriction of official travel.

Censure should be used for cases in which the City Council determines the policy violation is a serious offense.

In order to protect the overriding principle of freedom of speech, the City Council shall not impose censure on any of its members for the exercise of their First Amendment rights, no matter how distasteful the expression was to the Council and the City. However, nothing here in shall be construed to prohibit the City Council from collectively condemning and expressing their strong disapproval of such remarks.

**c) City Council Discussion; Admonition or Sanction.** At the meeting when the allegation is to be considered, the City Council may discuss it and determine whether to issue an admonition or sanction; or to hold a separate hearing to consider censure. Where the City Council decides to issue an admonition or sanction, a resolution may be prepared for the next meeting based upon the City Council discussion and direction.

**d) Censure.** If the City Council decides to conduct a separate public hearing on the question of censure, they will direct the City Manager, in consultation with the City Attorney, to engage the services of an independent third party investigator to conduct an investigation of the matter, prepare factual findings and make a recommendation as to the allegation's merit to the City Council. At that time, the City Council will also set a "not to exceed" investigation budget. Should, in the course of the investigation, it appear that the investigator's costs will exceed the approved

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 10 of 13

budgeted amount, then the City Council will be notified, at a duly noticed public meeting, to determine whether to increase the budget or stop the investigation.

If the investigator, in consultation with outside legal counsel, determines there is no factual merit to the allegation, that information will be conveyed to the City Council by the City Attorney prior to a censure hearing. At that time, the City Council will determine whether to take no additional action; or to issue an admonition or a sanction.

If the investigator determines there is factual merit to the allegation, a report of the factual findings shall be presented to the City Council for hearing and determination.

**e) Censure Hearing.** If a separate hearing is set to consider the question of censure, it must be set far enough in advance to give the Council Member subject to the allegation adequate time to prepare a defense.

The person who received the original allegation from the Council Member who made the allegation will preside at the hearing. The rules of evidence will not apply to the hearing, which is not a formal adversarial proceeding.

The investigator, in consultation with outside legal counsel, will present the report and the City Council, including the Council Member who is the subject of the investigation, will have the opportunity to question the investigator. The Council Member who is the subject of the allegation will have an opportunity to present a rebuttal to the allegation, which shall be limited to thirty minutes unless extended by the City Council. The Council Member who is the subject of the allegation may be represented at the hearing and may have the representative speak or ask questions on their behalf. The City Council may also allow the testimony of a limited number of witnesses. The right to present witnesses shall be within the absolute discretion of the City Council.

Following the rebuttal, any witness testimony and any closing statement of the Council Member who is the subject of the allegation, the City Council shall hear public comments. At the conclusion of the public comments, the City Council shall discuss the matter and render a decision on whether to censure the Council Member against whom the allegation has been raised.

Should the City Council decide to censure the Council Member against whom the allegation has been raised, they shall direct outside legal counsel, to prepare a resolution making findings and penalties with regard to the specific charges, based on substantial evidence. The resolution will be considered by the City Council at a duly noticed public meeting.

**Revision History**

Date	Resolution	
05/13/2014	2014-55	Adopted Original Policy
06/14/2016	2016-74	Amended Policy 110-5 (Revising Sections 1 and 3 and adding Section 2 edited from former Policy 110-1, Rules 28-36
10/11/2022	2022-127	Amended section 4.2 a Notification of Allegation.
04/09/2024	2024-37	Amended to separate the Conduct Policy from the Statement of Values and Ethics with other minor amendments.

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 11 of 13

Attachment 1

**CERTIFICATION**

As an elected official or Commissioner of the City of Brentwood, California, I herein certify that I have received a copy of the City's Code of Conduct Policy, have been offered training in this Policy, and am aware of the provisions of the Policy and its application to my responsibilities. Consistent with the Policy, I agree that I will abide by the Policy in the conduct of my duties and perform these duties in the spirit of the following Statements of Values and Ethics included below:

**INTEGRITY – uncompromising adherence to moral and ethical principles**

- I am honest with my fellow elected officials, City staff, members of the community, and others.
- I do not promise what I believe to be unrealistic.
- I am prepared to make unpopular decisions when my sense of the public's best interests requires it.
- I credit others' contributions to moving our community's interests forward.
- I do not knowingly use false or inaccurate information to support my position or views.
- I safeguard my ability to make independent, objective, fair and impartial judgments by scrupulously avoiding financial and social relationships and transactions that may compromise, or give the appearance of compromising, objectivity, independence, and honesty.
- I do the right thing, even when no one is looking.
- I use my title(s) only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority.
- I do not accept gifts, services or other special considerations for personal benefit because of my public position.
- I excuse myself from participating in decisions when my or my immediate family's financial interests may be affected by my City's actions.
- I do not give special treatment or consideration to any individual or group beyond that available to any other individual.
- I refrain from disclosing confidential information concerning litigation, personnel, property, or other affairs of the City, without proper legal authority, nor use such information to advance my financial or other personal interests.
- I demonstrate concern for the proper use of City assets (such as personnel, time, property, equipment, and funds) and follow established procedures.
- I honor commitments, keep promises and build trust.

**PASSION -- boundless enthusiasm for what we do**

- I promote meaningful public involvement in the City's decision-making processes.
- I approach my responsibilities and work related relationships with zeal and a positive attitude.
- I provide friendly, receptive, and courteous service to everyone.
- I am attuned to, and care about the needs and issues of the people of Brentwood, public officials and City staff.

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 12 of 13

- In my interactions with constituents, I am interested, engaged and responsive.
- I strongly convey the City's care for and commitment to the people of Brentwood.
- I exhibit a proactive, innovative approach to setting goals and conducting the City's business.
- I show pride and enthusiasm for the City of Brentwood.
- I will represent the official policies and positions of the City to the best of my ability when designated for this purpose.
- I am self-motivated and work to motivate others.
- I continually strive to do better.
- I persevere through failures.

**ACCOUNTABILITY – answerable for our actions**

- I take responsibility for all that I do; I am responsible for my actions and accept the consequences of my actions.
- I do not make promises on behalf of my colleagues without their concurrence at a duly noticed public meeting.
- I treat all persons, claims and transactions in a fair and equitable manner; I make decisions based on the merits of the issue.
- If I receive substantive information that is relevant to a matter under consideration from sources outside the public decision-making process, I publicly share it with my colleagues and staff.
- I work to contribute to a strong organization that exemplifies transparency and open communication.
- I do not use public resources, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.
- I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability.
- I am a prudent steward of public resources and actively consider the impact of my decisions on the financial and social stability of the City and its residents.

**RESPECT – to feel and show esteem and consideration for others**

- I treat my fellow officials, staff and the public with patience, courtesy and civility, even when we disagree on what is best for the community.
- I understand that I am one of five members of the City Council and will work towards consensus building and gain value from diverse opinions.
- I respect the distinction between the role of office holder and staff, I involve staff in meetings with individuals, those with business before the City, officials from other agencies and legislators to ensure proper staff support and to keep staff informed.
- I conduct myself in a courteous and respectful manner at all times during the performance of my official City duties.
- If I have a concern about the performance of a City employee, I will not express it in public, to the employee directly or to the employee's manager. Instead, my comments will be made to either City Manager or City Attorney, as appropriate.
- I support a healthy personal and professional balance for myself and staff.
- I encourage full participation of all persons and groups.

Subject: Code of Conduct Policy	Policy No: 110-5	Date: April 9, 2024
	Resolution No: 2024-37	Page 13 of 13

- I engage in effective two way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations.
- I value and recognize my colleagues, staff and the public for their unique skills, talents and perspectives.
- I respect the governmental process and will perform my duties in accordance with the rules of order established by the City Council governing the deliberation of public policy issues, meaningful involvement of the public, and implantation of decisions.

**QUALITY – the highest degree of excellence**

- I strive to keep the City as a municipal leader and work to ensure that we hire, promote and retain high caliber employees.
- I act in an efficient manner, making decisions based on research and facts, taking into consideration the City’s short and long term goals.
- I follow through in a responsible way, keeping others informed and responding in a timely fashion.
- I am aware of and follow established City processes and guidelines.
- I represent the people of Brentwood to the best of my ability
- I keep my professional knowledge and skills current and growing.
- I promote intelligent and thoughtful innovation in order to forward the City’s policy agenda and City services.
- I endeavor to produce excellent work that moves the City forward in a positive direction.
- I consider, understand, and manage risk as I make decisions.
- I will base my decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
Date Month Year

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Printed Name

# CAMPAIGN FINANCE

## Contact Information:

### FAIR POLITICAL PRACTICES COMMISSION (FPPC)

For questions regarding: Campaign Disclosure, Conflict of Interest, and Proper Use of Campaign Funds.

1102 Q Street, Suite 3000

Sacramento, CA 95811

Phone: 916-322-5660

Toll Free: 1-866-275-3772 (1-866-ASK-FPPC)

Fax: 916-322-0886

[www.fppc.ca.gov](http://www.fppc.ca.gov)

E-mail advice: [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)

To Report a violation: 1-800-561-1861

### SECRETARY OF STATE

For questions regarding: Committee Identification Number, Filing of Form 410, Termination of Committees.

P.O. Box 1467

1500 11<sup>th</sup> Street, Room 495

Sacramento, CA 95812-1467

Phone (Elections): 916-657-2166

Fax (Elections): 916-653-3214

Phone (Political Reform) 916-653-6224

# CAMPAIGN BASICS

For candidates spending \$2,000 or more



## CAMPAIGN RULES PAGE:

Bookmark the [Campaign Rules](#) page to find resources and answers to campaign-related questions throughout your campaign. All links noted below can be reached through the [Campaign Rules](#) page.

[FPPC Home Page](#) > [Learn](#) > [Campaign Rules](#)

## TWO IMPORTANT RULES TO REMEMBER:

- Candidates **MUST** file Form 501 before soliciting or accepting contributions.
- Candidates **MUST** deposit funds into the campaign bank account before spending money on the campaign. Candidates may not spend money out of pocket for campaign expenses.

## FORMS TO START:

- Form [501](#) – Candidate Intention Statement
- Form [410](#) – Statement of Organization (No bank account yet? Enter “Pending” where asked.)
- Form [700](#) – Statement of Economic Interests (See your elections official for filing date.)

## ID NUMBER:

1. Send completed Form 410 to CA Secretary of State (SOS) and a copy to your local filing official.
2. SOS issues the committee ID number and posts it to their website, usually within 1-2 business days after receiving your completed Form 410.
3. To find your committee ID number, go to [cal-access.sos.ca.gov](http://cal-access.sos.ca.gov).
4. Enter your committee name in the search bar at top left of the screen.
  - If your committee ID number is not available, SOS may not have posted it yet. Or, the Form 410 may be incorrect and SOS will send you a notice via USPS.
  - To find out the status of your ID number, contact the SOS at (916) 653-6224.

## FILING SCHEDULES & DEADLINES:

Determine what campaign reports are due, and when they're due, by reviewing your [filing schedule](#).

## MOST COMMON CAMPAIGN REPORTS:

- Form [460](#) – Recipient Committee Campaign Statement
- Form [497](#) – 24-Hour Contribution Report

## MANUALS:

- Disclosure [Manual 1](#) – State Candidates
- Disclosure [Manual 2](#) – Local Candidates and Judges

## CANDIDATE/TREASURER VIDEO:

Watch the [Candidate/Treasurer video](#) and print the accompanying [slides](#).

## TRAINING OPPORTUNITIES:

In addition to the video above, you may learn more by registering for [webinars and workshops](#).

[FPPC Home Page](#) > [Learn](#) > [Campaign Rules](#) > [Training & Outreach](#) > [Candidate, Treasurer, or Committee?](#)

## QUESTIONS?

- [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)
- (866) 275-3772 Mon-Thurs, 9-11:30 a.m.



**§ 2.10.065. Mayor and city council campaign contribution limitations.**

A. Intent. It is the intent of the city council of the city of Brentwood in enacting this section to place realistic and enforceable limits on the amount persons may contribute to candidates for city elective office, to prevent improper or undue influence over elected officials by campaign contributors, or the appearance of undue influence. This section is intended to supplement the Political Reform Act of 1974, as amended, and in the event of a conflict between that Act and this section, that Act shall prevail. This section is enacted pursuant to Article XI, Section 7 of the Constitution of the State of California, and Sections 81013 and 85702.5 of the California Government Code.

B. Definitions. Whenever in this section the following words or phrases are used, they shall have the following meaning:

"Candidate" shall be defined as set forth in the California Political Reform Act (California Government Code Section 81000, et seq.), but shall include only candidates for city elective office.

"Candidate committee" shall mean a candidate-controlled committee that is primarily formed to support that candidate's election for city elective office.

"City elective office" shall mean the offices of mayor and member of city council. The city council consists of four separate city elective offices.

"Enforcement authority" shall mean that special counsel appointed by the city manager, in consultation with the city attorney, pursuant to subsection (D) of this section.

"Person" shall mean any individual or entity, including without limitation a firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert.

Except as otherwise stated herein, the terms of this section shall have those definitions provided in the Political Reform Act of 1974 (Government Code Section 81000, et seq.) or in the regulations adopted by the California Fair Political Practices Commission to implement the Act.

C. Limits on Campaign Contributions to Candidates.

1. Effective July 13, 2022, a person shall not make to a candidate for city elective office, and a candidate for city elective office shall not accept from a person, a contribution totaling more than five hundred dollars per election.

2. A candidate for city elective office shall have no more than one candidate committee for that office and one checking account into which all campaign contributions shall be deposited and out of which all expenditures shall be made. This paragraph shall not prohibit the establishment of savings accounts, but no qualified campaign expenditures shall be made out of such savings accounts.

3. The limit in subsection (C)(1) of this section shall not be deemed to prohibit contributions or loans from a candidate to their own candidate committee in accordance with state law, or to limit the amount a candidate may contribute or loan to their own candidate committee. Contributions from the spouse of a candidate from such spouse's separate property shall be subject to the limit set forth in subsection (C)(1) above.
  4. The limit in subsection (C)(1) of this section shall not apply to contributions made to a committee that is organized solely for the purpose of supporting or opposing the recall of an incumbent city elected officer, but shall apply to all candidates and their candidate committees seeking election to replace the incumbent city elected officer.
  5. The limit in subsection (C)(1) of this section is subject to the laws of when contributions must be aggregated under the Political Reform Act of 1974, as amended. To determine when contributions are aggregated, "entity" means any person other than an individual, and "majority owned" means ownership of more than fifty percent. If an individual directs or controls an entity's contributions, the entity's contributions shall be aggregated with contributions made by both of the following: (a) that individual; and (b) any other entity whose contributions that individual directs or controls. If two or more entities make contributions that are directed or controlled by a majority of the same persons, the contributions of those entities shall be aggregated. Contributions made by entities that are majority owned by a person shall be aggregated with the contributions of the majority owner and all other entities majority owned by that person, unless those entities act independently in their contribution-making decisions.
  6. If a candidate or the treasurer of a candidate committee for city elective office is offered a contribution, which would violate this limitation, the candidate or treasurer must refuse the contribution. If, however, a contribution which is in violation of this section is deposited into the campaign trust account, the candidate or treasurer must report in writing within ten days of the receipt of the unlawful contribution to the city clerk the facts surrounding such payment or contribution and, to the extent permitted by applicable law, return the contribution. After ten days, if the contribution has not been returned to the contributor, the candidate or treasurer shall forfeit the amount of the unlawful contribution and pay the amount of the unlawful contribution to the city for deposit into the city's general fund.
  7. The limit in subsection (C)(1) of this section shall not apply to political contributions made on or prior to July 13, 2022. After July 13, 2022, a person may make, and a candidate for city elective office may accept from a person, a contribution of up to five hundred dollars, regardless of whether that person made to the candidate for city elective office a contribution totaling more than five hundred dollars before July 13, 2022.
- D. Enforcement Authority—Duties, Complaints, Legal Actions, Investigatory Powers.

1. The city attorney shall not investigate or prosecute any alleged violation of this section, but will defend the constitutionality and legality of this section in any civil proceeding in which the city or the city council is a party.
2. Any resident of the city may sue for injunctive relief to enjoin violations or to compel compliance with the provisions of this section. The court may, in its discretion, require any plaintiff other than the enforcement authority to file a complaint with the enforcement authority prior to seeking injunctive relief. The court may award to a plaintiff or defendant who prevails that party's costs of litigation, including reasonable attorney's fees.
3. Review of complaints of violation of this section and criminal prosecution thereof may be commenced by the enforcement authority, and as set forth in this paragraph. The enforcement authority is authorized to commence and prosecute civil litigation to compel compliance with this section or to enjoin conduct in violation of this section. Prior to each election, the city manager, in consultation with the city attorney, will appoint an enforcement authority for that election. If the appointment of an additional enforcement authority becomes necessary or appropriate, the city manager, in consultation with the city attorney, will appoint such additional enforcement authority as may be required. Prior to the commencement of each municipal general election cycle, the city council shall appropriate sufficient funds from the city's treasury to retain the services of the enforcement authority to investigate alleged violations of this section and, if necessary, to take action to enforce this section.
4. Any resident of the city who believes that a violation of this section has occurred may file a written complaint requesting investigation of such violation by the enforcement authority. The complainant shall file the complaint with the city clerk, under penalty of perjury and include proof that the complainant is a resident of the city. The complaint shall state a full recitation of all facts that are alleged to constitute a violation of this section. If a complaint does not comply with these requirements, the city clerk shall return the complaint to the complainant, with an explanation as to why it is insufficient for filing. Within five working days after accepting the complaint for filing, the city clerk shall forward it to the enforcement authority.
5. The enforcement authority shall, within thirty calendar days of receiving a complaint that complies with subsection (D)(4) above, make a determination of whether there is probable cause to believe that a violation occurred. If no probable cause is determined to exist, the complaint shall be dismissed summarily, and interested parties shall be notified of the dismissal in writing.
6. If the enforcement authority determines there is probable cause to believe that a violation of this section has occurred, the enforcement authority may refer the matter to the district attorney for criminal prosecution, or may conduct an investigation and commence such administrative or civil legal action as they deems necessary for the enforcement of this section.

7. The enforcement authority shall not investigate or take any further action regarding any alleged violation which has been referred to the district attorney, or which is already the subject of a complaint filed with the Fair Political Practices Commission, until the investigation of that complaint by the district attorney or the Fair Political Practices Commission is complete.
8. The enforcement authority has such investigative powers as are necessary for the performance of duties described in this section, and may demand and be furnished records of campaign contributions and expenditures of any person or committee that has relevant information about a contribution made in excess of the contribution limits in a municipal general election. In the event that production of such records is refused, the enforcement authority may commence litigation to compel such production.
9. The enforcement authority is immune from liability for its enforcement of this section.
10. Any action alleging a violation of this section must be commenced within two years of the time the alleged violation occurred.

E. Penalties.

1. Criminal Penalties. Any person who knowingly or willfully violates any provisions of this section is guilty of a misdemeanor.
2. Civil Action. Any person who violates this section shall be liable in a civil action for an amount up to five thousand dollars per violation.
3. Administrative Action. Any person who violates this section may be subject to an administrative citation and administrative fines as set forth in Chapter 1.24 of this code.

F. Rules of Construction. This section will be construed liberally in order to effectuate its purposes.

( Ord. 1044 § 3, 2022)



STATE OF CALIFORNIA

FAIR POLITICAL PRACTICES COMMISSION

## Local Candidate/Committee Checklist

### File Form 501 (Candidate Intention)

You must file [Form 501](#) before soliciting, raising or spending any money in connection with your election. The only exception to this requirement is if you use personal funds to pay a filing fee or ballot statement fee.

## Candidates Raising and Spending Less than \$2,000

### File Form 470 (Officeholder and Candidate Campaign Statement Short Form)

The [Form 470](#) is filed by candidates who do not have a controlled committee and do not anticipate receiving or spending \$2,000 or more, including personal funds, in a calendar year. These candidates generally do not file a Form 410 or other campaign statements or reports related to their campaign unless they receive or anticipate receiving or spending \$2,000 or more.

## Candidates Raising \$2,000 or More

### File Form 410 (Statement of Organization)

Once you receive or spend \$2,000 or more in a calendar year, you must file a [Form 410](#) as a recipient committee within 10 days of qualifying. File the original and one copy of the Form 410 with the Secretary of State and a copy with your local filing officer. The Secretary of State's address is on the Form 410.

### Open a Campaign Bank Account

All monetary contributions (including all personal funds you use for your campaign) must be deposited in the campaign bank account before being spent. Never deposit campaign contributions in your personal bank account.

### Committee Treasurer

The Act requires that every committee appoint a treasurer. The individual listed on the most recent Form 410 with the Secretary of State continues to be legally responsible until an amendment is filed to designate a new treasurer. Please note a candidate may act as his or her own treasurer.

### File Campaign Statements

You must file campaign statements ([Form 460](#)) disclosing the committee's activity during a specified period. Please access the Commission's filing schedules to find the schedule that applies to you/your election. Committees are required to file campaign statements as well as other reports including semi-annual campaign statements until the committee terminates.

### 24-Hour Reports

Within 90 days before the election, including the date of the election, if a committee receives a contribution(s) of \$1,000 or more from a single source, including loans from the candidate, the [Form 497](#) must be filed within 24 hours.

### Local Campaign Contribution Limits

Make sure you are aware of any local contribution limits before accepting contributions.

### After the Election

Following the election, your duty to file campaign statements continues until your committee terminates. In order to terminate, you must file a Form 460 with your local filing officer reporting a zero balance AND a Form 410 indicating the termination with the Secretary of State's Office and a copy with your local filing officer.

*This factsheet provides guidance and a general overview of the rules for campaigns, but it does not replace any requirements under the [Political Reform Act](#) or [Fair Political Practices Commission Regulations](#). Information here should be used in conjunction with a careful review of the applicable laws.*



STATE OF CALIFORNIA

FAIR POLITICAL PRACTICES COMMISSION

# Local Candidate/Committee Checklist

## Additional Resources and Helpful Links

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- [Campaign Manual 2 - For Local Candidates and their Controlled Committees](#)
- [All Campaign Forms](#)
- [Filing Schedules](#)
- [Fact Sheet on Terminating Your Committee](#)
- [Political Advertisement Disclaimers for Candidate Committees for their own Election](#)
- [Frequently Asked Questions on Campaign Activity](#)
- [Local Campaign Ordinances](#)
- [City and County Campaign Contribution Limits](#)

## Have Further Questions?

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Feel free to contact us by email at [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or by phone at 1-800-ASK-FPPC.  
Please note that our advice phone hours are 9:00 am – 11:30 am, Monday through Thursday.

*This factsheet provides guidance and a general overview of the rules for campaigns, but it does not replace any requirements under the [Political Reform Act](#) or [Fair Political Practices Commission Regulations](#). Information here should be used in conjunction with a careful review of the applicable laws.*



# 2023 Changes to Section 84308

February 2023

## Senate Bill 1439

In 2022, the California Legislature passed [SB 1439](#), a bill that amended Section 84308 of the Political Reform Act (“the Act”). The changes took effect on January 1, 2023. As detailed below, the amendments significantly broadened the scope of the statute—most significantly by applying the statute’s restrictions to agencies whose members are directly elected by voters. In response to the changes brought on by SB 1439, the FPPC: (1) issued the [Kendrick Opinion](#) on the application of amended Section 84308; (2) is preparing a package of regulatory amendments; and (3) is providing guidance in the form of this fact sheet<sup>1</sup>, as well as through formal advice letters and informal assistance via phone and email.

## Section 84308 Generally

Section 84308 prohibits certain officials from taking part in an entitlement for use proceeding if the official has received a contribution exceeding \$250 from a party or participant in the proceeding within the preceding 12 months. An official is also prohibited from accepting, soliciting, or directing a contribution exceeding \$250 from a party or participant in the proceeding for a certain period of time after a final decision is rendered in such a proceeding.

A “party” is any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use. A “participant” is person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use, **and** has a financial interest in the decision.

A party to a proceeding before an agency involving a license, permit, or other entitlement for use must disclose on the record any contribution in an amount of more than two hundred fifty dollars (\$250) made within the preceding 12 months to an official of the agency.

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<sup>1</sup> This fact sheet is informational only and contains only highlights of selected provisions of the law. It does not carry the weight of the law. For further information, consult the Political Reform Act and its corresponding regulations, advice letters, and opinions.

In certain instances, an official may avoid violating this section by returning contributions in excess of \$250. (See subdivision (d).)

## Changes in 2023

As of January 1, 2023, Section 84308 now operates differently in two key ways:

- 1. Section 84308 now applies to agencies whose members are directly elected by voters including local elected officials such as city councilmembers and county supervisors serving on their respective boards; and**
- 2. Officials are prohibited from accepting, soliciting, or directing a contribution exceeding \$250 from a party or participant for 12 months after the final decision of a proceeding.**

## Common Questions Regarding Section 84308

**Q. What types of proceedings are covered by Section 84308?**

A. Section 84308 pertains to “proceeding[s] involving a license, permit, or other entitlement for use.” The phrase “license, permit, or other entitlement for use,” in turn, “means all business, trade, and land use licenses and permits and all other entitlements for use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.”

**Q. Does an official have a duty to proactively determine whether a participant has a financial interest in a decision?**

A. No. Section 84308 and Regulation 18438.7 require an official to recuse when the official knows or has reason to know of a participant’s financial interest in a proceeding, but neither the statute nor regulation establish a proactive duty to investigate a potential financial interest, such as reviewing other public records or questioning the individual.

**Q. Do SB 1439’s amendments to Section 84308 apply to contributions received or proceedings participated in throughout 2022, before SB 1439 took effect?**

A. The Commission has determined a local elected official is not prohibited from taking part in entitlement for use proceedings based on contributions received in 2022, nor is an official prohibited from accepting, soliciting, or directing contributions exceeding \$250 from parties or participants in proceedings finalized in 2022. (See *Kendrick* Opinion, No. O-22-002.)



**Q. When will the Commission amend regulations relating to Section 84308?**

A. Pre-notice discussion of regulatory amendments is scheduled to occur at the Commission's February 16, 2023 meeting, with presentation for adoption scheduled to occur at the Commission's April 20, 2023 meeting. The Commission welcomes and encourages public comments regarding potential regulatory amendments. To find out how to participate in a FPPC meeting, go to <https://www.fppc.ca.gov/about-fppc/contact-us/public-comment.html>.

# California Fair Political Practices Commission

## Frequently Asked Questions: Campaign Activity

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<b>Getting Started</b> .....Page 1	<b>Ballot Measure Committees</b> .....Page 3
<b>Fundraising</b> ..... Page 4	<b>Expenditures</b> ..... Page 6
<b>Communications</b> ..... Page 7	<b>24-Hour Contribution Reports</b> ... Page 7
<b>Enforcement</b> ..... Page 8	<b>Candidates</b> .....Page 8

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The FAQs listed below are selected from questions people frequently ask the FPPC about campaign-related activity under the Political Reform Act (“Act”). All efforts have been made to provide helpful, easy-to-understand, answers to common questions. Please note that this fact sheet cannot address all of the unique variables and circumstances related to campaign activity. For more information, see the FPPC’s campaign disclosure manuals or contact the FPPC with specific questions.

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### Getting Started Questions

1. Q. When must a committee file a Statement of Organization (Form 410) with the Secretary of State’s office?
  - A. The Form 410 is required to be filed within 10 days of raising \$2,000 or more, which is the threshold for qualifying as a committee.
2. Q. Is it possible for a committee to receive a committee ID number prior to meeting the \$2,000 threshold?
  - A. Yes. The Secretary of State will issue a committee ID number upon receipt of the Form 410, even if \$2,000 or more has not yet been raised. The “Not Yet Qualified” box should be marked and once the \$2,000 threshold is met, an amendment must be filed within 10 days to report the date the committee qualified.
3. Q. Is there a fee to register as a committee?
  - A. Yes. Committees are required to pay a \$50 fee to the Secretary of State within 15 days of filing the Form 410. In addition, a \$50 fee is required to be paid to the Secretary of State by January 15 of each year until the committee terminates.
4. Q. Who must be identified on the Form 410?
  - A. The name and contact information of the treasurer and principal officers, if any, must be provided, in addition to any candidate controlling the committee. If the committee will have an assistant treasurer, their contact information must be also included.
5. Q. Are there any specific accounting qualifications for someone to serve as a committee’s treasurer?
  - A. No. An individual must be at a minimum 18 years of age to serve as a committee’s treasurer. However, no individual should accept the position as a mere figurehead. To

adequately perform the duties, the treasurer must have a basic understanding of the campaign finance laws and the responsibilities of a committee treasurer.

6. Q. May a candidate serve as their own committee's treasurer?
- A. Yes.
7. Q. Who is considered the principal officer for a non-candidate controlled committee?
- A. The principal officer(s) is the individual or individuals responsible for approving the political activities of a committee, including: 1) authorizing the content of committee communications; 2) authorizing the committee's expenditures; and, 3) determining the committee's campaign strategy. The principal officer must ensure that accurate records are maintained and may be held liable for violations. A committee may have several principal officers. If there are more than three individuals serving as principal officers, only three must be identified on the Form 410. If no individual other than the treasurer is a principal officer, the treasurer must be identified as both the treasurer and the principal officer.
8. Q. After filing a Form 410, what is the next form required to be filed?
- A. Typically, the Form 497 (24-Hour Contribution Report) is the next required form. In fact, the Form 497 may be required to be filed *before* the Form 410 is required if the committee qualifies within the 90 days before the election or on the date of the election. During this period, a committee must file a Form 497 within 24 hours each time it receives contributions that total \$1,000 or more in the aggregate from a single source.
9. Q. What are the requirements for naming a candidate's committee or a committee primarily formed to support or oppose a ballot measure?
- A. For a candidate's campaign committee, the name must include the candidate's last name, office sought, and year of the election. For example, "Wallace for Supervisor 2022" or "Re-Elect Rosa in 2022 for Water Board" would meet the naming requirements.
- For a primarily formed ballot measure committee, the name must include:
- The measure's designation (e.g., Proposition 124; Measure BB);
  - The committee's position (support or oppose) on the measure;
  - If sponsored, the name(s) of the sponsor(s) (e.g., "sponsored by the Auto Dealers Association");
- For a comprehensive list of all committee naming requirements, see the Form 410 instructions.
10. Q. May a committee use an electronic recordkeeping system or are records required to be kept on paper?
- A. Electronic records are permitted so long as all of the required information is collected and recorded in a timely and uniform manner that ensures the information is accurate and reliable. Committees are responsible for ensuring that electronic records can be read and/or printed for auditing purposes during the required retention period – four years from the date the campaign statement was filed.

11. Q. Is a committee required to have a tax ID number?

- A. The FPPC does not require a tax ID number; however, some banks may require one in order to open a campaign bank account. A tax ID number may be requested through the Internal Revenue Service website, [www.irs.gov](http://www.irs.gov).

### **Ballot Measure Committee Questions**

12. Q. A group has raised \$2,000 to circulate petitions for a ballot measure. When does the group trigger reporting obligations?

- A. Reporting obligations begin when proponents start gathering signatures (initiative) or when a legislative body acts to place the proposal on the ballot (referendum). Certain contributions received and expenditures made are required to be disclosed even if they were received or made before the proposal became a measure. (See Campaign Disclosure Manual 3 for details.)

13. Q. May a candidate control a ballot measure committee? If so, is the candidate required to file a Form 501 (Candidate Intention Statement)?

- A. Yes, a candidate may control a ballot measure committee so long as the committee's funds are not used to support the candidate's election or to support or oppose other candidates. The candidate's last name must be included in the committee name and the Form 410 requires specified information to be disclosed related to the measure or measures for which the committee is formed. A Form 501 is not required.

14. Q. Are there any special reporting requirements for ballot measure committees controlled by a candidate?

- A. Ballot measure committees controlled by a **state** officeholder (e.g., Governor, legislator) or a candidate for elective **state** office have additional disclosure requirements when reporting expenditures. For each expenditure of \$100 or more, the committee must identify the measure or potential measure associated with the expenditure. For example, a payment to a campaign consultant for research or polling on a specific measure in a local jurisdiction could state: Research/polling for Measure B, City of Sacramento. A committee's expenditures for operating costs, administrative overhead, fundraising, travel, compliance costs and attorney fees do not require the itemization if the payment cannot be attributed to a specific measure or potential measure.

15. Q. During the 90 days before an election, a local primarily formed ballot measure committee for Measure A made a \$10,000 contribution to another primarily formed ballot measure committee for Measure A. Does this contribution trigger the filing of a 24-Hour Contribution Report (Form 497)?

- A. Yes, both committees are required to file a Form 497, even if they are both formed to support the same ballot measure.

16. Q. During the 90 days before an election, supporters of a ballot measure, in coordination with the primarily formed ballot measure committee, will be paying for phone banks. The payments will be considered nonmonetary contributions to the primarily formed ballot measure committee. Rather than file several reports, may the committee file one Form 497 estimating the value of all nonmonetary contributions anticipated to be received from this source during the 90-day period before the election and on the date of the election?

- A. Yes. The committee may make a good faith estimate of the value that will be contributed during the period. The Form 497 must be filed within 48 hours of receiving the initial \$1,000 in nonmonetary contributions. If the actual value differs from the estimated amount by 20 percent or more, an amendment must be filed within 24 hours of determining the correct amount.
17. Q. If a non-profit organization makes a contribution to a primarily formed ballot measure committee, what are the campaign reporting requirements for the non-profit organization?
- A. Depending on the amount of the contribution and several other factors, the organization may be required to register as a recipient committee and file campaign reports disclosing its donors or the organization may instead qualify as a major donor committee and be required to file the Form 461. To determine the applicable reporting requirements, see the detailed information in the [Multipurpose Organizations Reporting Political Spending fact sheet](#).

### **Fundraising Questions**

18. Q. If a committee receives two monetary contributions of \$99 from one contributor, must the contributor be itemized?
- A. Yes. When a person's contributions, including monetary, nonmonetary, and loans, aggregate to \$100 or more in a calendar year, the contributor must be itemized on all applicable schedules of the Form 460.
19. Q. A committee is hosting a dinner fundraiser. The committee is charging \$100 per person, but the actual cost of the event to the committee will be \$25 per person. When a person purchases a ticket to attend, what amount is considered as the contribution received?
- A. The contribution received is \$100. The entire cost of the ticket for the fundraiser is the amount of the contribution – the actual costs to the committee are not subtracted from the ticket price.
20. Q. A committee is going to charge \$50 per person at their next fundraiser. May an attendee pay with a \$100 bill?
- A. No. Even if change is immediately provided, a committee may not accept \$100 or more in cash from a single source. The payment must be made by personal check, debit card, or credit card.
21. Q. Is volunteer work provided by some people considered a nonmonetary contribution because of the volunteer's profession, such as free legal advice provided by a lawyer or bookkeeping done by a CPA?
- A. No. Volunteer personal services, regardless of the profession of the individual, are not reportable, so long as the individual providing the services is not paid by a third party.
22. Q. An individual is hosting a fundraising event in their home for a friend who is running for city council. They will spend \$425 to provide tea, coffee, wine, cheese, and fruit. Is the amount they pay for the event considered a nonmonetary contribution to the candidate?

- A. No. So long as the individual hosting does not spend more than \$500, the event meets the home/office fundraiser exception. **Note:** The home/office fundraiser exception does not apply to a state lobbyist (or a cohabitant of a lobbyist) or a lobbying firm.
23. Q. May a private service, such as PayPal, be used to collect contributions electronically?
- A. Yes, so long as for each contribution of \$100 or more, (a) the service is able to provide the name of the contributor, and (b) the committee reports all the information needed to meet the statutory recordkeeping requirements, including the name, address, occupation, and employer of individual contributors of \$100 or more. Even if the company deducts a fee from the amount of the contribution, the entire amount of the contribution must be disclosed. The fees charged by the private service are reported as expenditures.
24. Q. May a committee accept a contribution in the form of bitcoin, a type of digital currency?
- A. Yes. Effective September 21, 2022, committees may solicit and accept contributions of cryptocurrency, or virtual currency, in any amount not exceeding any applicable contribution limit. Please note that committees cannot receive cryptocurrency contributions directly. Committees may receive these types of contributions through a payment processor selected to act as a vendor on behalf of the committee. Please see our [Cryptocurrency Contributions Fact Sheet](#) for more information on accepting these types of contributions.
25. Q. If a committee receives a contribution of \$100 from an individual, but the individual did not provide the required occupation and employer information, what should the committee do?
- A. The individual contributor should be contacted to obtain the occupation and employer information. If the committee is required to report the contribution before the information is received, the committee should indicate on its campaign statement that the information has been requested and the statement will be amended when the information is received. However, if an individual's occupation and employer information is not received within 60 days of receiving the contribution, the contribution must be returned.
26. Q. A business donated the use of an employee to work on two ballot measure campaigns during the month before the election. The employee spent a total of seven percent of their compensated time working on one measure and seven percent of their compensated time on the other measure. Since more than 10 percent of the employee's compensated time was not spent on a single campaign, is their compensated time required to be reported as a nonmonetary contribution to the ballot measure committees from their employer?
- A. Yes. If an employee spends more than 10 percent of their compensated time working on campaign activity (one or multiple campaigns) in a calendar month, a nonmonetary contribution from the business must be reported. In this situation, each ballot measure committee must report a nonmonetary contribution in the amount of seven percent of the employee's compensated time. The value of the nonmonetary contribution is based on the employee's gross salary; standard benefits (i.e., retirement and health care) do not need to be counted.

27. Q. If a committee receives a large contribution from an individual or entity, are there any special noticing requirements?
- A. Yes. Generally, if a committee receives a contribution of \$5,000 or more from an individual or entity, the committee must notify the contributor in writing *within two weeks* that they may need to file a major donor report. In the 90 days before an election, if a contribution of \$10,000 or more is received, the notification must be sent *within one week*. Language for the notice is found in the applicable campaign disclosure manual. An individual or entity qualifies as a major donor if contributions totaling \$10,000 or more are made in a calendar year to California (state and local) candidates and committees.

### **Expenditure Questions**

28. Q. How does a committee report printing expenses of \$100 or more paid for with the committee's credit card?
- A. The name and address of the credit card company and the amount paid must be listed on Schedule E or F of the Form 460, and the printing vendor's name and address must be listed underneath with the amount paid to that vendor. Another example of "subvendor" reporting is when a campaign consultant purchases television advertisements, the names of the stations that air the advertisements must be listed. The campaign disclosure manuals contain examples of how to report subvendors on the Form 460.
29. Q. Is it permissible for a committee to have an agreement with an independent contractor (e.g., committee fundraiser) to pay additional money if fundraising goals are surpassed?
- A. Yes, under the Act, a contingency agreement may be made, such as a committee paying a bonus to a contractor if fundraising goals are met or a committee not paying a contractor unless a particular outcome is achieved. The arrangement should be made as part of a written contract. (Note that the Act strictly prohibits contingency fees to a lobbyist for the outcome of legislation or to a placement agent for securing an investment from a state retirement board.)
30. Q. Is it permissible to purchase gifts using campaign funds?
- A. Campaign funds may be used to purchase a gift only if the payment is *directly related* to a political, legislative, or governmental purpose. Detailed information on the permissible use of campaign funds may be found in the [campaign disclosure manuals](#). In addition, there are special reporting rules for candidate controlled committees when reporting expenditures for gifts, meals, and travel. (See Question #57 below.)

### **Communications Questions**

31. Q. What are the disclosure requirements for a mass mailing sent by a candidate?
- A. When a candidate sends a mass mailing (more than 200 pieces of the same or similar mail in a calendar month), the words "paid for by" and the name and address of the candidate's committee must appear on the outside of the mailing in no less than six-point type and in a color that contrasts with the background. If two or more candidate controlled committees pay for the mailer, the name and address of at least one of the committees must be shown on the outside and the names and addresses of all committees must appear on at least one insert. The committee ID number is not required

to be included, but the FPPC recommends that committees include the committee ID number on all public campaign materials.

32. Q. If a committee has more than one address, may any of the addresses be used on mass mailings?
- A. Any address that is on the committee's Statement of Organization (Form 410) on file with the Secretary of State's office may be used.
33. Q. Are emails sent by a candidate's committee required to include an advertisement disclaimer statement?
- A. Yes. Mass mailings, including emails, must include a "paid for by" disclaimer (e.g., "Paid for by Jones for Supervisor 2022").
34. Q. How does a committee report payments made to a person to provide favorable or unfavorable content on an Internet site about a candidate or ballot measure?
- A. For each payment of \$100 or more, use the code "WEB" and report the amount of the payment, the payee, the name of the individual providing content, and the website name or URL on which the communication is published in the first instance.
35. Q. Does a candidate or committee incur reporting obligations if an unpaid blogger or other individual endorses their candidacy in their Internet communications?
- A. No. Uncompensated Internet activity, including blogging, social networking, sending or forwarding an email, or providing a link to a website, does not trigger a reporting obligation.
36. Q. Does the FPPC have a summary of the requirements for disclaimers on advertisements?
- A. Yes, a summary of the requirements, as well as charts for each type of committee are available [on the FPPC's website](#).

#### **24-Hour Contribution (Form 497) Report Questions**

37. Q. If a contribution of \$1,000 or more is made to one of a candidate's campaign committees (e.g., legal defense, ballot measure, past election), but not to the committee that is formed for the election triggering the 90-day reporting, are the candidate and/or the donor required to file a Form 497?
- A. Yes. When a candidate is in a 90-day reporting period, each contribution of \$1,000 or more to any of their committees requires the Form 497 to be filed by both the candidate and the donor.
38. Q. During the 90-day reporting period, must a candidate file a Form 497 if a contribution of \$500 is received by one of the candidate's campaign committees (e.g., legal defense, ballot measure, past election) and another contribution of \$500 from the same donor is received by the committee that is formed for the election triggering 90-day reporting?
- A. No. Because a single committee did not receive \$1,000 or more, the candidate is not required to file a Form 497. The donor is also not required to file a Form 497 as the donor did not make a contribution of \$1,000 or more to a single committee.



39. Q. A candidate received \$500 from a donor for the special primary election a few days before the election, and another \$500 from the same donor a few days after the primary election when the candidate moved to the special general election. Both contributions were received during the 90 days before the general election. Is a Form 497 required to be filed by the donor and/or the candidate?
- A. No. Because \$1,000 or more was not received in connection with one election, the Form 497 is not required to be filed.
40. Q. Must a candidate file a Form 497 if, during the 90 days before the election or on the date of the election, they make a contribution of \$1,000 or more from personal funds to their campaign?
- A. Yes. The candidate's personal funds are contributions and subject to reporting in the same manner as other contributions received.
41. Q. What are the 24-Hour Contribution Report (Form 497) requirements for contributions received by a political party committee?
- A. A political party must report each contribution of \$1,000 or more received within 90 days of **any** state election or on the date of a state election (including a special election). If the contributor is a committee, the contributor must also file the Form 497 within 24 hours.

### **Enforcement Question**

42. Q. If a campaign statement is filed late, what are the potential consequences?
- A. The filing officer with whom the statement is required to be filed may assess a fine of up to \$10 for each day that the statement is late (or up to \$20 per day for a statement and a copy). In addition, filing officers are required by law to refer non-filers to an enforcement authority. If a matter is referred to the FPPC's Enforcement Division for failure to file, the fine may increase up to a maximum of \$5,000 per violation. In 2017, 149 committees were fined by the FPPC for failing to timely file campaign statements.

### **Candidate Questions**

43. Q. When may a candidate begin to solicit and raise funds for an election?
- A. Upon filing a Candidate Intention Statement (Form 501), a candidate may begin to solicit and receive contributions. The Form 501 is considered filed when it is personally delivered or placed in the mail to the filing officer.
44. Q. Is a candidate required to file a Form 501 when running for reelection to the same office?
- A. Yes. A separate Form 501 is required for each election, including reelection to the same office. However, a new Form 501 is not required for the general election or special general election if the candidate filed a Form 501 for the connected primary or special primary election for the same office sought.
45. Q. If a candidate does not intend to raise any funds from others and will be spending personal funds only for the filing fee and ballot statement fee, is the candidate required to file a Form 501 and open a campaign bank account?

- A. No, the candidate is not required to file a Form 501 or open a bank account; only the Form 470 (Campaign Statement – Short Form) is required.
46. Q. If a candidate does not intend to raise funds from others, but will be spending \$2,000 or more of their personal funds on their campaign (in addition to the filing fees and ballot statement fees), is the candidate required to open a bank account?
- A. Yes. Even if a candidate does not raise funds from others, if they spend \$2,000 or more on the campaign (not counting personal funds spent on filing fees and ballot statement fees), they qualify as a committee and must open a campaign bank account. Campaign funds may not be commingled with personal funds.
47. Q. What are the rules related to a candidate spending personal funds on their own campaign?
- A. Except for payments for the filing fee, ballot statement fee, and \$50 Secretary of State annual committee fee, a candidate must deposit personal funds into the campaign bank account before making campaign expenditures, even if the candidate does not want to be reimbursed. Personal funds may be reported as loans or monetary contributions. Personal funds may not be commingled with campaign funds and campaign expenditures may not be made from a personal account.
48. Q. Prior to learning that it was not permitted, a candidate starting up their campaign used personal funds to pay for some campaign expenses. How is this reported on the Form 460?
- A. So that the activity is properly disclosed, the amount of personal funds used should be reported on Schedule A as a contribution and the expenditure is reported on Schedule E. If the candidate has not yet been reimbursed by the committee, the amount may be reported on Schedule F as an accrued expense. Non-disclosure of the payments is a violation of the Act. All future payments must be made from the campaign bank account; personal funds must be deposited into the account before making expenditures.
49. Q. May a campaign worker use personal funds to make campaign expenditures and be reimbursed by the committee?
- A. Yes. Anyone other than the candidate may use personal funds to make campaign expenditures, such as purchasing printing, and be reimbursed after providing a receipt or invoice to the campaign. However, if the campaign does not reimburse the individual who made the expenditure within 45 days, the committee must report the amount expended as a nonmonetary contribution received.
50. Q. What are the contribution limits for local elections?
- A. Pursuant to Assembly Bill 571 (Stats. 2019, Ch. 556, AB 571 Mullin), effective January 1, 2021 a state campaign contribution limit will by default apply to city and county candidates when the city or county has not already enacted a contribution limit on such candidates. The FPPC's website posts contribution limit charts. However, many local jurisdictions have adopted campaign finance ordinances that include contribution limits. Contact the city clerk or county elections office to determine if there are local contribution limits. The FPPC's website also posts local campaign ordinances.

51. Q. If a candidate occasionally uses their own personal vehicle to attend campaign events and meet with voters, is the use of the vehicle reportable even if the candidate does not want to be reimbursed for the mileage?
- A. Incidental use of a candidate's personal vehicle for campaign purposes is not considered a contribution or expenditure and is not reportable. However, if the use of the vehicle is directly related to a political, legislative or governmental purpose, and the candidate would like to be reimbursed by the committee, the reimbursement must be made at the rate approved by the Internal Revenue Service pursuant to Section 162 of the Internal Revenue Code.
52. Q. If a candidate makes long-distance calls using their home phone to request support from organizations statewide, may committee funds be used to pay the phone bill?
- A. Committee funds may be used for the campaign portion of the bill; however, the non-campaign portion must be paid with personal funds.
53. Q. If a candidate is defeated in a local election, may the leftover funds be used to run again in the next local election?
- A. Yes, if specified requirements are met. An unsuccessful candidate for a city or county office in a jurisdiction that has enacted a local contribution limit who plans to run for the *same office* in a future election must file a new Form 501 and an amended Form 410 **before** the funds become surplus. Leftover funds become surplus 90 days after an official leaves office (incumbents) or 90 days after the end of the post-election reporting period, whichever is later. The end of the post-election reporting is June 30 for elections held between January 1 and June 30, and December 31 for elections held between July 1 and December 31. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit should check with the local jurisdiction to determine if there is a local ordinance that does not allow a candidate to use the same committee for a future election.) A city or county candidate in a jurisdiction that *has not* enacted a local contribution limit who plans to run for the same office must file a new Form 501 and a new Form 410 as well as open a new bank account and transfer the funds to a new committee **before** the funds become surplus.
- An unsuccessful candidate who plans to run for a *different office* must file a new Form 501, a new Form 410, and open a new campaign bank account and transfer the funds **before** the funds become surplus as described above.
54. Q. If a candidate receives a refund for a filing fee after their committee has already been terminated, must the committee and bank account be reopened in order to accept the refund?
- A. No. Candidates are allowed to accept refunds from a governmental entity without reopening the committee and campaign bank account.
55. Q. If a candidate controls a ballot measure committee, must the ballot measure committee file a preelection statement when the candidate's committee is required to?
- A. Yes. If a candidate has multiple controlled committees, each of the committees are required to file on the dates the candidate is required to file preelection statements in connection with their election to office. (See Regulation 18405.)

56. Q. May a law enforcement officer, who is running for city council, wear their uniform at campaign events or when appearing in political advertisements for their campaign?
- A. The Political Reform Act does not contain restrictions related to a candidate wearing a law enforcement uniform; however, other laws may apply. The candidate should contact the District Attorney or City Attorney.
57. Q. What are the special reporting requirements for expenditures made by a candidate controlled committee when purchasing gifts, travel, and meals?
- A. Itemized expenditures made by a candidate controlled committee for gifts, meals, or travel, must be further explained in the "Description of Payment" column, whether or not an expenditure code is used, as described below.

**Gifts:** Briefly describe the political, legislative, or governmental purpose of the expenditure, and provide the date of the gift and a description of the gift. If the gift was made to an individual recipient, the name of the recipient must be included. If a gift was made to a group of recipients, the name of each recipient who received a benefit of \$50 or more is required. When the recipient of a gift with a value of \$50 or more is not known at the time the payment is required to be reported, the committee must report that the gift was for an "undetermined recipient." Once the gift has been given to the recipient, the campaign statement must be amended within 45 calendar days to disclose the name of the recipient.

**Meals:** Briefly describe the political, legislative, or governmental purpose of the expenditure, and provide the date of the meal, the number of individuals who were present at the meal, and whether the candidate, a member of their household, or an individual with authority to approve expenditures of campaign funds was present at the meal. It is not necessary to include the names of individual attendees on the report. However, the names of the attendees must be maintained in the committee's records. For meals reported as an itemized expenditure for travel, the reporting rules below apply.

**Travel Payments (including lodging and meals):** Briefly describe the political, legislative, or governmental purpose of the expenditure, and provide the date or dates of the travel, the destination, and the goods or services purchased. The description must also include the number of individuals for whom the payment was made and whether the trip included the candidate, a member of their household, or an individual with the authority to approve expenditures of campaign funds. The names of individuals who traveled are not required to be disclosed on the report. However, the names of the travelers must be maintained in the committee's records.

# California Fair Political Practices Commission

## Political Advertisement Disclosures

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Under California's Political Reform Act (the "Act"), committees, generally, must include "Ad paid for by" disclosures on campaign advertising, including campaign mailers, radio and television ads, telephone robocalls, and electronic media ads. Please see the [Advertising Disclosure Charts](#) for specific disclosure requirements. The questions below relate to disclosure requirements for committees that purchase advertisements or circulate communications supporting or opposing a state or local candidate or ballot measure in California. This fact sheet is informational only and contains only highlights of selected provisions of the law. It does not carry the weight of the law. For further information, consult the Act and its corresponding regulations, advice letters and opinions.

### Who Must Use a Disclosure?

A candidate's campaign committee, a political action committee, a ballot measure committee, a political party committee, a major donor, and a person or entity making independent expenditures on candidates or ballot measures in California are all types of committees that are subject to disclosure rules. In general, a person or entity qualifies as a *committee* under the Act if they receive contributions from others for political purposes of \$2,000 or more per year; if they make independent expenditures on California candidates or ballot measures of \$1,000 or more per year; or if they make contributions to California candidates or ballot measures of \$10,000 or more per year.

### General Questions

1. Q. What is an advertisement?
  - A. An advertisement is a communication that is made for the purpose of supporting or opposing a candidate or ballot measure. Advertisements include mass mailings (including emails), paid telephone calls, newspaper, radio and television ads, billboards, yard signs, and electronic media ads.
2. Q. What is a disclosure?
  - A. A "disclosure" is the portion of a political message that identifies the person or entity who paid for or authorized the communication. "Ad paid for by *committee name*" is generally the basic disclosure required by the Act on most campaign communications sent by a *committee*.
3. Q. Are the Act's disclosure rules the same for all committees and all ads?
  - A. No. Basic disclosure rules apply to campaign materials disseminated by a candidate for their own election campaign because it is generally clear to the public that the candidate is sending the communication. Stricter disclosure rules apply to ballot measure advertisements and independent expenditure advertisements on candidates and ballot measures, because it is less clear to the public who is responsible for these ads.

4. Q. Must a disclosure appear on ALL printed materials or campaign items?
- A. No. A disclosure is not required on the following items:
- Campaign buttons smaller than 10 inches in diameter, pins, bumper stickers smaller than 60 square inches, and magnets
  - Pens, pencils, rulers, mugs, potholders, key tags, golf balls and similar small campaign promotional items where a disclosure cannot be conveniently printed
  - T-shirts, caps, hats, and other articles of clothing
  - Skywriting and airplane banners
  - Committee checks and receipts
5. Q. What must the disclosure state?
- A. Generally, the basic disclosure must state: “Ad Paid for by *committee name*.” Please see the [Advertising Disclosure Charts](#) for specific disclosure requirements. In most cases, any recipient committee except a candidate committee or a political party committee must also list top three contributors of \$50,000 or more. An advertisement supporting or opposing a candidate that is paid for by an independent expenditure shall include a statement that it was not authorized by a candidate or a committee controlled by a candidate. If the advertisement was authorized or paid for by a candidate for another office, the expenditure shall instead include a statement that “This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office.”
6. Q. How must the disclosure appear?
- A. Written disclosures must be printed clearly and legibly. Spoken disclosures must be spoken clearly. Disclosures must also be written or spoken in the same language used in the advertisement. **Specific requirements for color contrast, font, print size and time appearing on screen or read during a telephone or radio advertisement are listed in FPPC [advertising disclosure charts](#).**
7. Q. If a committee’s top contributor changes, must advertisement disclosures be updated?
- A. Yes. Television, radio, telephone, electronic billboard, or other electronic media advertisement shall be updated to reflect the new top contributors within five business days. Print media advertisement, including nonelectronic billboards, shall be updated to reflect the new top contributors before placing a new or modified order for additional printing of the advertisement.
8. Q. What are the rules for disclosures on communications in a language other than English?
- A. Disclosures on political advertisements must be written or spoken in the same language used in the advertisement, except for the name of the committee and the top contributors to the committee, if any.

9. Q. Must a disclosure appear on communications from an organization to its members?
- A. For political party communications, yes. For communications from other organizations to their members, a disclosure is not required.

### **Mass Mailing Questions**

10. Q. On mass mailings, what must the disclosure state?
- A. A mass mailing – over 200 substantially similar pieces of mail sent within a calendar month – must include: the words “Paid for by” immediately in front of or above the name and address of the committee on the outside of each piece of postal mail. The disclosure must be in no less than 6-point type and in a color that contrasts with the background.

If a mass mailing is paid for by more than one candidate or committee, the words “paid for by” must appear immediately in front of or above the name and address of the candidate or committee who is paying the greatest share of the mass mailing (including costs for designing, postage, and printing) and must be placed on the outside of each piece of mail. If two or more candidates or committees pay equally for the mailer, the name and address of at least one of the candidates or committees must be shown on the outside, and the names and addresses of all candidates or committees paying for the mailer must appear on at least one insert.

11. Q. On emails, what must the disclosure state?
- A. When over 200 substantially similar emails are sent by a candidate or committee, the email must include “Paid for by and the committee name.” The committee’s street address is not required on mass emails sent by a committee, but may be included.

### **Advertising Issues Not Under FPPC’s Jurisdiction**

12. Q. What are the rules about when and where political signs may be placed?
- A. The Act does not contain rules about when and where signs may be placed. You may visit the [California Department of Transportation website](#) for information about the State Outdoor Advertising Act and additional restrictions on political sign placement. You should also check with your local jurisdiction as there may be local laws that restrict or prohibit the placement of campaign signs at certain times and in specified places.
13. Q. Where can I get information about the National Do Not Call Registry?
- A. For information about the National Do Not Call Registry, administered by the Federal Trade Commission (FTC), go to [www.donotcall.gov](http://www.donotcall.gov).

# LITERATURE REQUIREMENTS

## § 16, Elections Code

A copy of Section 84305 of the Government Code shall be provided by the elections official to each candidate or his or her agent at the time of filing the declaration of candidacy and to the proponents of a local initiative or referendum at the time of filing the petitions.

# MASS MAILING REQUIREMENTS

## § 84305, Government Code

(a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.

(b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

# PENAL PROVISIONS – ELECTION CAMPAIGNS

## § 18303, Election Code

Every person who violates Section 84305 of the Government Code relating to mass mailing is subject to the penal provisions set forth in Chapter 11 (commencing with Section 91000) of Title 9 of the Government Code.

## § 91000, Government Code

(a) Any person who knowingly or willfully violates any provision of this title is guilty of a misdemeanor. (b) In addition to other penalties provided by law, a fine of up to the greater of ten thousand dollars (\$10,000) or three times the amount the person failed to report properly or unlawfully contributed, expended, gave or received may be imposed upon conviction for each violation.

(c) Prosecution for violation of this title must be commenced within four years after the date on which the violation occurred.

## § 91001, Government Code

(a) The Attorney General is responsible for enforcing the criminal provisions of this title with respect to state agencies, lobbyists and state elections. The district attorney of any county in which a violation occurs has concurrent powers and responsibilities with the Attorney General.

(b) The civil prosecutor is primarily responsible for enforcement of the civil penalties and remedies of this title. The civil prosecutor is the commission with respect to the state or any state agency, except itself. The Attorney General is the civil prosecutor with respect to the commission. The district attorneys are the civil prosecutors with respect to any other agency. The civil prosecutor may bring any civil action under this title which could be brought by a voter or resident of the jurisdiction. Upon written authorization from a district attorney, the commission may bring any civil action under this title which could be brought by a voter or resident of the jurisdiction. Under such circumstances, Section 91007 shall not apply to the commission.

(c) Whether or not a violation is inadvertent, negligent or deliberate, and the presence or absence of good faith shall be considered in applying the remedies and sanctions of this title.



# DEFINITION OF MASS MAILING AND SENDER

## § 18435, California Code of Regulations

(a) A "mass mailing" has been made when over two hundred substantially similar pieces of mail have been sent within a calendar month.

(b) The sender, as used in Government Code Section 84305, is the candidate or committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable under Government Code Sections 84200-84217.

(c) For purposes of this section to "pay for" a share of the cost of a mass mailing means to make, to promise to make, or to incur an obligation to make, any payment:

(1) To any person for the design, printing, postage, materials or other costs (including salaries, fees, or commissions) of the mailing; or

(2) As a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(d) The identification required by Section 84305 shall be preceded by the words "Paid for by." These words shall be presented in the same size and color as the identification required by Section 84305, and shall be immediately adjacent to and above or immediately adjacent to and in front of the required identification.

(e) The requirements of Section 84305 to identify the name of the candidate or committee sending a mass mailing apply to over 200 substantially similar messages distributed to the public through electronic mail by a candidate or committee within a calendar month.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82041.5 and 84305, Government Code.

## § 18435.5, California Code of Regulations

(a) Section 84305.5 requires a slate mailer to identify the slate mailer organization or committee sending the slate mailer, and to designate by an asterisk (\*) each candidate and each ballot measure supported or opposed in a slate mailer for which payment of \$100 or more has been received by the organization or committee (either from the candidate, ballot measure committee, or from any other person "at the behest" of a candidate or ballot measure committee as defined in Regulation 18225.7).

(b) To ensure that it is easily legible, the Notice to Voters required by Section 84305.5 shall appear with a reasonable degree of color contrast between the background and the statement and must appear on a plain background, not superimposed over an illustration or a patterned background. Examples of a reasonable degree of color contrast that would meet the standard required by Section 84305.5 are when the disclaimer is printed in black text on a white background or a similar degree of color contrast between the background and the text of the disclaimer.

(c) Slate Mailers in Multiple Languages. The Notice to Voters in a slate mailer shall appear in English. In addition, if all or a significant portion of the slate mailer appears in a language other than English, the Notice to Voters must also appear in that language.

(d) In addition to applying to slate mailers sent by traditional mail, the slate mailer identification and disclaimer requirements of Section 84305.5 apply to slate mailers distributed electronically.

Note: Authority cited: Section 83112, Government Code. Reference: Section 84305.5, Government Code.

# TERMINATING YOUR COMMITTEE

For local candidates



## YOU MAY TERMINATE IF:

*(All the following criteria must be met.)*

- You have filed all required campaign statements.
- Your final campaign statement has a \$0 balance.
- You do not anticipate receiving further contributions.
- You do not anticipate making further expenditures.
- You are not expecting a refund for filing or ballot statement fees paid from committee funds.

## FORMS TO COMPLETE:

*In addition to checking the appropriate "Type of Statement" box, remember to check the "Termination" box on all termination statements.*

- Form 410 – File original with the Secretary of State (SOS) and a copy with your local filing officer
- Form 460 – File original with your local filing officer

## REMEMBER:

- Form 460 Semi-Annual Statements are due **January 31** and **July 31** (or next business day).
- Funds become surplus 90 days after the end of the semi-annual reporting period.
- Terminate by **December 31** to avoid paying next year's \$50 annual fee to the SOS.
- Verify if your local jurisdiction has campaign ordinances with additional requirements other than those imposed the Political Reform Act.

## BUT WHAT IF...

### **I filed a Form 470 (Officeholder and Candidate Campaign Statement - Short Form)?**

**Defeated** candidates who filed the Form 470 have no reporting obligations after the election if they did not raise or spend \$2000 or more during the election.

**Successful** candidates (officeholders) who filed the Form 470 and who do not raise or spend \$2,000 or more during the calendar year are required to file the Form 470 by July 31 each year if their elected position pays them \$200 or more per month.

**Judges** who filed a Form 470 should contact their filing officer for filing requirements.

### **I still have funds in my campaign bank account?**

Until the funds become surplus, you may use campaign funds for political, legislative, or governmental purposes. You may also donate funds to bona fide charitable, educational, civic, religious, or similar tax exempt, non-profit organizations. The donation may not personally benefit the candidate, treasurer, or his/her spouse or dependent children.

### **I have outstanding debt?**

You may file your termination statements showing outstanding debt. In doing so, you are declaring that you do not have the ability to discharge debts, loans, or other obligations. If you wish to continue fundraising, you may not terminate the committee.

### **I need more information?**

See FPPC Campaign Disclosure [Manual 2](#) for Local Candidates. You may also e-mail the FPPC for advice at [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or call 866-275-3772 Mon-Thurs., 9-11:30 a.m.



LOCAL CANDIDATES, SUPERIOR COURT JUDGES, THEIR CONTROLLED  
COMMITTEES, AND PRIMARILY FORMED  
COMMITTEES FOR LOCAL CANDIDATES  
CAMPAIGN DISCLOSURE **MANUAL 2**



# CONTENTS

<b>Introduction</b> . . . . .	<b>Introduction – 1</b>
<b>Chapter 1 – Local City and County Contribution Rules (AB 571)</b> . . . . .	<b>1.1</b>
A. Local Candidate Contribution Limits (AB 571)	
B. Transfers Between a Candidate’s Controlled Committees (AB 571)	
C. Post-Election Fundraising: Net Debts Outstanding (AB 571)	
D. Officeholder Committees (AB 571)	
E. Other Committees (AB 571)	
<b>Chapter 2 – Getting Started.</b> . . . . .	<b>2.1</b>
A. Candidates Raising and Spending Less than \$2,000	
B. Candidates Raising and Spending \$2,000 or More	
C. Candidate Controlled Committees – One Bank Account Rule	
D. Committees Primarily Formed to Support or Oppose a Candidate	
E. Establishing a Campaign Bank Account	
F. Form 501 – Candidate Intention Statement	
G. Form 470 – Officeholder and Candidate Campaign Statement – Short Form	
H. Form 410 – Statement of Organization	
<b>Chapter 3 – Finances/Recordkeeping</b> . . . . .	<b>3.1</b>
A. Committee Treasurer and Principal Officer	
B. Candidate/Officeholder Responsibilities	
C. Education	
D. Committee Audits	
E. Campaign Bank Accounts	
F. Recordkeeping	
G. Mass Mailings, Mass Emails, Telephone Calls, and Notices to Contributors of \$5,000 or More	
<b>Chapter 4 – Contributions</b> . . . . .	<b>4.1</b>
A. What is a Contribution?	
B. When is a Contribution Received?	
C. Contribution Exceptions	
D. Aggregating Contributions	
E. Reporting the Intermediary of a Contribution	
F. Reporting Various Types of Contributions	
G. Valuing Nonmonetary Contributions	
H. Valuing Mailings, Telephone Banks, Polls	
I. Notification to Contributors of \$5,000 or More	
J. Returning Contributions	

# CONTENTS

<b>Chapter 5 – Contribution Restrictions . . . . .</b>	<b>5.1</b>
A. Local Contribution Limits	
B. Restrictions under the Political Reform Act	
C. Public Funds and Public Resources	
D. Campaign Contributions and Disqualification	
<b>Chapter 6 – Use of Campaign Funds. . . . .</b>	<b>6.1</b>
A. Campaign Expenditures	
B. Surplus Funds	
<b>Chapter 7 – Communications. . . . .</b>	<b>7.1</b>
A. Payments for Communications Made by Candidate’s Campaign	
B. Payments for Communications Made by Others	
C. Other Communications	
D. Non-Contributions	
<b>Chapter 8 – Advertisement Disclosures . . . . .</b>	<b>8.1</b>
A. Which Communications Require an Ad Disclosure?	
B. How Must the Disclosure Appear?	
C. Advertisement Disclosures for Communications by Candidate Committees for Their Own Election	
D. Advertisement Disclosures for Independent Expenditure Ads Made by Committees Primarily Formed to Support or Oppose a Candidate	
E. Online Platform Disclosed Advertisements	
F. Mass Mailings – Emails and Postal Mailings	
G. Telephone Calls	
H. Electronic Media Ads	
I. Newspaper, Radio and Television Ads	
J. Paid Spokespersons for Ballot Measure Ads	
K. Updating a Disclosure	
L. Penalties	
<b>Chapter 9 – Committee Report . . . . .</b>	<b>9.1</b>
A. Completing the Form 460 Cover Page	
B. Completing the Form 460 Cover Page – Part 2	
C. Completing the Form 460 Summary Page	
D. General Rules for Reporting Contributions Received	
E. Completing the Form 460 Schedule A	
F. Completing the Form 460 Schedule B – Part 1	
G. Completing the Form 460 Schedule B – Part 2	
H. General Rules for Reporting Nonmonetary Contributions Received	

# CONTENTS

- I. **Completing the Form 460 Schedule C**
- J. **General Rules for Reporting Expenditures Supporting/Opposing Other Candidates, Measures, and Committees**
- K. **Completing the Form 460 Schedule D**
- L. **General Rules for Reporting Payments Made and Accrued Expenses (Unpaid Bills)**
- M. **Completing the Form 460 Schedule E**
- N. **Completing the Form 460 Schedule F**
- O. **General Rules for Reporting Payments Made by an Agent or Independent Contractor**
- P. **Completing Form 460 Schedule G**
- Q. **General Rules for Reporting Loans Made to Others**
- R. **Completing the Form 460 Schedule H**
- S. **General Rules for Reporting Miscellaneous Increases to Cash**
- T. **Completing the Form 460 Schedule I**
- U. **Amending the Form 460**

**Chapter 10 – When and Where to File the Form 460 . . . . . 10.1**

- A. **General Information**
- B. **When to File**
- C. **Where to File**

**Chapter 11 – Additional Reports . . . . . 11.1**

- A. **24-Hour/10-Day Contribution Report (Form 497)**
- B. **Independent Expenditure Reporting**
- C. **Special Odd-Year Report (Form 460 or 450)**
- D. **Advertisement Reports**

**Chapter 12 – After the Election and Terminating the Committee . . . . . 12.1**

- A. **Successful Candidates**
- B. **Defeated Candidates**
- C. **Candidates Using Leftover Campaign Funds for a Future Election**
- D. **Primarily Formed Committees**
- E. **Terminating the Committee**
- F. **Receiving a Refund After the Committee Has Terminated**

**Appendix – About the Political Reform Act/How to Get Help . . . .Appendix – 1**

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# INTRODUCTION

The purpose of California's Political Reform Act (Act) is to ensure that disclosure of political payments is accurate, timely, and made in a transparent manner. Clear and accurate disclosure is essential for making voters aware of who is paying for political messages so they may evaluate the content and make informed decisions when voting.

In California, the true source of a contribution must be disclosed. This manual sets out the campaign reporting requirements for:

- Local candidates
- Superior and Appellate Court judges and candidates for Superior and Appellate Court
- Local candidate controlled committees
- Committees primarily formed to support or oppose a local candidate(s)

Since the Act was approved by California voters in 1974, there have been more than 200 amendments to the Act's campaign disclosure provisions. This manual has been prepared to assist local candidates and committees in complying with the Act's numerous and often detailed rules. The manual is written in a "user friendly" format so that candidates and committees have a resource guide. At the end of each chapter, a list of statutes and regulations that provide authority for the information in that chapter is provided. The statutes and regulations may be accessed on the FPPC website.

This manual describes the state campaign finance and disclosure laws under the Act that apply to local candidates and committees. Many cities and counties have adopted local campaign ordinances that contain additional restrictions and requirements. Local candidates and committees should check with their local elections office or ethics agency to determine if there are additional local requirements and restrictions, such as contribution limits. Effective January 1, 2021 a default state campaign contribution limit applies to city and

county candidates when the city or county has not already enacted a contribution limit on such candidates per AB 571 (2019). Special rules apply to AB 571 candidate committees. Please see the FPPC's AB 571 fact sheet available on the FPPC website for additional rules applicable only to AB 571 candidates.

In addition, federal and state tax laws and other rules may also apply. The Appendix contains telephone numbers and website addresses for the Federal Election Commission, the Internal Revenue Service, the California Franchise Tax Board, and the Federal Communications Commission.

State candidates and officeholders, their controlled committees, and committees primarily formed to support or oppose a state candidate(s) should refer to FPPC's Campaign Disclosure Manual 1.

## Controlling Law

This manual summarizes key campaign disclosure laws and regulations and draws from years of FPPC staff advice on complying with the Act's campaign disclosure laws. Each committee's activity is different, however, and may raise issues not discussed in this manual. If there are any discrepancies between the manual and the Act or its corresponding regulations, the Act and its regulations will control.

## Need Help?

If you need assistance, the Fair Political Practices Commission (FPPC) provides advice by email and through a toll-free telephone advice line. The FPPC does not provide third party advice or advice on past conduct. The FPPC website ([www.fppc.ca.gov](http://www.fppc.ca.gov)) contains forms, manuals, and a wealth of other helpful information.

Email Advice	Telephone Advice
<a href="mailto:advice@fppc.ca.gov">advice@fppc.ca.gov</a>	1-866-ASK FPPC (1-866-275-3772)



# LOCAL CITY AND COUNTY CONTRIBUTION RULES (AB 571)

This chapter contains information on contribution rules for candidates and officeholders seeking a city or county elective office in a city or county that has not already enacted a contribution limit pursuant to AB 571. (Please see Stats. 2019, Ch. 556 AB 571 Mullin). Along with the new campaign contribution limit, there are also other related provisions that formerly applied only to state level candidates that now apply to city and county candidates. Please note that none of the provisions of AB 571 discussed in this chapter apply to candidates in cities or counties for which the city or county has enacted contribution limits. You can search the FPPC's website to see if the city or county has enacted a contribution limit.

This chapter reviews:

- Contribution Limits
- Transfers
- Post-Election Fundraising
- Officeholder Committees
- Legal Defense Committees
- Recall Committees

For information about ballot measure committees controlled by a local candidate or officeholder, see FPPC Campaign Disclosure Manual 3.

## A. City and County Candidate Contribution Limits (AB 571)

A candidate seeking election to a city or county office in a city or county that has not already enacted a contribution limit is subject to contribution limits from a single source per election. For purposes of contribution limits, the primary, general, special, and special runoff elections are separate elections. The chart below shows the limits per contributor for the type of office sought. Contribution limits may increase or decrease every two years based on changes in the Consumer Price Index. Regulations that set forth the amounts are adopted by the Commission.

### Per Election Limits on Contributions to City and County Candidates

**(For Elections Occurring from January 1, 2023 – December 31, 2024)**

The chart below shows the campaign contribution limits per contributor, per election, for city and county candidates in cities and counties that have not enacted campaign contribution limits.

<b>2023-2024 Contribution Limits for City and County Candidates in Cities and Counties That Have Not Enacted Limits</b>		
Person (individual, business entity, committee/PAC)	Small Contributor Committee	Political Party
\$5,500	\$5,500	\$5,500

### Timing

There are no restrictions on when a candidate may begin to fundraise for a city or county office, and contributions for a general or special election may be raised during or prior to a primary or special primary election for the same office. However, a candidate must file a Form 501 (Candidate Intention Statement) prior to soliciting or receiving contributions or making expenditures from personal funds. (Please see Chapter 2 for more information).

A city or county candidate in a city or county that has not enacted a campaign contribution limit who is defeated in the primary or special primary election, or who withdraws from the general or special general election, must return contributions received for the general or special general election to the contributors. The contributions are returned on a pro rata basis, less the cost of raising or administering the funds and expenses attributable to the general election paid prior to the primary election (e.g., media purchases).

## **Loans**

For city and county candidates in a city or county that has not enacted a campaign contribution limit, loans from third parties are contributions subject to limits. However, if a loan has been repaid, the lender, guarantor, endorser, or cosigner may make additional contributions to the same committee up to the limit. Please see Candidate Personal Funds below for more information on candidate loans to their own committee.

## **Candidate's Personal Funds**

Contribution limits do not apply to a candidate's personal funds contributed to their own campaign. However, a city or county candidate in a city or county that has not already enacted a contribution limit, may not have loans to their campaign with an outstanding balance of more than \$100,000 at any time. A candidate may not charge interest on a loan they make to the campaign. The \$100,000 limit on personal loans applies to loans from the candidate's personal funds as well as loans from a commercial lending institution which the candidate lends to their campaign. "Campaign" includes both the primary and general, or special and special runoff, elections. However, a candidate may loan each committee for a different office or term of office up to \$100,000.

## Extensions of Credit

When there is an agreement with the provider of goods or services that a city or county candidate in a city or county that has not already enacted contribution limits or committee will pay for the goods or services at a later date, the value of the goods or services may become a contribution to the candidate and be subject to contribution limits if the payment is not made within 45 days. (See Regulation 18530.7.)

## Contributions to Other City or County Candidate Committees

A candidate may not make a contribution over the default state contribution limit to another candidate in jurisdictions subject to the default state contribution limit with limited exceptions related to recall elections, legal defense funds, and candidate-controlled ballot measure committees. The limit is the same contribution limit imposed on legislative candidates. This contribution limit applies to the aggregate total of contributions made from the personal funds or assets of the candidate and contributions made by all committees controlled by that candidate.

## Contributions Over the Limit

Committees are not in violation of the Act's contribution limit if an "over the limit" contribution is returned to the contributor or the contribution is attributed to another election either: (1) within 14 days of receipt before deposit so long as the committee did not make use of the contribution prior to returning it, or (2) within 14 days of receipt even after deposit, so long as there was **no actual knowledge** the contribution was over the limit when deposited and the committee did not make use of the contribution prior to returning it. If a contribution is returned after it has been deposited it must be reported. A contribution must be reported even if not deposited if it is not returned to the contributor by the close of the reporting period. An over the limit nonmonetary contribution must be returned to the contributor within 14 days of receiving the contribution either in its original form, or in a monetary equivalent greater than or equal to the amount by which its value exceeds an applicable contribution limit.

A committee that receives a monetary contribution with **actual knowledge** that the contribution is over the applicable contribution limit in the Act may accept the contribution and return or attribute the portion in excess within 72 hours of receipt or before the date of the election, whichever is sooner without being in violation of the contribution limit. However, a committee is prohibited from making use of the excessive contribution prior to returning or attributing it and the amount of a contribution that may be accepted is capped at twice the applicable contribution limit.

A committee may request that the contributor attribute in writing a contribution to a different election. A committee may automatically attribute a portion of a contribution that is in excess of the applicable limit between the primary and general elections. A committee attributes a contribution when the committee designates the portion of the contribution in excess of the applicable limit to another election.

A committee that receives an excessive contribution **with or without actual knowledge** that the contribution was over the limit must inform the contributor:

- that their contribution was in excess of the applicable limit, and
- if the contribution was automatically attributed to the connected primary or general election, that the contribution was attributed and the contributor may request a refund.

## Recurring Contributions

A “recurring contribution” is a contribution from a person to a candidate or committee that is automatically charged to the person’s bank account, credit card, or other payment account on a repeated basis, such as weekly or monthly, without approval or any other affirmative consent by the person after their initial contribution to the candidate or committee.

A committee must obtain affirmative consent from a person making a recurring contribution at the time of the initial contribution. Any solicitation for a recurring contribution must be in a form that requires affirmative consent from the person making the contribution. Passive action by the contributor, such as failing to uncheck a pre-checked box authorizing a recurring contribution, does not meet the requirement of affirmative consent. A committee that accepts a recurring contribution is required to provide a receipt for each contribution, provide information necessary to cancel the recurring contribution, and immediately cancel a recurring contribution upon request.

A recurring contribution accepted in response to a solicitation that did not require affirmative consent must be returned to the contributor within 14 days of the earlier of the following:

- receipt of a request from the contributor to return the contribution, or
- the date on which the candidate or committee becomes aware that the solicitation of the recurring contribution was in violation of the Act.

A contribution accepted after a contributor requested to cancel a recurring contribution must be returned to the contributor within 14 days of the request to cancel the recurring contribution.

## **B. Transfers Between a Candidate's Controlled Committees (AB 571)**

A city or county candidate in a jurisdiction that has not already enacted contribution limits that has a qualified committee must establish a separate controlled committee and campaign bank account for each specific office. Candidates may not redesignate a committee for one election for another election.

A city or county candidate in a city or county that has not already enacted a contribution limit may transfer funds from their controlled elections committee to another committee. Except as discussed below, funds transferred from one of a city or county candidate's controlled election committees to another are subject to contribution limits. The transferred funds must be attributed to specific contributors of the committee making the transfer and count toward the amount those contributors may give to the committee receiving the transfer.

The committee making the transfer must choose between two attribution methods. The first is "LIFO" (last in, first out). This means that the amount to be transferred will be attributed to the most recent contributors to the transferring committee. The other method is "FIFO" (first in, first out), which means transferred funds will be attributed to the earliest contributors. Once the transferring committee has chosen LIFO or FIFO, it may not change the method of attribution.

## Example:

A city council member is running for county supervisor in 2024. The candidate uses the LIFO accounting method to transfer funds from the city council committee to their county supervisor committee as outlined in the table below. Because the 2022 contribution limit is \$4,900, only \$4,900 of Z Corporations original \$5,000 contribution to the city council committee may be transferred to the county supervisor committee. Riley Thomas has already contributed \$4,000 to the county supervisor committee, so only \$900 of their original \$1,000 contribution to the city council committee may be transferred to the county supervisor committee.

Donor	Date of Original Contribution	Amount of Original Contribution	Funds Attributed to Contributor
Taylor Smith	09/25/2020	\$1,000	\$1,000
Z Corp.	11/02/2020	\$5,000	\$4,900
Riley Thomas	12/10/2020	\$1,000	\$900

The committee making the transfer must report the transfer as an expenditure on Schedule E of the Recipient Committee Campaign Statement (Form 460). The committee receiving the transfer must report the transfer on Schedule A as follows:

- The date of the transfer and the name, address, and identification number of the committee making the transfer;
- The name, address and, if applicable, the occupation and employer or committee identification number of the contributor to whom the transferred funds are being attributed (as disclosed on the campaign statement filed when the contributions were originally received or as contained in the committee's records at the time of the transfer);
- The original date of the transferred contribution; and
- The amount of the transferred contribution, including the cumulative amount received from the contributor in the calendar year and the amount attributed to the contributor per election.

Some electronic filing formats may be different.



**Schedule A  
Monetary Contributions Received**

Amounts may be rounded  
to whole dollars.

SCHEDULE A

Statement covers period from <u>x/x/20xx</u> through <u>x/x/20xx</u>	<b>CALIFORNIA FORM 460</b> Page <u>x</u> of <u>xx</u>
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SEE INSTRUCTIONS ON REVERSE

NAME OF FILER Committee to Elect Gerard for County Supervisor 2024	I.D. NUMBER
---	-------------

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
10/xx/20xx	Gerard for City Council 20xx (Transfer, see below) 49 J Street, Sacramento, CA 95814 (ID 1914287)	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC				
09/25/20xx	Taylor Smith 7239 Hemingway Blvd. Rancho Palos Verdes CA 90274	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Orthodontist, Smith Smiles	\$1,000	\$1,000	P20xx: \$1,000
11/03/20xx	Z Corporation 2500 7th Avenue Los Angeles, CA 90013	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$4,900	\$4,900	P20xx: \$4,900
12/10/20xx	Riley Thomas 1095 Euclid Street La Habra Heights, CA 90631	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Dispatcher, La Habra Heights Police Department	\$900	\$4,900	P20xx: \$4,900

The committee making the transfer must maintain records that identify the specific contributors to whom any transferred contributions have been attributed. If the transferring committee is no longer required to maintain detailed records, the receiving committee shall maintain either:

- The full name of the contributor;
- The date and amount being transferred for each contributor, and if the contribution is a loan, the interest rate for the loan; and
- The cumulative amount of contributions transferred attributed to that contributor.

OR

- Copies of the transferring committee’s original verified and filed campaign reports that show the original contribution received from each contributor to whom a transferred contribution is attributed.

## Exceptions:

- **Surplus Funds:** Campaign funds that are “surplus funds” may not be transferred to a future election committee. A defeated candidate’s campaign committee funds become surplus 90 days after the post-election reporting period (either June 30 or December 31) following the election. An officeholder’s campaign committee funds become surplus 90 days after leaving office for which the funds were raised. For specific guidance, refer to Regulation 18951.
- **Carryover:** A city or county candidate in a city or county that has not already enacted a contribution limit may carry over campaign funds from the primary election to the subsequent general election for the same elective office without attribution. Non-surplus campaign funds may be carried over from one city or county election to the next election for the same office without attribution.

To carry over funds from one city or county election to the next election for the same office (e.g., from a 2020 city council election to the 2024 city council election), the funds must be transferred to a new campaign bank account and committee established for the next election, and the transfer must occur after the date of the election for which the funds were raised.

The transferring committee reports the transfer as an expenditure on Schedule E and the committee receiving the funds reports the transfer as an increase to cash on Schedule I.

A candidate that formed a campaign committee for a specific election and chooses not to seek the office and is not listed on the ballot may not “carryover” the funds, but may transfer the funds with attribution to another future election committee.

**QUICK TIP:** City and county candidates in a city or county that has not already enacted a contribution limit may raise funds after an election only to pay net debts outstanding. Campaign funds may not be carried over to a future election committee if the existing committee has net debt from the prior election.

- **Transferring Assets:** It is not necessary to value and attribute a committee's usual assets (such as supplies, furnishings, and office equipment) that are being transferred from one controlled committee to another of the candidate's controlled committees. A committee must report the purchase or sale of these assets, but need not report the transfer.

Detailed reports must be maintained on transfers.

### C. Post-Election Fundraising: Net Debts Outstanding (AB 571)

City and county candidates in cities and counties that have not already enacted a contribution limit may receive contributions after an election only to pay net debts outstanding from the election. The primary and general elections are separate elections for the purposes of calculating net debt. In addition, the contribution limits applicable to the election apply to any new contributions received to pay net debt.

To calculate net debts outstanding, the following are added together:

- The total amount of unpaid debts, loans, and accrued expenditures incurred with respect to the election;
- An amount necessary to cover the cost of raising funds to pay outstanding debts;
- Costs related to complying with post-election requirements, such as filing campaign statements, and other necessary administrative costs associated with winding down the campaign, including office space rental, staff salaries, and office supplies; and
- Legal fees and expenses incurred in connection with monitoring a ballot recount or the counting of absentee or provisional ballots.

That amount is reduced by:

- The total cash on hand available to pay those debts and obligations, including: currency; balances on deposit in banks, savings and loan institutions, and other depository institutions; traveler's checks; certificates of deposit; treasurer bills; and any other committee investments valued at fair market value; and
- The total amounts owed to the candidate controlled committee in the form of credits, refunds of deposits, returns, or receivables, or a commercially reasonable amount based on the collectability of those credits, refunds, returns, or receivables.

As new funds are received, the amount of the net debts outstanding is reduced. The amount of new contributions may not exceed the amount of net debts outstanding on the date the contribution is received. Any contribution that exceeds the amount of net debts outstanding must be returned to the contributor within 14 days.

**Ex 1.1** - Tom ran for district attorney in 2022. After the general election, Tom had \$45,000 in cash left and owed only \$20,000 in accrued expenses from the primary election and none from the general election. Tom may not raise additional funds into the 2022 committee.

**Ex 1.2** - Jane ran for county supervisor in 2022. After the primary election, Jane had \$30,000 in cash left and owed \$50,000 in unpaid loans and accrued expenses. Jane may raise \$20,000 to pay this debt, plus an amount needed to cover the fundraising expenses and other administrative costs. All contributions received are subject to the contribution limits that were in effect for the 2020 election.

## D. Officeholder Committees (AB 571)

Officeholder committees are not permitted for city and county candidates subject to the default state contribution limit. However, a candidate may use a committee for the officeholder's future election for officeholder expenses. A candidate may also use existing funds in the election committee for current office for officeholder expenses.

## E. Other Committees (AB 571)

### Legal Defense Committees

City and county candidates and officeholders may establish a legal defense fund to defray attorney's fees and other related legal costs incurred for the candidate's or officeholder's legal defense if the candidate or officeholder is subject to a civil or criminal proceeding, or an administrative proceeding arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officeholder's governmental activities and duties.

A separate bank account and committee must be established. The legal defense committee will file campaign statements at the same times and in the same place as the candidate's election committee.

Contributions raised for a legal defense fund are not subject to contribution limits.

**QUICK TIP:** The Form 410 must specify the legal dispute or disputes for which the legal defense fund was established.

Legal defense funds may only be raised in an amount reasonably calculated to pay attorney's fees and other legal costs related to the defense of the candidate or officeholder, as well as administrative costs directly related to compliance with recordkeeping and reporting requirements. Legal defense funds may not be used for fundraising, media or political consulting fees, mass mailings or other advertising, or for paying fines, penalties, judgements or settlements, or to return contributions. (Please refer to Regulation 18530.45.)

## Recall Election Committees

All candidates and committees that raise and spend funds in connection with a recall election have full reporting and disclosure obligations. The FPPC publishes filing schedules for these elections.

**Target Officeholder:** A city or county officeholder who is the target of a recall may form a separate committee to oppose the qualification of the recall measure and, if the recall petition qualifies, the recall election. The officeholder has the option of using their existing committee or committee formed for a future election instead.

If a separate committee is formed, the following rules apply:

- The committee may be established only after the officeholder receives a notice of intent to recall under Elections Code Section 11021.
- A Statement of Organization (Form 410) must be filed and a separate bank account must be established.
- The committee name must include the word “recall” and the target officer’s name.
- Contributions to the committee are not subject to limits.
- After the recall election, or if the recall petition fails, funds left over become restricted “surplus funds” and must be spent within 30 days (See Chapter 6.)

**Replacement Candidate:** A candidate running to replace an officeholder who is the target of a recall is subject to the contribution limits. A replacement candidate must file campaign forms (e.g., Form 501, Form 410, Form 497, Form 460) in the same manner as a candidate seeking a regular election.

**Committee Primarily Formed to Support or Oppose a Recall:** A committee formed to support or oppose a recall is considered to be a ballot measure committee. Refer to FPPC Campaign Disclosure Manual 3 for guidance.

## Answering Your Questions

**A. If a city or county does not currently have contribution limits set within their ordinance would the state contribution limit be the default?**

Yes. The state contribution limit would be the default contribution limit if the city or county ordinance is silent on whether there are contribution limits within that jurisdiction or if there is no city or county ordinance in place.

**B. If a city or county has voluntary contribution limits, but no mandatory contribution limits will the state limit be applicable?**

Yes. A city or county must enact mandatory contribution limits to avoid the state limit applying to elective city and county offices.

**C. Does the default contribution limit also include judicial candidates?**

No. Elective city and county offices do not include judicial offices.

**D. Can a city or county ordinance be less restrictive than the AB 571 limit (e.g., the city or county limit is set higher than the state limit)?**

Yes. A city or county can set contribution limits higher than the default state limit.

**E. If a city or county imposes contribution limits, is the Commission responsible for enforcing those limits?**

No. The Commission will not regulate the administration or enforcement of the penalties. Cities or counties with existing limits or that adopt their own limits are not subject to the state limit and may impose their own penalties for violations.

**F. If a city or county has imposed contribution limits for particular city or county offices (e.g., Board of Supervisors), do those limits also apply to other positions such as the District Attorney or would the default state limit apply if a particular position is not specifically addressed by the city or county?**

The default state contribution limit would apply to other positions which the city or county has not set contribution limits. A city or county ordinance must explicitly state the city or county contribution limits and for which elective offices those limits will apply. A city or county may adopt a general provision implementing a contribution limit for all elective city and county offices in that jurisdiction.

**G. Does AB 571 apply to special district or school district elections?**

No. AB 571 applies only to city and county elections for offices that a city or county has not implemented its own contribution limit.

**H. Does AB 571 apply to County Superintendent of Schools or the office of County Board of Education?**

AB 571 does apply to the office of County Superintendent of Schools because it is considered a “county” office. However, the office of County Board of Education is not subject to AB 571 because it is not considered a “county” position.



**I. Can candidates that are subject to the AB 571 contribution limit open an officeholder committee?**

No. Officeholder committees are not permitted for candidates subject to the AB 571 contribution limit. However, a candidate may use a committee for the officeholder's future election for officeholder expenses. A candidate may also use existing funds in the election committee for current office for officeholder expenses.

**J. If a contribution was received for an election occurring after January 1, 2021, prior to the January 1, 2021, does this contribution count towards the AB 571 contribution limit after January 1, 2021?**

No. The Commission adopted a formal opinion on April 15, 2021 that states contributions made prior to the effective date of AB 571 are not aggregated with contributions made on or after the effective date of AB 571 for purposes of the new contribution limit. Therefore, if someone contributed up to or above the current limit to an AB 571 committee prior to January 1, 2021 the same person can give additional contributions to the same committee up to the AB 571 contribution limit on or after January 1, 2021.

**K. If a contributor gave \$10,000 in 2020 (prior to the AB 571 limit going into effect) to a committee for a 2022 primary election, what happens?**

The AB 571 contribution limit does not apply to contributions made prior to January 1, 2021 so a contribution of this amount is permissible.

**L. Does the AB 571 contribution limit apply to county central committee candidates?**

No. AB 571 imposes a contribution limit on city and county elective offices when a local jurisdiction has not already done so. Local jurisdictions are prohibited from placing contribution limits on county central committee candidates; therefore AB 571 is not applicable to these offices.

**M. An AB 571 candidate for city council would like to send out a request for contributions to their constituents. Do they need to include anything specific in the request?**

Yes. A candidate that is subject to AB 571 must have the following information in the solicitation: the name of the controlled committee soliciting contributions, and the specific office for which those contributions will be used.

**N. If an AB 571 candidate is the subject of a recall, is their committee to oppose the recall subject to contribution limits?**

No. There are no contribution limits for a committee controlled by a candidate that is the subject of a recall that is formed to oppose the recall.

**O. An AB 571 candidate has debts for an election held after January 1, 2021, may the candidate terminate their committee?**

No. If a candidate-controlled committee has outstanding debts for an election held after January 1, 2021, they may not terminate without resolving or paying off the debt. When the committee has no net debts outstanding, the committee must be terminated within 24 months after the earliest of the date the candidate is defeated, leaves office, or the term of office for which the committee was formed ends, or, for withdrawn candidates no later than 24 months after the election from which the candidate withdrew. Please see Regulation 18404.1 for more on termination requirements.

**P. If a local jurisdiction, which is subject to AB 571 passes a local campaign contribution ordinance, are the candidates still subject to AB 571?**

No. They would no longer be subject to AB 571.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

82015	Contribution.
82015.5	Contribution; Aggregation.
82022.5	Election-Related Activities.
82025	Expenditure.
82047	Person.
85204.5	Special Election Cycle and Special Runoff Election Cycle.
85301	Limits on Contributions from Persons.
85303	Limits on Contributions to Committees and Political Parties.
85304.5	Legal Defense Fund; Local Candidates and Elected Officeholders.
85305	Restrictions on Contributions by Candidates.
85306	Transfers Between a Candidate's Own Committees; Use of Funds Raised Prior to Effective Date.
85307	Loans.
85314	Special Elections and Special Runoff Elections as Separate Elections.
85315	Elected City and County Officer Recall Committees.
85316	Post-Election Fundraising Restrictions; City and County Officeholder Accounts.
85317	Carry Over of Contributions.
85318	Contributions Received for Primary and General Elections.
85319.5	Attribution of Contributions.
85701.5	Recurring Contributions.
85702.5	Default Contribution Limits for City and County Jurisdictions.
89519	Use of Surplus Campaign Funds.

## Title 2 Regulations

- 18215 Contribution.
- 18404.1 Termination and Reopening of Committees.
- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18421.4 Reporting Cumulative Amounts for Elections and Recipient Committees.
- 18421.8 Reporting an Expenditure by a Candidate
- 18521 Establishment of Separate Controlled Committee for Each Campaign Account.
- 18521.5 Ballot Measure Committees Controlled by Candidates for Elective State, City, or County Office
- 18523.1 Written Solicitation for Contributions.
- 18530.2 Transfer of Funds Raised Prior to Proposition 34 Limits.
- 18530.7 Extensions of Credit.
- 18530.8 Personal Loans.
- 18531 Return of Excessive Contributions.
- 18531.2 Refunding General Election Contributions.
- 18531.5 Recall Elections.
- 18531.61 Treatment of Debts Outstanding After an Election
- 18531.63 Treatment of Debts Outstanding After a City or County Election for Offices Subject to AB 571.
- 18531.64 Treatments of Debts Outstanding After a City or County Election.
- 18535 Restrictions on Contributions Between State, City and County Candidates.
- 18536 Transfer and Attribution of Contributions.
- 18537 Contribution Limits and Application to Repaid Loans.
- 18537.1 Carry Over of Contributions.
- 18545 Contribution Limit and Voluntary Expenditure COLA Formula.
- 18951 Surplus Funds.

# GETTING STARTED

This chapter outlines the requirements for candidates and committees primarily formed to support or oppose a candidate(s) to start their campaigns. In the Political Reform Act (Act) and this manual, “candidates” includes non-incumbent candidates, officeholders, officeholders running for reelection, and officeholders running for election to another office.

**QUICK TIP:** Elected officials are included as “candidates” under the Act until they have left elective office and terminated any committees.

Before raising or spending money in connection with an election, candidates and committee treasurers should become familiar with the various campaign disclosure forms applicable to the type of campaign or committee involved.

The chapter is broken down by candidates who will raise and spend less than \$2,000, candidates who will raise and spend more than \$2,000, and committees primarily formed to support or oppose a candidate(s) that are not controlled by the candidate(s) being supported.

**QUICK TIP:** The FPPC’s website includes a comprehensive and user- friendly toolkit for new candidates.

In addition to filing the **campaign statements** described in this chapter, most candidates must also file a **Statement of Economic Interests** (Form 700). The Form 700 is used to disclose an individual’s personal financial interests that could potentially be affected by the individual’s decision making. Candidates must disclose investments and interests in real property held on the day the declaration of candidacy is due, as well as income received during the 12 months prior to the date of filing the declaration of candidacy. The Form 700 candidate statement is due no later than the final filing date for the

declaration of candidacy and is filed with the city clerk or county elections office where the declaration of candidacy is filed. The FPPC's website contains additional information about the Form 700.

**QUICK TIP:** Campaign reports and statements filed in paper format with a local government agency will have a redacted copy available online on the agency's website within 72 hours after the filing deadline of the report or statement.

## A. Candidates Raising and Spending Less than \$2,000

A candidate who does not plan to raise or spend \$2,000 or more in a calendar year, including the candidate's personal funds, must file one or both of the following campaign statements.

- **Form 501 (Candidate Intention Statement).** The Form 501 must be filed only if the candidate plans to raise or spend any money, including the candidate's personal funds.
- **Form 470 (Officeholder and Candidate Campaign Statement—Short Form).** The Form 470 may be filed by a candidate or officeholder who does not anticipate raising or spending \$2,000 or more in a calendar year.

Personal funds used to pay filing or ballot statement fees are not counted toward the \$2,000 committee qualification threshold. If a candidate does not raise any money and personal funds are used only to pay filing or ballot statement fees, the candidate is not required to file the Form 501.

If *any* monetary contributions will be received from others, a separate campaign bank account must be established.

If a candidate files the Form 470 covering a calendar year and later in that calendar year receives contributions totaling \$2,000 or more, the candidate must file a Form 470 Supplement. The candidate must also file the Form 410 (Statement of Organization) and begin filing the Form 460 (Recipient Committee Campaign Statement). If a bank account has not already been established, the candidate must also establish a campaign bank account.

**QUICK TIP:** Personal funds used to pay filing or ballot statement fees are not counted toward the \$2,000 threshold.

### **Exception: County Central Committee Candidates**

- A candidate for a county central committee of a qualified political party is a local candidate. If a candidate for county central committee receives contributions of less than \$2,000 and makes expenditures of less than \$2,000, the candidate is not required to file any campaign reports or statements, including the Form 410, 501, 460, and/or Form 470 unless the candidate has one or more open committees for other races. A county central committee candidate who has not raised or spent \$2,000 or more for the county central committee race, but who has an open committee for another seat or past election, may have cross-filing obligations. For example, if a county central committee candidate has not raised or spent \$2,000 or more in connection with the county central committee race, but has an open committee for a different office in another jurisdiction the central committee candidate will need to cross-file in both jurisdictions for the open committee on dates that semi-annual or preelection reports are triggered by the open committee. (For more information on cross-filing please see Regulation 18405 and Chapter 9 of this manual.)

County central committee candidates who raise or spend \$2,000 or more in a calendar year are subject to the Act's campaign reporting requirements, and must file campaign reports and statements including a Form 501, 410, and 460.

County central committee candidates never file a Form 700, no matter how much they raise or spend.



## B. Candidates Raising and Spending \$2,000 or More

A candidate who plans to raise or spend \$2,000 or more in a calendar year, including the candidate's personal funds, must:

- File the **Form 501 (Candidate Intention Statement)**.
- Establish a campaign **bank account**.
- File the **Form 410 (Statement of Organization)**.

A candidate or officeholder who would like to use leftover campaign funds from a previous election must redesignate or transfer the funds before they become "surplus funds." (See Chapters 5 and 11.)

As discussed in detail later in the manual, once a candidate controlled committee has raised or spent \$2,000 or more, the following reports must also be filed:

- **Form 497 (24-Hour/10-Day Contribution Report)**. Within 90 days before the election, including the date of the election, if a committee receives a contribution(s) of \$1,000 or more from a single source, the Form 497 must be filed within 24 hours.
- **Form 460 (Recipient Committee Campaign Statement)**. The Form 460 contains an overview of the committee's activity during a specified period. It is used to file semi-annual and preelection statements.

### Committees Controlled by Two or More Candidates

If two or more candidates form one committee to support their candidacies for elective office, such as a slate of candidates running for school board or city council, they must:

- Each file the **Form 501 (Candidate Intention Statement)**.
- Establish **one bank account** for the committee (each candidate must deposit all contributions and make all expenditures from this bank account).
- File one **Form 410 (Statement of Organization)**.

Committees controlled by two or more candidates file only one **Form 460 (Recipient Committee Campaign Statement)** to disclose the committee's activity each time the statement is due.

### C. Candidate Controlled Committees – One Bank Account Rule

Under the Act, a candidate or officeholder must establish one controlled committee with one bank account for each election. All contributions must be deposited in and all expenditures must be made from the campaign bank account. The Act's one committee/one bank account rule for candidates and elected officeholders gives clear disclosure of the candidate or elected officeholder's campaign finances and ensures compliance with applicable local and state contribution limits. A committee set up by the candidate or officeholder for their election is the candidate's controlled committee.

**QUICK TIP:** A candidate or officeholder may only have one bank account per committee.

A candidate controls a committee if they have a significant influence on the actions or decisions of the committee or acts jointly with the committee in connection with its expenditures. Under the one committee/one bank account provisions of the Act, a candidate or officeholder who controls a committee for their election may not at the same time control a general purpose committee, such as an "Improve River City" committee. In limited circumstances, exceptions to the one committee/one bank account rule exist to permit a local candidate or officeholder to control a ballot measure committee, legal defense fund, or officeholder expense committee (if provided by local ordinance).

## D. Committees Primarily Formed to Support or Oppose a Candidate

A “primarily formed committee” is formed to support or oppose a single candidate or a group of candidates all being voted on in the same election but is not controlled by the candidate(s) who is being supported. Primarily formed committees:

- Must file **Form 410 (Statement of Organization)**.
- Should establish a campaign **bank account**.

**QUICK TIP:** A “primarily formed candidate committee” is a committee not controlled by a candidate and whose main activity is making independent expenditures for the candidate or against their opponent.

**QUICK TIP:** A candidate’s own committee for election is not a “primarily formed” committee although it supports one candidate – it is a “candidate controlled” committee.

As discussed in detail later in the manual, once a committee has raised or spent \$2,000 or more, the following reports must also be filed:

- **Form 497 (24-Hour/10-Day Contribution Report)**. Within 90 days before the election, including the date of the election, if a primarily formed committee makes a contribution(s) of \$1,000 or more to a candidate or ballot measure committee or receives a contribution(s) of \$1,000 or more from a single source, the Form 497 must be filed within 24 hours.
- **Form 496 (24-Hour/10-Day Independent Expenditure Report)**. Within 90 days before the election, including the date of the election, if a primarily formed committee makes an independent expenditure of \$1,000 or more, the Form 496 must be filed within 24 hours. The **Form 462 (Verification of Independent Expenditures)** must also be filed. See Chapter 10 for additional information on the Form 462.

- **Form 460 (Recipient Committee Campaign Statement).**  
The Form 460 contains an overview of the committee's activity during a specified period. It is used to file semi-annual and preelection statements.

A primarily formed committee is not required to file the Form 501. A primarily formed committee with little or no activity may be eligible to file the Form 450 or Form 425 instead of the Form 460. (See Chapter 8.)

## E. Establishing a Campaign Bank Account

Candidates who anticipate soliciting or receiving contributions from others, or who anticipate spending \$2,000 or more of their personal funds in connection with their election, must open a campaign bank account. The account may be established at any financial institution (i.e, bank, credit union) located in California. A candidate's personal funds used to pay the filing fee or the ballot statement fee do not count toward the \$2,000 committee qualification threshold.

Under the Act's one bank account provisions discussed above, a candidate or officeholder may only have one controlled committee with one bank account per election. Candidates running for one office while holding another may establish a separate campaign bank account for each office, but may not have more than one bank account per office per election.

Although primarily formed committees are not required to establish a campaign bank account, it is recommended that they do so. Pre-numbered and pre-printed checks with the committee's name are useful in meeting the recordkeeping requirements described in Chapter 2.

**QUICK TIP:** The Political Reform Act does not require a federal tax ID number. However, most banks will require one in order to open a campaign bank account. A tax ID number may be obtained on the IRS website, [www.irs.gov](http://www.irs.gov).

Campaign contributions may not be commingled with any individual's personal funds. All contributions must be deposited in, and expenditures must be made from, the campaign bank account. Except as noted below, candidates must first deposit personal funds to be used for the campaign in the campaign bank account before making campaign expenditures, even if the candidate does not expect to be reimbursed.

**QUICK TIP:** Campaign funds must be kept separate from personal funds.

### Exceptions:

- Candidates may use their personal funds to pay a filing fee, a ballot statement fee, or the \$50 Secretary of State fee, without first depositing the funds into the campaign bank account.
- An officeholder may use personal funds to pay officeholder expenses.
- A candidate may contract with a vendor or collecting agent to collect contributions prior to promptly transferring the funds to the candidate's campaign bank account without violating the requirement that the candidate have no more than one bank account. Fees deducted by the vendor are considered expenditures from the campaign bank account at the time they are deducted.

## F. Form 501 – Candidate Intention Statement

Before soliciting or receiving any contributions or making expenditures from personal funds, a candidate must file the Form 501 with the filing officer who will receive the candidate's original campaign statements (i.e., city clerk or county elections). Judicial candidates file the Form 501 with the Secretary of State. A new Form 501 must be filed for each election for a specific office. Please note that a new Form 501 is required when seeking reelection to the same office. However, a new Form 501 is not required for the general election or special general election if the candidate filed a Form 501 for the connected primary or

special primary election for the same office sought. The Form 501 is considered filed on the date it is postmarked or hand-delivered.

**Example:** Todd Smith filed a Form 501 for the June 2022 primary election as a candidate for county supervisor. Todd Smith was a successful candidate in the June 2022 primary election and advanced to the November 2022 general election ballot. Todd Smith is not required to file a new Form 501 for the connected November 2022 general election since Todd filed a Form 501 prior to the June 2022 primary election for the same office sought.

<b>Candidate Intention Statement</b>		Date Stamp	<b>CALIFORNIA FORM 501</b>
<b>A</b> <b>Check One:</b> <input checked="" type="checkbox"/> Initial <input type="checkbox"/> Amendment (Explain) _____ _____			For Official Use Only
<b>1 Candidate Information:</b>			
NAME OF CANDIDATE (Last, First Middle Initial) Cole, Rayna	DAYTIME TELEPHONE NUMBER ( 707 ) 555-1234	FAX NUMBER (optional) ( 707 ) 555-1235	EMAIL (optional) rcole@gmail.com
STREET ADDRESS 1212 Fourth Avenue	CITY Oakmont	STATE CA	ZIP CODE 95443
OFFICE SOUGHT (POSITION TITLE) City Council	AGENCY NAME City of Oakmont	DISTRICT NUMBER, if applicable 1	<input checked="" type="checkbox"/> NON-PARTISAN OFFICE
OFFICE JURISDICTION <input type="checkbox"/> State (Complete Part 2.) <input checked="" type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Multi-County: _____ (Name of Multi-County Jurisdiction)		20XX (Year of Election)	PARTY PREFERENCE: (Check one box, if applicable.) <input type="checkbox"/> PRIMARY / GENERAL <input type="checkbox"/> SPECIAL / RUNOFF
<b>2 State Candidate Expenditure Limit Statement:</b>			
<i>(CalPERS and CalSTRS candidates, judges, judicial candidates, and candidates for local offices do not complete Part 2.)</i>			
(Check one box)			
<input type="checkbox"/> I <b>accept</b> the voluntary expenditure ceiling for the election stated above.			
<input type="checkbox"/> I <b>do not accept</b> the voluntary expenditure ceiling for the election stated above.			
Amendment:			
<input type="radio"/> I did not exceed the expenditure ceiling in the primary or special election held on: ____/____/____ and I accept the voluntary expenditure ceiling for the general or special run-off election.			
(Mark if applicable)			
<input type="checkbox"/> On ____/____/____, I contributed personal funds in excess of the expenditure ceiling for the election stated above.			
<b>3 Verification:</b>			
I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.			
Executed on _____ <small>(month, day, year)</small>	[Date Required]	Signature _____ <small>(Candidate)</small>	[Signature Required]

## Completing the Form 501

### **A** Type of Statement

Check the appropriate box to indicate the type of statement being filed:

- Initial: If this is the first Form 501 being filed for the election.
- Amendment: If any changes occur on a previously filed Form 501 (e.g., a change of address). Provide a brief explanation of the change(s).

### **1** Candidate Information

Provide the candidate's full name, street address (a business address may be used), and a daytime telephone number. A fax number and email address may also be provided.

#### **Office Sought**

Enter the title of the office sought (e.g., County Supervisor).

#### **Agency Name**

Enter the name of the agency (e.g., County of Riverside).

#### **District Number**

Enter the district number or letter, if applicable.

#### **Office Jurisdiction**

Check the appropriate box to indicate the jurisdiction of the office being sought:

- Multi-County: Candidates seeking an elective office where the jurisdiction of the agency contains parts of two or more counties (e.g., water district). Enter the name of the multi-county jurisdiction.
- County: Candidates seeking an elective county office (including Superior Court judge and most school board members).
- City: Candidates seeking an elective city office.

## Year of Election

Enter the year of the election for the office being sought. Month and day are not required.

## 2 State Candidate Expenditure Limit Statement

This section does not apply to local candidates. It applies only to candidates for State Senate and Assembly and candidates seeking a state office.

## 3 Verification

The Form 501 must be signed by the candidate. It is not considered filed if it is not signed.

## Answering Your Questions

### A. When may I begin to solicit and receive contributions for my election?

You may solicit and receive contributions once you have mailed or hand-delivered the Form 501.

### B. I am only going to pay the required county election fees to get my name on the ballot. No additional money will be raised or spent. Must I file the Form 501?

No. As long as your only expenditures are for the ballot qualification fees and no money will be raised, the Form 501 is not required.

### C. Am I required to file the Form 501 when I run for reelection to the same office?

Yes. If you seek reelection to the same office, you are required to file an "Initial" Form 501 prior to raising or spending any money for the new election.



**D. Am I required to file a document to withdraw as a candidate?**

The FPPC does not administer the laws that govern what candidates must do to appear on a ballot or to remove their names from a ballot. Contact your local filing officer.

**E. Am I required to file the Form 501 if I will set up a committee to fight my recall?**

No. An officeholder who is the target of a recall is not required to file the Form 501.

**F. Am I required to file the Form 501 if I am a replacement candidate in a recall election?**

Yes. Replacement candidates must file the Form 501.

**G. Are candidates who are seeking election to a particular district or seat (e.g., city council or community college board of trustees) required to specify the district/seat on the Form 501?**

Yes. Each district/seat on the city council or the community college board of trustees is considered a specific office. Note: The “district number” is not required for candidates running for mayor or city council at large.

**H. I have completed the process to be an official write-in candidate. Do I have any reporting obligations?**

Yes. You have the same reporting obligations as any other candidate.

**I. I am a candidate for a county central committee and would like to create a mailer for myself and a few other central committee candidates. May we create a mailing together and are there any reporting requirements?**

Yes, you may. If each candidate's total spending on all of their campaign activity (including the mailer) remains below \$2,000 in a calendar year, there are no reporting requirements. If a candidate spends \$2,000 or more for their share of the mailer, or \$2,000 or more on total campaign activity, there are reporting requirements.

## **G. Form 470 – Officeholder and Candidate Campaign Statement – Short Form**

The Form 470 must be filed by a candidate or officeholder who does not anticipate raising or spending \$2,000 or more in a calendar year. Payments from the candidate's personal funds used to pay filing or ballot statement fees do not count toward the \$2,000 committee qualification threshold.

**QUICK TIP:** If the Form 470 is filed and the candidate then raises or spends \$2,000 or more in that calendar year, the candidate must file the Form 470 Supplement, the Form 410, and begin filing the Form 460.

The Form 470 may not be used if the candidate or officeholder has an existing controlled committee established for a past election, future election, or ballot measure (including recalls).

There are special exceptions, discussed below, that apply to judges and unpaid elected officeholders (officeholders who receive salaries of less than \$200 per month).

## When to File the Form 470 in Connection With an Election

### Non-Incumbent Candidates

**Candidates on ballot in first six months of the calendar year.** The Form 470 may be filed with the declaration of candidacy but must be filed no later than the deadline for the first preelection statement.

**Ex 2.1** - Non-incumbent judicial candidate Janice Chambers is listed on the November ballot. Janice does not intend to raise or spend \$2,000 in connection with the election. By June 30, Janice had received no contributions and Janice's only expenditures were for the filing and ballot statement fees paid for with personal funds. Janice is required to file Form 470 by the first preelection filing deadline.

**Candidates on ballot in last six months of the calendar year.** If the candidate receives contributions or makes expenditures:

- Before June 30: Form 470 must be filed by July 31.
- After June 30: Form 470 may be filed with the declaration of candidacy but must be filed no later than the deadline for the first preelection statement.

Candidates running in an election in the first three months of the year may be required to file the Form 470 in October, November, or December of the previous non-election year, as well as in the election year. Candidates should review the applicable filing schedule.

### Officeholders on the Ballot

If an officeholder will be listed on a ballot during the first six months of the calendar year, the Form 470 (covering the year of the election) may be filed with the declaration of candidacy but must be filed no later than the filing deadline for the first preelection statement required in connection with the election. If the election will be held during the last six months of the calendar year, the Form 470 must be filed no later than July 31.

**Ex 2.2** - A city council election will be held in February. The first preelection statement for this election is due in December of the previous year. A candidate that does not meet the \$2,000 committee threshold must file the Form 470 by the first preelection statement due date. The second preelection statement is due in January. If the candidate will not raise or spend \$2,000 or more during the year of the election, another Form 470 covering the entire calendar year of the election must be filed by the second preelection statement deadline since the Form 470 filed in December of the previous year covered the period ending December 31 of that calendar year.

### **Judges and Unpaid Elected Officeholders on the Ballot**

During an election year, the deadline for filing the Form 470 will depend on the date of the election. Judges and unpaid officeholders running in an election during the first six months of the year may file the Form 470 (covering the year of the election) with the declaration of candidacy but must be filed no later than the filing deadline for the first preelection statement required in connection with the election.

If the election will be held during the last six months of the year, the Form 470 must be filed by July 31 if any funds were raised or spent (other than the candidate's personal funds for a filing or ballot statement fee) between January 1 and June 30. If no contributions were received or expenditures made by June 30, the Form 470 may be filed with the declaration of candidacy but must be filed no later than the filing deadline for the first preelection statement required in connection with the election.

## Officeholders and Judges Not on a Ballot

See Chapter 9 for the reporting obligations of officeholders and judges who are not listed on the ballot.

**Ex 2.3** - A city council election will be held in February. The first preelection statement for this election is due in December of the previous year. A candidate that does not meet the \$2,000 committee threshold must file the Form 470 by the first preelection statement due date. The second preelection statement is due in January. If the candidate will not raise or spend \$2,000 or more during the year of the election, another Form 470 covering the entire calendar year of the election must be filed by the second preelection statement deadline since the Form 470 filed in December of the previous year covered the period ending December 31 of that calendar year.

## Where to File Form 470

Candidate/Officeholder	Where to File	What to File
Judges	Secretary of State	Original and one copy*
	County of Domicile	One copy
Multi-County Offices (Local agencies with jurisdiction in more than one county)	County with largest number of registered voters	Original and one copy
	County of Domicile, if different	One copy
County offices	County Elections Office	Original and one copy
City offices	City Clerk	Original and one copy

\*Effective, January 1, 2023, filers required to file a report or statement by paper **with the Secretary of State** may instead file the paper report or statement by email. All statements must be signed using a verified digital signature. Please access the Secretary of State's [website](#) for more information on how to file with a digital signature.

**Officeholder and Candidate  
Campaign Statement –  
Short Form**

Date Stamp	<b>CALIFORNIA FORM 470</b>
	For Official Use Only

**A** Date of election if applicable:  
(Month, Day, Year)

6/6/XX

**Amendment** (Explain Below)

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**1** Statement Covers Calendar Year 20 XX .

**2** **Officeholder or Candidate Information**

NAME OF OFFICEHOLDER OR CANDIDATE  
Rayna Cole

STREET ADDRESS  
1212 Fourth Avenue

CITY STATE ZIP CODE  
Oakmont CA 95443

AREA CODE/DAYTIME PHONE NUMBER EMAIL ADDRESS  
707-555-1234 rcole@gmail.com

OPTIONAL: FAX  
707-555-1235

**3** **Office Sought or Held**

OFFICE SOUGHT OR HELD  
City Council

JURISDICTION (LOCATION) DISTRICT NUMBER (IF APPLICABLE)  
City of Oakmont 1

**4** **Committee Information**

List all committees of which you have knowledge that are primarily formed to receive contributions or to make expenditures on behalf of your candidacy.

COMMITTEE NAME AND I.D. NUMBER	COMMITTEE ADDRESS	NAME OF TREASURER
Friends Supporting Rayna Cole for City Council 20XX ID Number 1533XX	1618 C Street Oakmont, CA 95443	Gabriel Stoll

**5** **Verification**

I anticipate that I will receive less than \$2,000 and that I will spend less than \$2,000 during the calendar year. I have used all reasonable diligence in preparing this Statement. I have reviewed this Statement and, to the best of my knowledge, the information contained in it is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on \_\_\_\_\_ [Date Required] \_\_\_\_\_ [Signature Required] \_\_\_\_\_  
DATE SIGNATURE OF OFFICEHOLDER OR CANDIDATE

**Completing the Form 470**

**A** **Date of Election**

If the candidate or officeholder is running in an election during the calendar year, indicate the month, day, and year of the election.

**1** **Period Covered**

The period covered is always the calendar year.

**2** **Officeholder or Candidate Information**

Provide the candidate/officeholder’s full name, street address (a business address may be used), and a daytime telephone number. A fax number and email address may also be provided.

### 3 Office Sought or Held

Indicate the office being sought or held and provide the location and district number of the office, if applicable.

### 4 Committee Information

A candidate or officeholder who is aware of a primarily formed committee that is receiving contributions and making expenditures on behalf of their candidacy must disclose the primarily formed committee's name, identification number, address, and the name of the treasurer.

**Ex 2.4** - Rayna Cole's neighbors formed the Friends Supporting Rayna Cole for City Council 20XX committee. Rayna is aware of the committee but has no involvement with its day-to-day activities. Rayna Cole must disclose the committee's information on Rayna's Form 470.

### 5 Verification

The Form 470 must be signed by the candidate/officeholder. It is not considered filed if it is not signed.

## Answering Your Form 470 Questions

### A. What reporting period does the Form 470 cover?

The Form 470 is filed once each calendar year and covers the entire calendar year. When you file the Form 470 covering the year of the election with your declaration of candidacy, or on or before the deadline for filing your first preelection statement, you do not need to file any additional campaign statements as long as you do not raise or spend \$2,000 or more during the calendar year.

**B. If I am a non-incumbent candidate, am I required to file the Form 470 in connection with my election if I am running unopposed, my name does not appear on the ballot, and the only expenditure I make is from personal funds for a filing or ballot statement fee?**

No. A Form 470 is not required. However, once you assume office, a Form 470 may be required.

**C. If I am in a January election and will not raise or spend \$2,000 in connection with that election, when am I required to file Form 470?**

You must file Form 470 in November of the preceding year (the deadline for filing your first preelection statement in connection with the January election). In addition, if your second preelection statement is due in January, another Form 470 must be filed because a Form 470 is required for each calendar year. The first Form 470 covers the calendar year preceding the election, and the second Form 470 covers the calendar year in which the election takes place.

**D. I am running as a non-incumbent candidate for city council in November. I filed a Candidate Intention Statement (Form 501) and Statement of Organization (Form 410) to form a committee on May 1, but I did not qualify as a committee by June 30th. Should I file the Form 470 or the Form 460 by the July 31 semi-annual due date?**

Because you intend to raise \$2,000 or more in the calendar year, you should file the Form 460. This allows you to avoid the requirement to file the Form 470 Supplement within 48 hours of raising or spending \$2,000 or more. But, it is permissible to file the Form 470 since the committee qualification threshold was not met by June 30th.



**E. I am a city council member and I closed my campaign committee in March. May I file the Form 470 for the statement due July 31?**

No. You may not file the Form 470 if you had an open committee at any time during the calendar year or intend to have one later in the year. You must continue filing the Form 460 as an officeholder for the remainder of the calendar year. The Form 470 may be filed the following calendar year if you do not have, nor intend to have, a committee for that entire calendar year.

**F. I am in a June election this year and filed a Form 470 for last year because I started raising money in December. Am I required to file a 470 Supplement if I receive contributions totaling more than \$2,000 in January?**

No. The Form 470 Supplement is only required if you file the Form 470 and subsequently raise or spend \$2,000 in the same calendar year. Since you filed the Form 470 last year, but did not meet the \$2,000 committee qualification threshold until the following calendar year, you are not required to file the Form 470 Supplement. You must file the Form 410 (Statement of Organization) and begin filing the other applicable campaign reports (e.g., Form 460, Form 497).

## Form 470 Supplement

If a candidate files a Form 470 covering a calendar year in which the candidate is running in an election (i.e., with the declaration of candidacy, in lieu of a first preelection statement, or for the June 30 semi-annual filing) and later receives contributions totaling \$2,000 or more, or makes expenditures totaling \$2,000 or more, the candidate must file a Form 470 Supplement.

## When and Where to File the Form 470 Supplement

The Form 470 Supplement must be filed within 48 hours of receiving or spending \$2,000 or more.

The notification is sent to:

- Secretary of State's Office;
- Each candidate seeking the same office; and
- City or county clerk, or county registrar of voters, if the candidate is running for a city or county office.

The notification must be sent by guaranteed overnight delivery, personal delivery, fax, or email.

The candidate must also file a Statement of Organization (Form 410) and begin filing the Recipient Committee Campaign Statement (Form 460). The 24-Hour/10-Day Contribution Report (Form 497) may also be required.

**Campaign Statement  
Form 470 Supplement**

**Amendment** (Explain Below)

Date Stamp

**CALIFORNIA  
FORM 470  
SUPPLEMENT**

For Official Use Only

SEE INSTRUCTIONS ON REVERSE

This form is written notification that the officeholder/candidate listed below has received contributions totaling \$2,000 or more or has made expenditures of \$2,000 or more during the calendar year.

**1 Officeholder or Candidate Information**

NAME OF OFFICEHOLDER OR CANDIDATE

Rayna Cole

STREET ADDRESS

1212 Fourth Avenue

CITY

Oakmont

STATE

CA

ZIP CODE

95443

EMAIL ADDRESS

rcole@gmail.com

AREA CODE/DAYTIME PHONE NUMBER

707-555-1234

OPTIONAL: FAX

707-555-1235

**2 Office Sought**

OFFICE SOUGHT

Oakmont City Council

DISTRICT NUMBER  
(IF APPLICABLE)

1

DATE OF ELECTION (MONTH, DAY, YEAR)

6/6/XX

**3 Date Contributions Totaling \$2,000 or More Were Received or Date Expenditures of \$2,000 or More Were Made**

4/1/XX

(MONTH, DAY, YEAR)

## Completing the Form 470 Supplement

### 1 Officeholder or Candidate Information

Provide the candidate/officeholder's full name, street address (a business address may be used), and a daytime telephone number. A fax number and email address may also be provided.

### 2 Office Sought

Indicate the office being sought, the date of the election, and the district number, if applicable.

### 3 Date \$2,000 Threshold Was Met

Provide the date contributions totaling \$2,000 or more were received or the date expenditures of \$2,000 or more were made.

## H. Form 410 – Statement of Organization

A candidate controlled committee or a committee primarily formed to support or oppose a candidate (or group of candidates in the same election) that raises or spends \$2,000 or more in a calendar year qualifies as a recipient committee and must file Form 410. The Form 410 identifies the name of the committee and provides the public with information regarding the committee's purpose and its officers.

### Annual Committee Fees

All committees that file a Form 410 must pay a \$50 fee to the Secretary of State no later than 15 days after the Form 410 is filed. Committees must pay the fee annually by January 15 until the committee terminates. If the annual fee is not paid by the January 15 deadline, the law imposes a \$150 penalty, which will require the committee to pay a total of \$200 (the \$50 annual fee plus the \$150 late penalty). Failure to pay the fine will result in a referral to the FPPC's Enforcement Division.

**Note:** Committees that are created and pay the initial \$50 fee in October, November, or December of a calendar year are not subject to the annual fee in the subsequent year.

If the committee is going to terminate, in order to avoid the fee for the subsequent year, a committee must cease activity by December 31 of the current year and file the terminating Form 410 with the Secretary of State on or before January 31 of the next year. There is no provision for extension of the deadline and fee payment.

## When and Where to File the Form 410

File the original Form 410 with the Secretary of State within 10 days of raising or spending \$2,000 or more.

**Ex 2.5** - On February 15, a candidate for mayor opened a campaign bank account with a personal loan of \$2,500. By February 25, the Form 410 must be sent to the Secretary of State and a copy to the city clerk.

Send the paper Form 410 to:

Secretary of State  
Political Reform Division  
1500 11th Street, Suite 495  
Sacramento, CA 95814

Effective, January 1, 2023, filers required to file a report or statement by paper **with the Secretary of State** may instead file the paper report or statement by email. All statements must be signed using a verified digital signature. Please access the Secretary of State's [website](#) for more information on how to file with a digital signature.

In addition, candidates for local office and committees primarily formed to support or oppose local candidates must file a copy of the Form 410 with the local filing officer (i.e., city clerk or county elections) with whom the committee will file its original campaign statements.

The Form 410 may be filed prior to raising or spending \$2,000, but then must be amended within 10 days of reaching the \$2,000 threshold to disclose the date the committee qualified.

**Ex 2.6** - Joe is seeking reelection to the city council. Joe wishes to use the same committee and bank account. In order to do so, Joe files a Form 410, checking the amendment box and indicating the year of the election. After filing the Form 501 for the new election, Joe is free to raise and deposit campaign contributions into the bank account.

## 24-Hour/10-Day Deadline for the Form 410

A committee that qualifies during the last 16 days before the election must file Form 410 within 24 hours of qualifying. The Form 410 must be provided to the filing officer with whom the committee will file its original campaign disclosure statements (e.g., Form 460) by fax, guaranteed overnight delivery, or personal delivery. Outside of the 16 days prior to an election, an original Form 410 must be filed with the Secretary of State within 10 days of qualifying as a committee (regular mail may be used). Effective, January 1, 2023, filers required to file a report or statement by paper **with the Secretary of State** may instead file the paper report or statement by email. All statements must be signed using a verified digital signature. Please access the Secretary of State's [website](#) for more information on how to file with a digital signature.

**Ex 2.7** - A group of neighbors joined forces to help elect a candidate for mayor. On March 1, fourteen days before the election, the group received 10 checks of \$200 each. Because they qualified as a committee on that date, they must mail or personally deliver a Form 410 to the Secretary of State and a copy to the city clerk no later than March 11.

**Ex 2.8** - Fourteen days before a local election, a candidate who had previously filed a Form 470 received a contribution of \$1,250, bringing the cumulative contributions received to date to \$2,150. Because the candidate has now exceeded the \$2,000 committee qualification threshold, the candidate must file the Form 410 with the local elections official within 24 hours. The Form 410 must also be filed within 10 days with the Secretary of State. The Form 470 Supplement must be filed within 48 hours as described in this chapter.

## **Committee ID Number**

Upon receipt of the Form 410, the Secretary of State's office will assign the committee an identification number. This number is used on all reporting forms. After filing the Form 410, committees may go to the Cal-Access section of the Secretary of State's website to obtain the committee identification number. Contact the Secretary of State's office at (916) 653-6224 with any other questions about obtaining a committee identification number.

## **Amending the Form 410**

When any information on the Form 410 changes, an amendment must be filed within 10 days of the change. This is especially important if the committee has a new treasurer or principal officer(s) since the individuals listed on the most recently filed Form 410 are liable for the committee's activity.

## 24-Hour/10-Day Deadline for Amendments to the Form 410

Changes to important information in the last 16 days before the election require a committee to file an amendment within 24 hours. If, during the last 16 days before the election, any of the following changes occur, the committee must file an amended Form 410 within 24 hours with the filing officer with whom the committee files its original campaign statements:

- The name of the committee.
- The treasurer or other principal officers.
- Any candidate who controls the committee.
- Any committee with which the committee acts jointly.

The amendment provided to the filing officer with whom the committee files its original campaign statements must be delivered by personal delivery, guaranteed overnight delivery, fax, or online transmission (if online filing is available). The originally signed Form 410 amendment must be filed with Secretary of State within 10 days (regular mail may be used). Effective, January 1, 2023, filers required to file a report or statement by paper **with the Secretary of State** may instead file the paper report or statement by email. All statements must be signed using a verified digital signature. Please access the Secretary of State's [website](#) for more information on how to file with a digital signature.



**Statement of Organization  
Recipient Committee**

**Statement Type**

**A**  **Initial**       **Amendment**       **Termination – See Part 5**

Not yet qualified  
or  
 Date qualification threshold met      Date qualification threshold met      Date of termination

09 / 04 / 20XX      \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_      \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Date Stamp

**CALIFORNIA FORM 410**  
For Official Use Only

**1 Committee Information**      **I.D. Number**  
*(if applicable)*

NAME OF COMMITTEE  
Manuel Alvarez for Mayor 20XX

STREET ADDRESS (NO P.O. BOX)  
225 Presley Street

CITY      STATE      ZIP CODE      AREA CODE/PHONE  
Oakmont      CA      95443      (707)555-6868

FULL MAILING ADDRESS (IF DIFFERENT)  
P.O. Box 1744, Oakmont, CA 95434

E-MAIL ADDRESS (REQUIRED) / FAX (OPTIONAL)  
707-555-6869 / mrichards@oakmontmail.com

COUNTY OF DOMICILE      JURISDICTION WHERE COMMITTEE IS ACTIVE  
San Marino      Oakmont

**2 Treasurer and Other Principal Officers**

NAME OF TREASURER  
Madeline Richards

STREET ADDRESS (NO P.O. BOX)  
225 Presley Street

CITY      STATE      ZIP CODE      AREA CODE/PHONE  
Oakmont      CA      95443      (707)555-6868

NAME OF ASSISTANT TREASURER, IF ANY  
Manuel Alvarez

STREET ADDRESS (NO P.O. BOX)  
225 Presley Street

CITY      STATE      ZIP CODE      AREA CODE/PHONE  
Oakmont      CA      95443      (707)555-6868

NAME OF PRINCIPAL OFFICER(S)  
N/A

STREET ADDRESS (NO P.O. BOX)

CITY      STATE      ZIP CODE      AREA CODE/PHONE

Attach additional information on appropriately labeled continuation sheets.

**3 Verification**

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on \_\_\_\_\_ [Date Required] By \_\_\_\_\_  
DATE      SIGNATURE OF TREASURER OR ASSISTANT TREASURER

Executed on \_\_\_\_\_ [Date Required] By \_\_\_\_\_  
DATE      SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on \_\_\_\_\_ By \_\_\_\_\_  
DATE      SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on \_\_\_\_\_ By \_\_\_\_\_  
DATE      SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

## Completing the Form 410

### A Statement Type

Check the “Initial” box if this is the first filing and indicate the date on which the committee met the \$2,000 threshold or check the “Not Yet Qualified” box. If the “Not Yet Qualified” box is checked, an amended Form 410 must be filed within 10 days of reaching or exceeding the \$2,000 threshold to provide the date the committee qualified.

Check the “Amendment” box to amend information on an existing Form 410 (e.g., to report the date the committee qualified as a committee).

### 1 Committee Information

Provide the full name of the committee.

**Candidate Controlled Committees.** A committee controlled by a candidate must include in its name the last name of the candidate, the office sought, and the year of the election.

Committees established by an officeholder to defend against a recall attempt must include the term “recall” in the committee name.

**Primarily Formed Committees.** A committee primarily formed to support or oppose a candidate(s) must include the last name of each candidate, the office sought, the year of the election, and must state whether the committee supports or opposes the candidate(s) (e.g., Committee to Support Sanchez for Kern County Supervisor 20XX).

If a primarily formed committee is sponsored by a business entity, organization, or association, the name of the sponsor must also be included in the name of the committee.

### Committee Address

Provide the committee’s street address and mailing address. A post office box may be used as a mailing address. The committee may have more than one mailing address.

## Committee Fax/Email Address

Provide the committee's fax number and email address. The email address is required.

**QUICK TIP:** The Secretary of State's office must reject the filing of a Form 410 if the committee's email address is not included.

## County of Domicile and Jurisdiction Where Committee is Active

Indicate the county in which the committee is located and the jurisdiction in which the committee is active. These may be different.

## 2 Treasurer and Other Principal Officers

The committee must have a treasurer and may have an assistant treasurer. Provide the name, street address, and telephone number of the treasurer and assistant treasurer. If a candidate chooses to be their own treasurer, list the name, street address, and telephone number of the candidate.

A primarily formed committee must also list the name of the principal officer(s) and the principal officer's street address. If no individual other than the treasurer is a principal officer, the treasurer must be identified as both the treasurer and the principal officer. A principal officer is an individual that is responsible for the following types of activities:

- Authorizing the content of committee communications.
- Authorizing expenditures.
- Determining the committee's campaign strategy.

A committee may have several principal officers. If there are more than three, a committee need only identify on the Form 410 three individuals serving as principal officers.

**QUICK TIP:** See Chapter 2 for information about the responsibilities of a committee treasurer. The FPPC’s website includes a list of committee treasurers that have been fined by the FPPC two or more times.

### 3 Verification

The treasurer or assistant treasurer (if there is one) must complete the verification. If the committee is controlled by a candidate, the candidate must also sign the verification. The Form 410 is not considered filed if it is not signed by both the treasurer or assistant treasurer (if there is one), and the candidate. If a candidate is their own treasurer, the candidate must sign on both lines.

When two or three candidates control a committee, each candidate must sign the verification. If more than three candidates control the committee, one of the candidates may sign on behalf of all controlling candidates.

### Bank Account

Report the name and address of the financial institution where the committee’s campaign bank account is located, as well as the campaign bank account number. If a bank account has not been opened at the time of filing an “Initial” Form 410, amend the Form 410 within ten days of opening the bank account to provide this information.

4

**4. Type of Committee** Complete the applicable sections.

**Controlled Committee**

- List the name of each controlling officeholder, candidate, or state measure proponent. If candidate or officeholder controlled, also list the elective office sought or held, and district number, if any, and the year of the election.
- List the political party with which each officeholder or candidate is affiliated or check “nonpartisan.” Stating “No party preference” is acceptable.
- If this committee acts jointly with another controlled committee, list the name and identification number of the other controlled committee.

NAME OF CANDIDATE/OFFICEHOLDER/STATE MEASURE PROPONENT	ELECTIVE OFFICE SOUGHT OR HELD (INCLUDE DISTRICT NUMBER IF APPLICABLE)	YEAR OF ELECTION	CHECK ONE		PARTY (list political party below)
			Nonpartisan	Partisan	
Manuel Alvarez	Oakmont City Council, District 1	20XX	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	(list political party below)

**4 Type of Committee**

**Controlled Committee**

Candidate controlled committees must complete this section. A candidate or officeholder’s own committee for election to office is their “controlled committee.” Provide the name of the candidate, office sought (include district number, if applicable), year of the election and, since all local elections in California are non-partisan, check the “Non-Partisan” box in the “Party” column. If two or more candidates form one committee to support their candidacies for elective office, this information must be completed for each candidate.

**Primarily Formed Committee**

Complete this section for a committee that is not controlled by a candidate or officeholder whose principal activity is raising or spending money to make independent expenditures supporting or opposing a specific candidate or a group of specific candidates all being voted upon in the same election on the same date.

## Sponsored Committee

If the committee is sponsored by an entity, provide the name and address of the sponsor. In addition, indicate the industry group or affiliation of the sponsor. Individuals do not sponsor committees.

An entity sponsors a committee if any of the following criteria apply:

- The committee receives 80% or more of its contributions from the entity or its members, officers, employees, or shareholders in the preceding 24 months. A committee must make this determination at the time of filing each campaign statement based on activity occurring through the end of the statement period, and, if the committee is required to file a pre-election statement, upon receiving a contribution during the period between the second pre-election campaign statement period and the election.
- The entity collects contributions for the committee through payroll deductions or dues from its members, officers, or employees.
- The entity, alone or in combination with other organizations, provides all or nearly all of the administrative services for the committee.
- The entity, alone or in combination with other organizations, sets the policies for contribution solicitation or payment of expenditures from committee funds.

## Answering Your Questions

**A. Must we wait until \$2,000 or more is received to file a Form 410?**

No. You may file a Form 410 prior to committee qualification. Check the “Not Yet Qualified” box. Once you have reached the \$2,000 threshold, file an amendment to report the date the committee qualified.

**B. May our committee use a mail receiving and forwarding service as the committee’s street address on the Form 410?**

No. Either the committee’s street address or the treasurer’s street address (home or business) must be provided. A post office box may be used as a mailing address.

**C. As a candidate, may I be the designated treasurer on the Form 410?**

Yes. You may be the treasurer or assistant treasurer.

**D. May more than one candidate control a single committee to run for office?**

Yes. Each candidate should file a Form 501 prior to raising or spending any money. For both the Form 410 and Form 460, each candidate must sign the verification, in addition to the treasurer or assistant treasurer. If the committee is controlled by more than three candidates, one candidate may sign on behalf of the other candidates.

**E. I am a school board candidate. Prior to attending an FPPC webinar and learning that it was not permitted, I used personal funds to pay for some of my start-up campaign expenses. How is this reported on the Form 460?**

So that the activity is properly disclosed, the amount of personal funds used should be reported on Schedule A as monetary contributions and on Schedule E (itemize purchases of \$100 or more). This provides clear disclosure to the public about where the funds were spent. If you wish to be reimbursed by the committee, you should report the amount on Schedule F as an accrued expense. If you have already been reimbursed by the committee, the amount will be reported on Schedule E as an expenditure. Non-disclosure of the payments is a violation of the Act. All future payments must be made from the campaign bank account; personal funds must be deposited into the account before making expenditures.

**F. I am an officeholder and the target of a recall election. I have formed a separate committee to oppose the recall. On the Form 410, what sections do I complete under Part 4 — Type of Committee?**

You should complete both the Controlled Committee and Primarily Formed Ballot Measure Committee sections. Be sure to include the word “recall” in the name of the committee.

**G. I am running as a replacement candidate on a recall ballot. On the Form 410, what sections do I complete under Part 4—Type of Committee?**

You should complete the Controlled Committee section.



## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

81004	Reports and Statements; Perjury; Verification.
81004.5	Reports and Statements; Amendments.
81007	Mailing of Report or Statement.
82007	Candidate.
82013	Committee.
82016	Controlled Committee.
82025	Expenditure.
82044	Payment.
82047.5	Primarily Formed Committee.
82048.7	Sponsored Committee.
84101	Statement of Organization; Filing.
84102	Statement of Organization; Contents.
84103	Statement of Organization; Amendments.
84106	Sponsored Committee; Identification.
84206	Candidates Who Receive or Spend Less than \$2,000.
84207	County Central Committee Candidates Who Receive or Spend Less Than \$2,000.
84215	Campaign Reports and Statements; Where to File.
84616	Electronic Retention for Local Government Agency Filings.
85200	Statement of Intention to be a Candidate.
85201	Campaign Bank Account.
87201	Candidates (Statement of Economic Interests).

## Title 2 Regulations

- 18247.5 Primarily Formed Committees.
- 18250 Street Address.
- 18402 Committee Names.
- 18406 Short Form for Candidates or Officeholders Who Receive and Spend Less than \$2,000 in a Calendar Year.
- 18419 Sponsored Committees.
- 18430 Committees Controlled by More Than One Candidate.
- 18520 Statement of Intention to Be a Candidate.
- 18521 Establishment of Separate Controlled Committee for Each Campaign Account.
- 18531.5 Recall Elections.

# FINANCES/RECORDKEEPING

One of the fundamental purposes of the Political Reform Act (Act), an initiative passed by the voters, is to ensure that receipts and expenditures in election campaigns are truthfully and fully disclosed. In order to do so, an individual that chooses to act as a committee treasurer, assistant treasurer, or principal officer must know and practice the finance and recordkeeping requirements and responsibilities discussed in this chapter.

## A. Committee Treasurer and Principal Officer

Every committee must have a treasurer before the committee may accept contributions or make expenditures. An individual must be at a minimum 18 years of age to serve as a treasurer, assistant treasurer, responsible officer, or principal officer. In order to adequately perform the duties, the treasurer must understand the campaign finance laws and their responsibilities under the Act. The candidate controlling the committee may be the treasurer or assistant treasurer for their own committee. **No individual should accept the position of a committee treasurer as a mere figurehead.**

Contributions may not be accepted and expenditures may not be made if the treasurer's post is vacant at any time, even if the committee has an assistant treasurer. If the treasurer is unavailable to carry out their duties, a new treasurer must be designated and the committee's Statement of Organization (Form 410) amended. The individual listed on the most recent Form 410 filed with the Secretary of State continues to be liable until an amendment is filed to designate a new treasurer.

The committee treasurer or assistant treasurer must sign and verify all reports and statements filed. The verification is signed under penalty of perjury and indicates that:

- The signer has used all reasonable diligence in preparing the statement; and

- To the best of their knowledge, the statement is both true and complete.

The signer is legally responsible for the accuracy and completeness of the document, even if it is prepared by a third party, including a professional accountant. An unsigned statement is considered “not filed” and is subject to late fines.

## Treasurer Responsibilities

A committee treasurer is required to:

- Establish a system of recordkeeping sufficient to ensure that contributions and expenditures are recorded promptly and accurately in compliance with the Act’s recordkeeping and disclosure requirements. (Following the recordkeeping guidelines in this manual ordinarily constitutes compliance with this requirement.)
- Maintain campaign records personally or monitor records kept by others.
- Take steps to ensure all of the Act’s requirements are met regarding receipt, expenditure, and reporting of campaign funds.
- Prepare campaign statements personally or carefully review the statements and underlying records prepared by others.
- Correct any inaccuracies or omissions, and inquire about any information that would cause a person of reasonable prudence to question the accuracy of the campaign statements. Among the circumstances that might give rise to an inquiry regarding a contribution are: the size of the contribution; the reported source; the likelihood of that source making a contribution of that size; the manner in which the contribution is recorded in the campaign records; and all other circumstances surrounding receipt of the contribution.

**QUICK TIP:** Reconciling the committee’s bank statement with the committee’s records regularly will ensure accuracy and make completing the campaign forms easier.

## **Assistant Treasurer Responsibilities**

An assistant treasurer may be designated on the Statement of Organization (Form 410). In the event that the treasurer is unavailable, the assistant treasurer is required, like the treasurer, to use reasonable diligence in preparing and reviewing any campaign statements that they sign, and must certify to that effect under penalty of perjury. For statements signed by the assistant treasurer, both the treasurer and the assistant treasurer are liable for any violations pertaining to that report.

An individual must be at a minimum 18 years of age to serve as an assistant treasurer, although they should know the reporting obligations, restrictions, and prohibitions provided under the law. For a controlled committee, the candidate may be designated as the assistant treasurer.

## **Principal Officer(s) Responsibilities**

A primarily formed committee must designate a principal officer(s) on the Statement of Organization (Form 410). The principal officer is also responsible for maintaining detailed accounts, records, bills and receipts necessary to prepare campaign statements. If no individual other than the treasurer has the primary responsibility for approving the political activity of the committee as described in this manual, the treasurer must be identified as both the treasurer and the principal officer.

## B. Candidate/Officeholder Responsibilities

A candidate or officeholder is required to:

- Carefully review the campaign statements prepared for filing by the committee and ensure that the statements are properly filed.
- Correct any inaccuracies and omissions in campaign statements of which the candidate is aware, and check and correct any information on campaign statements which a person of reasonable prudence would question based on all of the surrounding circumstances.
- Make sure that the treasurer is exercising all reasonable diligence in the performance of their duties.
- Take whatever steps are necessary to replace the treasurer or raise the treasurer's performance to required standards if the candidate or officeholder knows, or has reason to know, that the treasurer is not exercising all reasonable diligence in the performance of their duties.
- Perform with due care any other tasks assumed in connection with the raising, spending, or recording of campaign funds insofar as such tasks relate to the accuracy of information entered on campaign statements.

## C. Education

The FPPC provides educational workshops and webinars for candidates and treasurers. In addition, there are several instructive materials available on the website. Candidates and treasurers may also seek advice from FPPC staff by calling the toll-free advice line (866-275-3772) or emailing questions to [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov).

## D. Committee Audits

Each odd-numbered year, a total of 20 local jurisdictions are randomly selected for mandatory audit. All candidates in the selected jurisdiction are subject to audit if they have raised or spent \$2,000 or more. Additionally, 25% of contested Superior Court offices are randomly selected. Candidates who raise or spend \$15,000 or more in these selected races are subject to audit. In addition, the FPPC and the Franchise Tax Board are authorized to conduct discretionary audits.

**QUICK TIP:** The candidate and the treasurer may be fined by the FPPC if reporting and recordkeeping requirements are not met. Violations of the Act are punishable by fines of up to \$5,000 per violation.

## E. Campaign Bank Accounts

### Primarily Formed Committees

A non-candidate controlled “primarily formed committee” is not required to maintain a separate bank account; however, it is recommended that they do so. Pre-numbered and pre-printed checks with the committee’s name are helpful in meeting the recordkeeping requirements discussed in this chapter. Committees may not commingle campaign contributions with any individual’s personal funds.

### Candidate Controlled Committees

Candidates who anticipate soliciting or receiving contributions from others, or who anticipate spending \$2,000 or more of their personal funds in connection with their election, **must** open a campaign bank account. A candidate’s personal funds used to pay the filing fee or the ballot statement fee do not count toward the \$2,000 threshold.

## Establishing the Account

The account may be established at any financial institution (i.e., bank, credit union) located in California. Under the Act's one bank account rule discussed in Chapter 1, a candidate or officeholder may only have one controlled committee with one bank account per election. Candidates running for one office while holding another must establish a separate campaign bank account for each office, but may not have more than one bank account per office per election.

All campaign contributions must be deposited into the campaign bank account and all campaign expenditures must be made from the campaign bank account. Candidates must deposit **personal funds** to be used for the campaign in the campaign bank account **before** making campaign expenditures.

### *Exceptions:*

- Candidates may use their personal funds to pay a filing fee, a ballot statement fee, or the \$50 Secretary of State fee, without first depositing the funds into the campaign account.
- An officeholder may use personal funds to pay officeholder expenses.
- A candidate may contract with a vendor or collecting agent to collect contributions prior to promptly transferring the funds to the candidate's campaign bank account without violating the requirement that the candidate have no more than one bank account. Fees deducted by the vendor are considered expenditures from the campaign bank account at the time they are deducted.

**QUICK TIP:** The Political Reform Act does not require a federal tax ID number. However, most banks will require one in order to open a campaign bank account. A tax ID number may be obtained on the IRS website, [www.irs.gov](http://www.irs.gov).



**QUICK TIP:** Campaign funds may not be commingled with any individual's personal funds.

## Expenditures from Multiple Accounts

A candidate who has more than one campaign committee must make all expenditures in connection with an election from the campaign bank account established for that election, including:

- Campaign strategic planning and fundraising expenses;
- Services and actual expenses of outside political consultants, the campaign treasurer, other staff, pollsters, and other persons who provide services directly in connection with the election;
- Voter registration and get-out-the-vote drives; and
- Payments for mailings, political advertising, yard signs, opinion polls or surveys, and other communications if the payments are either:
  1. For a communication that makes reference to the candidate's future election or status as a candidate; or
  2. Made three months prior to an election for which the candidate has filed a Candidate Intention Statement (Form 501), a declaration of candidacy, or nomination papers with an elections official, or any other documents necessary to be listed on the ballot for an elective office.

**Ex 3.1** - Thien Vu is a city council member and still has an open committee from the city council election. Thien is running for county supervisor in the next election and has opened another bank account and committee for that race. Thien must use the campaign bank account for the county supervisor campaign to pay for the yard signs and all other expenses related to the upcoming county supervisor election.

**QUICK TIP:** Campaign funds become surplus on the 90th day following the closing date for the postelection reporting period or on the 90th day following the date of leaving office, whichever occurs last. The postelection reporting period for an election held in the first six months of the year is June 30 and the postelection reporting period for an election held in the latter six months of the year is December 31. Once the funds become surplus, they may not be used for a future election. See Chapter 5 for the permissible uses of surplus funds.

## Redesignating the Bank Account

**Officeholders:** An officeholder seeking reelection to the **same office** in a city or county that has enacted its own contribution limits may use the bank account that was established for the prior election. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit should check with the local jurisdiction to determine if there is a local ordinance that does not allow a candidate to use the same committee for a future election.) The account may be redesignated at any time prior to receiving contributions in connection with reelection. The officeholder must file a new Form 501 (Candidate Intention Statement) and an amended Form 410 (Statement of Organization).

If the officeholder/candidate is running for the same office in a city or county that has not enacted its own contribution limits, they must establish a separate controlled committee and campaign bank account when running for reelection.

**Defeated Candidates:** A candidate in a city or county that has enacted its own contribution limits that is defeated in an election may use the same bank account for a future election to seek the same office. The candidate must file a new Form 501 (Candidate Intention Statement) and an amended Form 410 (Statement of Organization). If the candidate is running for the same office in a city or county that has not enacted its own contribution limits, they must establish a separate controlled committee and campaign bank account for their future election to seek that office. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit

should check with the local jurisdiction to determine if there is a local ordinance that does not allow a candidate to use the same committee for a future election.)

The funds must be redesignated before they become “surplus funds.” Campaign funds become surplus on the 90th day following the closing date for the postelection reporting period.

**Note:** A campaign bank account may not be redesignated if the officeholder/candidate is seeking election to a **different office** or if the officeholder/candidate is running in a city or county that has not enacted its own contribution limits and is therefore subject to a contribution limit under the Act per AB 571 (2019). See Chapter 11 for the requirements that must be met in order to use leftover campaign funds for a future election to seek a different office.

**Ex 3.2** - John Davis lost the city council election in June. The City has enacted its own contribution limit. John has \$3,500 remaining in the campaign bank account and is considering seeking another city council position in two years. In order to use the remaining \$3,500 for the future election, John must file a new Form 501 (Candidate Intention Statement) and redesignate the bank account to the future election by amending the Form 410 (Statement of Organization) to indicate the new office sought and year of election. This must be done within 90 days following the end of the postelection reporting period for an election held during the first six months of the year.

## Investments

Campaign funds may be transferred from a campaign bank account to certificates of deposit, interest-bearing savings accounts, money market funds, or similar accounts. The funds must come from a campaign bank account designated for a specific office and be deposited in investment accounts established only for that office. The funds must be redeposited into the same campaign bank account before being used for campaign expenses.

## Credit Cards

One or more credit accounts may be established for each campaign bank account. A single credit card, however, may not be designated for more than one campaign bank account. In addition, payment of charges on a credit account must be made only from the appropriate campaign bank account.

In lieu of establishing a new credit account, a candidate may designate an existing personal credit card with a zero balance as the campaign credit card by listing the card number and date of designation in the campaign records. The candidate must ensure that no personal expenses are charged to this account until after all campaign charges have been paid with funds from the campaign bank account. Once all campaign expenses charged to the account have been paid, the candidate may resume using the card for personal purposes.

## Petty Cash

Candidates may use campaign funds to establish a petty cash fund at each campaign office so long as the following conditions are met:

- A petty cash fund may not hold more than \$100 at any time.
- No expenditure of \$100 or more may be made from the fund.
- The fund may be used only for expenses associated with the election to the specific office or for the expenses of holding the office for which the petty cash fund was established.
- Once the funds are spent, payments made from petty cash must be reported as expenditures.

## Legal Defense Fund Committees

The Act permits a local candidate or elected officer to establish a legal defense fund if the candidate or officer is subject to civil, criminal or administrative proceedings arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officer's governmental duties. Contributions raised for legal defense **must be held in a separate bank account**. Any funds raised

may only be spent to defray attorney's fees and other related legal costs, as defined in the Act. (See Regulation 18530.45 for additional information.)

A candidate or officeholder may not use any funds to pay or be reimbursed for a penalty, judgement or settlement related to a claim of sexual assault, sexual abuse or sexual harassment filed against the candidate or officeholder in any civil, criminal or administrative proceeding.

A candidate or officeholder may use legal defense committee funds for *other* legal costs and expenses related to claims of sexual assault, sexual abuse or sexual harassment, but if the candidate or officeholder is held liable, the candidate or elected officer must reimburse the legal defense fund for all funds used in connection with those other legal costs and expenses.

"Sexual assault" and "sexual abuse" have the same meaning as provided in Penal Code Section 11165.1. "Sexual harassment" has the same meaning as found in Government Code Section 12940(j).

The candidate and the treasurer of the legal defense fund committee are subject to the recordkeeping requirements discussed in this chapter. In addition, separate detailed accounts, records, bills, and receipts, for each legal proceeding, including documentation to support the basis and timing for raising legal defense funds, must be kept.

## Recall Elections

An officeholder who is the subject of a recall may use an existing committee (set up for the office they currently hold) to receive contributions and make expenditures to oppose the qualification of the recall measure, and if the recall petition qualifies, the recall election.

The officeholder may instead choose to set up a separate committee with a separate bank account. The officeholder and committee treasurer are subject to the recordkeeping requirements discussed in this chapter. See Chapter 11 for additional information about recall elections.

## F. Recordkeeping

An accurate and organized record must be kept of all campaign contributions and expenditures. All individuals who handle contributions and make expenditures must be aware of and practice the recordkeeping procedures required by the Act and FPPC regulations outlined in this manual. While others may be involved, the candidate, treasurer, and principal officer(s) as listed on the committee's Statement of Organization (Form 410), remain legally responsible for the accuracy of the records.

### Record Retention

Candidates and committees must keep all records, including original source documentation such as bank statements and other records reflecting account activity, and copies of completed campaign statements, for a period of four years from the date the campaign statement relating to the records was filed.

**Ex 3.3** - Sharon Goldstein, a city council member, filed the first campaign statement on January 31, 2019. The records associated with completing that statement, such as receipts and information about contributors, must be retained until January 31, 2023.

### Records of Contributions Received and Other Receipts

Two types of records are required for receipts: a **daily record**, showing how much money was received on any given day; and a **contributor record**, with detailed information on each contributor of \$25 or more. The daily record requirement may be met simply with bank statements, copies of checks received, or other documentation that provides the required information listed below.

## Date Received

A monetary contribution is received on the date the candidate or committee, or an agent of the candidate or committee, obtains possession or control of the cash, check, or other form of contribution, not the date it is deposited in the bank account. Contributions received by electronic methods such as wire transfer, credit card, or debit account transactions are also received on the date the candidate or committee obtains possession or control of the funds. The following list provides examples:

- A contributor makes a contribution over the telephone. The contribution is “received” by the committee on the date the contributor gives their debit/credit account information to the committee.
- A contributor makes a contribution via the Internet and the committee reviews the online transaction before the contribution is processed. The contribution is “received” by the committee on the date the committee receives the payment information.
- A contributor makes a contribution via the Internet and the contribution is made by direct deposit without review and before transaction reports are produced. The contribution is “received” by the committee when the committee has possession of the funds.
- A contributor makes a contribution by text message. The contribution is “received” by the committee on the date that the mobile fundraising vendor, acting as agent of the committee, obtains possession or control of the contribution.
- A contributor agrees to make contributions via installment payments by authorizing the committee to periodically charge their credit card or withdraw funds from their account. The contribution is “received” when the committee, or an agent of the committee, obtains possession or control of the funds for each installment payment. The contribution reported is only the amount of each installment payment when received. Installment payments scheduled to take place in the future, but not yet received, are not reportable.

## Receipts Under \$25

A daily lump sum total must be kept for contributions received under \$25 and miscellaneous receipts under \$25.

## Contributor Records

### Contributions: \$25 to \$99.99

For each monetary or nonmonetary contribution or loan of \$25 or more, the date received, amount of the contribution, and full name and street address, including zip code, of the contributor must be documented.

In addition, the total amount received from the contributor over the course of the current calendar year (the “cumulative amount”) must be recorded.

### Contributions: \$100 or More

Additional name information must be recorded for contributions from limited liability companies (LLCs). For contributions of \$100 or more received from an LLC that has qualified as an independent expenditure committee or major donor, record the name of the LLC and the full legal name of the LLC’s responsible officer as defined in Regulation 18402.2. For contributions of \$100 or more received from an LLC that has qualified as a recipient committee, record the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, record the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified and recorded.

If contributions totaling \$100 or more are received from an individual, in addition to the information required for contributions of \$25 or more as described above, the contributor’s occupation and employer must be recorded. If the contributor is self-employed, that fact also must be noted along with the name of their business. If a check is received from a business entity, generally the contributor is the business entity, not the person who signs the check.



**A contribution of \$100 or more must be returned if the contributor's name, street address, and, if the contributor is an individual, their occupation and employer are not in the committee's records within 60 days from receipt of the contribution.** Additionally, a contribution of \$100 or more from an LLC must be returned if, within 60 days, the committee's records do not contain both the name of the LLC and the full legal name of the LLC's responsible officer (for an LLC that has qualified as an independent expenditure committee or major donor); the name of the LLC's principal officer (for an LLC that has qualified as a recipient committee); or, for an LLC that has not qualified as a committee, the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified and recorded.

Such contributions may be deposited in the committee's bank account pending receipt of the information, in which case they must be reported on the next campaign statement required to be filed (including the Form 497, 24-Hour/10-Day Contribution Report).

The Form 460 must be amended within 70 days from its closing date to disclose the missing contributor information unless the contribution is returned to the contributor. The Form 497 need not be amended. The committee also must note in its records the date the contributor information is received, if that date is different than the date the contribution is received.

When a contribution cannot be returned to the contributor within 60 days from the date the contribution was received, the contribution amount must be paid to the general fund of the local jurisdiction in which the committee is based. In the case of a Superior Court judge or a judicial candidate, the contribution must be paid to the Secretary of State for deposit in the State General Fund.

**Ex 3.4** - Stanley Hughes, a city clerk candidate, received a contribution of \$100 from Martha Andersen on June 1. The only information Stanley received was Martha's name and address as listed on Martha's check. On Stanley's semi-annual statement covering the reporting period through June 30, Stanley reported receiving \$100 from Martha, listed Martha's name and address, and indicated that Stanley would amend the statement when Stanley received Martha's occupation and employer information. By July 31 of that same year, even after notifying Martha, Stanley still did not have her occupation and employer information. The committee must return \$100 to Martha.

If a contribution is returned to the contributor by check and the check is not cashed by the contributor within 90 days, the contribution amount must be paid within 30 days to the general fund of the local jurisdiction or to the Secretary of State for deposit in the State General Fund.

### **Intermediaries and Earmarked Funds**

For contributions of \$25 or more made through an intermediary (see Chapter 3), records with the above information for **both** the intermediary and the contributor are required.

Records must also include the amount of earmarked funds, a notation that the funds have been earmarked, and the specific ballot measure, candidate or committee for which the funds have been earmarked.

A committee making contributions with earmarked funds must maintain documentation showing which earmarked funds were contributed.

### **Affiliated Entities**

Information from affiliated entities (see Chapter 3) that describes the connection of affiliated contributors must be maintained in the records.

### **Nonmonetary Contributions**

If the contribution is nonmonetary and valued at \$25 or more, a description and the fair market value of the contribution must be recorded. (See "Valuing Nonmonetary Contributions" in Chapter 3.)

## Loans Received

If the contribution is a loan of \$25 or more, in addition to the above information for monetary contributions, the following information must be recorded:

- Interest rate of the loan, if any;
- Due date of the loan, if any; and
- Name and street address of any guarantor and the amount guaranteed, if any. The occupation and employer of any individual who guarantees a loan of \$100 or more must also be recorded.

If a candidate receives a loan from a commercial lending institution for their campaign, the institution is reported as the source of the loan. The candidate does not have to be reported as the guarantor, even if they are personally liable.

## Documentation for Contributions Received and Other Receipts

The committee must keep copies of all documents reflecting deposits made and all records reflecting campaign bank account balances, such as bank statements, check registers, and passbooks.

The following documents produced or received by the committee also must be kept for receipts of \$25 or more: copies of contributor checks; contributor cards; letters of transmittal; notices received from contributors; memoranda or other records that describe the method used to determine the fair market value of donated goods or services (nonmonetary contributions); and loan agreements or other documents that reflect indebtedness.

Documentation for electronic transactions must include information collected when debiting the contributor's account, such as itemized transaction reports (including the credit card confirmation number), debit/credit account transaction records, and credit card receipts, or vouchers. Documentation of contributions received over the Internet must include a record of the transaction created and transmitted by the cardholder including the cardholder's name, street address and the last four digits of the card number.

For contributions or other receipts of \$100 or more, copies of any letters or other communications sent by the committee to obtain the documents listed above must be kept.

## **Expenditures Made**

### **Expenditures: Under \$25**

A daily lump sum total of all expenditures of less than \$25 must be kept.

### **Expenditures: \$25 or More**

For expenditures of \$25 or more to a single payee, or a series of payments for a single product or service that total \$25 or more, the following must be recorded:

- Full name and street address, including zip code, of payee;
- Expenditure amount;
- Date each expenditure was made or, in the case of accrued expenses, the date the goods or services were received; and
- Description of the goods or services received.

## **Contributions to Other Committees and Independent Expenditures**

For expenditures that are contributions or independent expenditures, the amount of the expenditure and the cumulative total paid in that calendar year in connection with the candidate, officeholder, committee, or ballot measure must be recorded.

For all such expenditures of \$25 or more, the following information is required:

- Date the contribution or independent expenditure was made;
- Whether the expenditure was an independent expenditure;

- Name of the officeholder or candidate and the office and district they hold or for which they seek nomination or election, or the number or letter of the measure and the jurisdiction in which the measure is to be voted on; and
- Cumulative amount spent on behalf of the candidate, measure, or committee.

**QUICK TIP:** See Chapter 3 for a detailed discussion and examples of when a contribution is made. Chapter 6 describes communications that are considered independent expenditures.

## Loans Made to Others

The following additional information must be kept for loans made by the committee: interest rate, if any; due date, if any; and full name and street address of anyone guaranteeing the loan or who is liable directly, indirectly, or contingently for the loan. (For restrictions on loans to others. (See Chapter 5.)

## Expenditures for Gifts, Meals and Travel

A candidate controlled committee that makes an expenditure of \$100 or more for a gift, meal, or travel, must keep a dated memorandum or some other form of dated written record containing a brief description of the political, legislative, or governmental purpose of the expenditure, as well as the information described below:

- **Gifts:** The date of the expenditure, a description of the gift, and the name of any recipient who received a benefit of \$50 or more.
- **Meals:** The date of the meal, the name of each individual who attended the meal, and whether they are a member of the candidate's household or someone who has authority to approve expenditures of campaign funds.
- **Travel:** The dates of travel, the destination, the name of each individual who traveled, and whether they are a member of the candidate's household or someone who has authority to approve expenditures of campaign funds.

## Documentation for Expenditures

All bank and credit card records for expenditures must be kept.

For expenditures of \$25 or more, canceled checks, bills, invoices, or statements; receipts; credit card charge slips; vouchers; contracts; loan agreements; and other documents produced or received by the committee reflecting additional obligations also must be kept. Copies of canceled checks may be retained if the copies contain a legible image of the front and back of the canceled check and the copies are obtained from the financial institution.

**QUICK TIP:** Expenditures may be made electronically using a bank account, credit card, debit card, or electronic payment service (e.g., PayPal) so long as detailed records are kept. It is important to note that electronic payment services such as PayPal or Venmo do not meet the one bank account criteria as outlined by the Act. Campaign bank accounts must be established through a bank with a physical location in California. A committee may use electronic payment services (e.g., PayPal) for expenditures, but the electronic payment service cannot serve as the campaign bank account.

If no receipt, voucher, or invoice is available, a voucher should be written as soon as possible with the date and amount of the payment, the name of the payee, and a description of the goods or services received. A voucher is not required for payments under \$25.

## G. Mass Mailings, Mass Emails, Telephone Calls, and Notices to Contributors of \$5,000 or More

The following must be retained for a period of four years following the date the campaign statement relating to the records is filed:

- **Mailers.** A copy of any mass mailing sent by the committee (see Chapters 6 and 7).
- **Mass Emails.** An original sample of each mass email, the date sent and the number of individual emails sent (see Chapter 7).
- **Political Calls.** A script of the call or a copy of the recorded phone message when the committee coordinates on and pays for 500 or more telephone calls to expressly advocate support for a candidate or ballot measure (see Chapter 6).
- **Major Donor Notices.** A copy or record of all notifications to contributors of \$5,000 or more (see Chapter 3).

### Answering Your Questions

#### A. May the candidate serve as the committee's treasurer?

Yes. The candidate may serve as the treasurer or assistant treasurer.

#### B. Are there private firms that provide treasurer or campaign reporting services?

Yes. The FPPC does not endorse or recommend any particular private firm. Candidates may find useful information on the websites of the California Political Attorneys Association and the California Political Treasurers Association.

#### C. Are there any specific accounting qualifications for someone to be able to serve as treasurer?

No. However, no individual should accept the position as a mere figurehead.

**D. What should be done if the treasurer and assistant treasurer, or the candidate, are not able to sign a campaign statement before the deadline?**

To ensure that the statement is filed on time, the committee may submit the filing if it is signed by one of the following: the candidate, treasurer, or assistant treasurer. If the candidate's signature is missing, submit an amendment to provide their signature as soon as possible. Likewise, if both the treasurer and assistant treasurer are unavailable, submit an amendment to provide the required signature as soon as possible.

**E. I do not intend to raise any funds from others and I will not be spending any personal funds on my campaign other than the payments for the filing fee and ballot statement fee. Do I need to open a campaign bank account?**

No.

**F. I do not intend to raise any funds from others. I will be spending personal funds on my campaign, but I will not be spending \$2,000 or more. Do I need to open a bank account?**

No.

**G. I do not intend to raise any funds from others. I will, however, be spending \$2,000 or more of my personal funds on my campaign, not including the amount I spend on my filing fee. Do I need to open a bank account?**

Yes. Since you plan to spend \$2,000 or more for your campaign, you must open a campaign bank account.



**H. I will be raising money from others for my campaign, but I do not intend to raise or spend \$2,000 on my campaign during the calendar year. Do I need to open a bank account?**

Yes. Since you are raising funds from others, even though you will not be raising or spending \$2,000 or more, you are required to open a campaign bank account. Contributions received and personal funds you will use for your campaign must be deposited in the account.

**I. Are committee records and source documentation required to be kept on paper, or may the committee use an electronic recordkeeping system?**

Electronic records are permitted, provided that all of the required information is collected and recorded in a timely and uniform manner that ensures the accuracy and reliability of the information. Committees are responsible for ensuring that electronic records can be read and/or printed for auditing purposes during the applicable retention period.

**J. May a private service, such as PayPal, be used to collect contributions electronically?**

Yes, so long as for each contribution of \$100 or more, (a) the service is able to provide the name of the contributor, and (b) the committee reports all the information needed to meet the statutory recordkeeping requirements, including the name, address, occupation, and employer of individual contributors of \$100 or more. Even if the company deducts a fee from the amount of the contribution, the entire amount of the contribution must be disclosed. The fees charged by the private service are reported as expenditures.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Codes Sections

82047.6	Principal Officer.
84100	Treasurer.
84104	Recordkeeping.
84105	Notification of Contributors.
84302	Contributions by Intermediary of Agent.
84305	Requirements for Mass Mailing.
84306	Contributions Received by Agents of Candidates or Committees.
84307	Commingling with Personal Funds.
84310	Identification Requirements for Telephone Calls.
84501	Advertisement.
85304.5	Legal Defense Fund; Local Candidates and Elected Officeholders.
85700	Donor Information Requirements; Return of Contributions.
90000	Responsibility.
90001	Mandatory Audits and Investigations.
90002	Audits and Investigations; Time.
90003	Discretionary Audits.
90007	Auditing Guidelines and Standards.

## Title 2 Regulations

- 18250 Street Address.
- 18400 Treasurer, Assistant Treasurer, Responsible Officer, and Principal Officer Capacity.
- 18401 Required Recordkeeping for Chapters 4 & 5.
- 18402.1 Principal Officers.
- 18402.2 Limited Liability Companies, Responsible Officer.
- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18421.3 Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
- 18421.31 Text Message Contributions.
- 18421.7 Reporting an Expenditure for a Gift, a Meal, or Travel.
- 18421.10 Reporting Contributions from Limited Liability Companies.
- 18426.1 Assistant Treasurer.
- 18427 Duties of Treasurers and Candidates with Respect to Campaign Statements.
- 18427.1 Notification to Contributors of Filing Obligations.
- 18432.5 Intermediary and Earmarked Funds Disclosure.
- 18440 Telephone Advocacy.
- 18524 Investment and Expenditure of Candidates' Campaign Funds.
- 18530.45 Legal Defense Funds – Local Candidates and Officers.
- 18570 Return of Contributions with Insufficient Donor Information.
- 18994 Auditing and Investigations.
- 18995 Standards and Guidelines for Auditing Statements and Reports.

# CONTRIBUTIONS

This chapter begins with the definition of “contribution” and provides guidelines necessary for proper reporting, including a discussion on valuing nonmonetary contributions.

Many cities and counties have adopted campaign ordinances that include contribution limits and other restrictions. Check with your local elections or ethics agency. Effective January 1, 2021 a default state campaign contribution limit applies to city and county candidates when the city or county has not already enacted a contribution limit on such candidates per AB 571 (2019). Special rules apply to AB 571 candidate committees. Please see the FPPC’s AB 571 fact sheet available on the FPPC website for additional rules applicable only to AB 571 candidates.

## A. What is a Contribution?

A “contribution” is a monetary or nonmonetary payment received by a candidate or committee for which the candidate or committee has not provided full and adequate consideration in return. A contribution may take any of the following forms:

- Money (cash, check, credit card, wire transfers, text contributions).
- Nonmonetary items (donated goods or services, discounts, cryptocurrency).
- Payments made by a third party for advertising or other communications coordinated with the committee.
- Loans (including loan guarantees, co-signing, and lines of credit).
- Money, nonmonetary items, and loans from the candidate to their own committee or from the candidate’s family.

- Enforceable promises to make a payment (for example, a contributor promises, in writing, to pay for specific goods or services and, based on that written promise, the committee expends funds or enters into a legally-enforceable contract to purchase the goods or services).

**QUICK TIP:** Contributions of \$100 or more may never be made or received in cash.

## B. When is a Contribution Received?

A **monetary** contribution is received on the date the candidate, committee, or an agent of the committee, obtains possession or control of the cash, check, or other item that constitutes the contribution.

When an agent of the committee, such as a campaign consultant, receives a contribution for the committee, the agent must notify the treasurer no later than the closing date of the next campaign statement due. The date of the contribution is the date the agent obtained possession of the contribution.

**Ex 4.1** - A committee's campaign consultant received a hand-delivered check at a May 14, Friday evening fundraiser. The check was delivered to the committee's treasurer the following Monday, May 17. The contribution was received on May 14, the day the committee's agent obtained possession of the check.

**Ex 4.2** - The committee also contracts with a website service to receive contributions over the Internet. The website service sends the committee's treasurer an email each time a contributor logs on to the website service and enters their donor information and credit card number. By logging onto the website service, the treasurer can accept the contribution and receive the funds. The committee reports receipt of the contribution on the date it receives the email because it controls the contribution on that date.

A **nonmonetary** contribution is received on the **earlier** of the following:

- The date funds were expended by the contributor for the goods or services;
- The date the candidate, committee, or an agent of the committee obtained possession or control of the goods or services; or
- The date the candidate or committee received the benefit of the expenditure.

A nonmonetary contribution of **employee services** is made by the contributor and received by the candidate or committee on the **payroll date** of the employee. See the discussion later in this chapter for information about how to value a contribution of employee services.

A committee may solicit a contribution of **cryptocurrency** as a nonmonetary contribution, subject to specific requirements. Contributions received in cryptocurrency are subject to any applicable limits and may not be accepted from foreign principals, lobbyists, or anonymous sources. Committees cannot receive cryptocurrency contributions directly. However, a committee may receive cryptocurrency contributions through a payment processor selected to act as a vendor on behalf of the committee.

Any cryptocurrency contribution must be made and received through a U.S. based cryptocurrency payment processor registered with the U.S. Department of Treasury, Financial Crimes Enforcement Network, which utilizes know your customer (KYC) protocols to verify the identity of the contributor for all contributions. A committee that chooses to solicit contributions in cryptocurrency must ensure that the payment processor it selects to process these contributions does all of the following:

- Utilizes KYC procedures that enable it to know the identity of each contributor,
- Collects the name, address, occupation, and employer of each contributor at the time the contribution is made and transmits this to the committee within 24 hours of the time the contribution is made, and
- Immediately converts the cryptocurrency to U.S. dollars upon receipt at the prevailing rate of exchange at the time of receipt, and deposits the funds into the committee's campaign bank account within two business days of receipt.

The amount of a cryptocurrency contribution is the fair market value of the cryptocurrency at the time the payment processor obtains possession of the contribution. A cryptocurrency contribution is received on the date the payment processor, an agent of the committee, obtains possession of the cryptocurrency that constitutes the contribution.

An **enforceable promise** is received on the date the candidate, committee, or an agent of the committee, receives documents verifying that a contributor has made a legally enforceable promise to make a payment. A person makes an "enforceable promise to make a payment" if they:

- Guarantee, furnish security for, endorse or cosign a loan.
- Make and deliver a post-dated check.
- Establish a line of credit at a bank or other commercial lending institution for a candidate or committee.

**Exceptions:** A pledge card is not considered an enforceable promise to make a payment. "Enforceable promise" also does not include a contributor's agreement to make future installment payments through wire transfer, credit card transaction, debit account transaction, or similar electronic payment.

## C. Contribution Exceptions

There are many exceptions to the definition of “contribution.” In addition to the most common exceptions listed below, Chapter 6 discusses certain types of communications that are not considered contributions.

**Volunteer Personal Services:** If an individual donates their personal or professional services to a campaign (including a volunteer’s travel expenses), no contribution has been made or received as long as there is no understanding of reimbursement.

However, if an employer donates employee services to a campaign, and any employee spends more than 10 percent of their compensated time in a calendar month performing campaign activity for one or more campaigns, the employer has made a nonmonetary contribution to the committee. Determine the contribution amount by allocating the gross salary to the time spent on campaign activity. See “Employee Time” later in this chapter for additional information.

**Home/Office Fundraisers:** If a person, other than a lobbyist (or a cohabitant of a lobbyist) or lobbying firm, holds a fundraiser or other campaign event in their home or office, the costs incurred by the occupant of the home or office need not be reported as long as the total cost of the event is \$500 or less. However, if someone else donates food, beverages, or anything else of value to the event, the fair market value of those donated goods is a nonmonetary contribution. In addition, the donated goods must be counted to determine whether the total cost of the event is \$500 or less.

**QUICK TIP:** For the home/office fundraiser contribution exception to apply, the total cost of the event must be \$500 or less no matter how many candidates or committees benefit from the event.



**Note:** The home/office fundraiser exception does not apply to a state lobbyist or to a cohabitant of a state lobbyist. A registered state lobbyist may not make a contribution to an elected state officer or candidate for elective state office if the lobbyist is registered to lobby the official's agency or the agency for which the candidate is seeking election. A fundraiser held in the home of a lobbyist is considered a contribution; therefore, a lobbyist is prohibited from holding a fundraiser in their home for a candidate seeking election to a governmental agency that the lobbyist is registered to lobby. A similar prohibition applies to lobbying firms holding fundraisers at their offices.

**QUICK TIP:** A state lobbyist may not hold a fundraiser for a local candidate/officeholder who is seeking election to a state office.

**Ex 4.3** - Your neighbor holds a fundraiser in their home for your campaign. As long as the total cost of the event is \$500 or less, your committee is not required to report the cost of the event as a nonmonetary contribution.

**Ex 4.4** - A business hosts a campaign fundraiser in its conference room. The business spends \$450 for beverages. A separate business entity provides the food valued at \$200. Since the total cost of the event now exceeds \$500, both businesses have made reportable nonmonetary contributions that must be reported by your committee.

**Social Media – Internet Communications:** Uncompensated Internet activity by an individual, such as sending or forwarding electronic messages, social networking, blogging, creating or hosting a website, to support or oppose a candidate or ballot measure is not considered a contribution or expenditure. Certain Internet communications require advertisement disclosures as outlined in Chapter 7.

**Ex 4.5** - Your friends send emails to their family and friends and post on their personal social networking sites communications supporting your campaign. Since your friends are not being compensated, these activities are not reportable even if you provided your friends with campaign materials.

**Member Communications:** Payments made by an organization (including a political party, union, trade association) for certain communications that are sent only to the organization's members, employees, or shareholders, or their families, are not contributions to a candidate endorsed in the communications. For example, if a union sends a mailing to only its membership, supporting your campaign, the cost of the mailing is not a reportable contribution.

**Gifts:** A payment or other benefit to a candidate or official that is made principally for personal purposes (not political purposes) is a gift unless the candidate or official provides payment or services of equal or greater value. Generally, gifts are subject to annual limits and must be disclosed by the candidate or official on a Form 700 (Statement of Economic Interests). For additional information about gifts, see the fact sheet on the FPPC's website entitled, *Limitations and Restrictions on Gifts, Honoraria, Travel and Loans*.

### **Payments for Legislative, Governmental, or Charitable**

**Purposes:** Behested payments made in connection with a legislative, governmental, or charitable purpose, are not considered to be made for political purposes; therefore, they are not considered contributions. However, if the payment is made at the behest of an elected official and the payment(s) totals \$5,000 or more from a single source in a calendar year, the official is required to file a Form 803 (Behested Payment Report) as described in Chapter 11.

## D. Aggregating Contributions

Contributions received from certain combinations of individuals and entities must be added together to determine the total amount that will be treated as received from a single contributor.

The following contributions are aggregated:

- Contributions from an individual's personal funds and contributions made by an entity when the individual directs and controls the entity's contributions.
- Contributions from two or more entities that are directed and controlled by a majority of the same persons.
- Contributions made by entities that are majority owned by any person. Contributions made by the majority owner and all other entities majority owned by that person are aggregated, unless those entities act independently in their decisions to make contributions.

**QUICK TIP:** The term "person" includes an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, and association.

The following examples provide general guidance regarding aggregation of contributions. The FPPC may be contacted for advice related to your specific facts.

**Ex 4.6** - Sally Perez contributed \$98 from Sally's personal funds and another \$98 from the funds of Sally's wholly-owned business, Flowers by Sally Perez, to the Anderson Committee. Because contributions from an individual and their business, or from any other account they direct and control, are considered to be from a single contributor, the Anderson Committee must itemize both contributions and report a cumulative amount received from Sally and Sally's business of \$196 on its committee campaign statement.

**Ex 4.7** - EXtream Snowboards, Inc., made a contribution of \$99 to the Johnson Committee. EXtream Snowboards, Inc., is a wholly-owned subsidiary of LeesureTech Industries, which also made a contribution of \$99 to the Johnson Committee. If there was coordination between EXtream Snowboards and LeesureTech Industries, their contributions are considered to be from a single contributor. The Johnson Committee must itemize both contributions and report a cumulative amount received of \$198 on its campaign statement.

**Ex 4.8** - William Smith is a developer with four separate corporations. William makes political contributions from personal funds and directs and controls the contributions of each of William's corporations. William made a contribution of \$1,000 from personal funds and contributions of \$2,000 from the funds of each of William's corporations to the committee. Because William directed and controlled all of these contributions, they are considered to have been made by a single contributor. The committee must itemize each contribution and show a cumulative amount received of \$9,000.

**Ex 4.9** - Southwest TeleCom has a greater than 50 percent ownership interest in American TeleCom. Each entity, entirely on its own and with separate decision making bodies, makes a contribution of \$1,000 to a committee. The committee does not aggregate these contributions because Southwest TeleCom and American TeleCom acted independently in their decisions to make the contributions.

## E. Reporting the Intermediary of a Contribution

An intermediary is a person or entity that makes a contribution on behalf of another person. For example, an employee who is reimbursed for a contribution by their employer is not the true source of the funds, but the intermediary of the employer's contribution.

A committee receiving a contribution of \$100 or more from an intermediary must report the true source and the intermediary. The campaign statement will identify both the intermediary's and the true source's name and address, and, if applicable, the occupation and employer.

Additionally, for contributions of \$100 or more from an intermediary that is a limited liability company (LLC) that has qualified as an independent expenditure committee or major donor, include the name of the LLC and the full legal name of the LLC's responsible officer as defined in Regulation 18402.2. If the contributor is an LLC that has qualified as a recipient committee, include the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, include the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified.

**Failure to disclose the true source of a contribution is considered one of the most serious violations of the Political Reform Act.**

**Ex 4.10** - Berry and Vienna each made a \$100 contribution from their personal funds to support Tina Baker for city council, with the understanding that they would be reimbursed by their employer. Berry and Vienna must tell the committee that they are acting as intermediaries on behalf of their employer. The committee must itemize the \$200 contribution from the employer and also disclose Berry and Vienna as intermediaries.

**Ex 4.11** - A business collects ten contributions of \$200 each earmarked for a candidate's campaign. The business deposits the contributions and provides the campaign committee one check from the business rather than providing ten individual checks. The committee reports the business as an intermediary and the individuals as the contributors.

Candidates and committees are required to check and, if necessary, correct any information regarding the true source of a contribution that a person of reasonable prudence would question based on all of the surrounding circumstances. If there is reason to question the source of a contribution (e.g., there is reason to believe the information contained on the contribution check does not contain the name of the person who is actually making the contribution), the donor should be asked if they are acting as an intermediary for the true source of the contribution.

This manual cannot address all scenarios that may need to be questioned, but it is prudent to question unusually large contributions from sources unfamiliar with the candidate or their agents; a series of contributions from a single employer; and, significant contributions from a nonprofit organization or multipurpose organization that is not registered as a political committee on the Secretary of State's website.

## F. Reporting Various Types of Contributions

**Electronic Receipt of Contributions:** Contributions may be received by credit card, wire transfer, via the Internet, cell phone text message, telephone, debit account transaction, or similar electronic payment options. All of the reporting and recordkeeping requirements apply to these contributions. Some tips are:

- For contributions of \$25 or more, the committee treasurer should make sure that a copy of the credit card voucher or other documentation is sent to the committee as soon as practicable after the contributions are made.
- The entire amount charged to the contributor is reported as a contribution.

- Fees associated with this type of fundraising or deducted by the vendor before the contributions are sent to the committee are reported as expenditures. The fees are not deducted from the amount of each contribution reported.
- Contributions made by text message are received on the date the mobile device company receives the funds from the contributor, not the date the text was sent.

**Ex 4.12** - Your committee holds a golf fundraiser and charges \$200 per person. After the event, you determine that it cost your committee \$50 per person to pay the caterer, hall rental, entertainment, invitations, etc. The invitations state that half of the ticket cost will be donated to a charity and half will be contributed to your committee. Report on Schedule A of the Form 460 a \$100 contribution from each of the ticket purchasers, as well as the contributor's name, address, occupation, and employer. Do not subtract the per person costs from each ticket sold. The expenses will be reported on Schedule E of the Form 460.

## Cryptocurrency

The amount of a cryptocurrency contribution is the fair market value of the cryptocurrency at the time the payment processor obtains possession of the contribution. A cryptocurrency contribution is received on the date the payment processor, an agent of the committee, obtains possession of the cryptocurrency that constitutes the contribution. Some tips on reporting cryptocurrency contributions include:

- The entire amount of the cryptocurrency contribution is reported as a nonmonetary contribution. The processing fee charged by the payment processor is not deducted from the amount reported.
- The processing fee is reportable as an expenditure of the committee at the time the fee is deducted or charged.
- The entire amount of the cryptocurrency contribution is reportable as a "Miscellaneous Increase to Cash."

**Ex 4.13** - Your candidate-controlled committee contracts with a payment processor, which charges a 2% processing fee, to accept cryptocurrency on its behalf for the upcoming election. The payment processor accepts a contribution in bitcoin valued at \$1,000 on October 15. The committee would report the receipt of the \$1,000 cryptocurrency in the following ways on the Form 460:

- Schedule C: The committee would report the receipt of the \$1,000 as a non-monetary contribution. The committee would disclose the date received as October 15 and report all the required contributor information. For the description of goods or services, include “cryptocurrency contribution”.
- Schedule E: The committee would report the processing fee of \$20 as an expenditure.
- Schedule I: The committee would report the \$1,000 contribution as a miscellaneous increase to cash, along with the name and address of the contributor. For description of receipt, include “cryptocurrency contribution”.

Please note that if a cryptocurrency contribution is received and valued at \$1,000 or more from a single source in the 90 days prior to or on the date of an election, the committee may incur additional filing obligations such as the Form 497.

## Earmarked Contributions

A contribution to a committee that is earmarked for a contribution to any other particular committee, ballot measure, or candidate is required to be disclosed as outlined below.

A contribution is earmarked if it is made under any of the following circumstances:

- The committee or candidate receiving the contribution solicited the contribution for the purpose of making a contribution to another specifically identified committee, ballot measure, or candidate, requested the contributor to expressly consent to such use, and the contributor consents to such use.



- The contribution was made subject to a condition or agreement with the contributor that all or a portion of the contribution would be used to make a contribution to another specifically identified committee, ballot measure, or candidate.
- After the contribution was made, the contributor and the committee or candidate receiving the contribution reached a subsequent agreement that all or a portion of the contribution would be used to make a contribution to another specifically identified committee, ballot measure, or candidate.

However, there is an exception for dues, assessments, fees, and similar payments made to a membership organization or its sponsored committee in an amount less than five hundred dollars (\$500) per calendar year from a single source for the purpose of making contributions or expenditures. Such funds are not considered to be earmarked by each individual contributor, instead the membership organization is to be reported as the source for these funds.

The committee making an earmarked contribution shall provide the committee receiving the earmarked contribution with the name and address and, if applicable, the occupation and employer of the contributor who earmarked their funds and the amount of the earmarked contribution at the time it makes the contribution. If the committee making the contribution received earmarked contributions that exceed the amount contributed, or received contributions that were not earmarked, the committee making the contribution shall use a reasonable accounting method to determine which contributors to identify, but in no case shall the same contribution be disclosed more than one time to avoid disclosure of additional contributors who earmarked their funds.

**Ex 4.14** - A restaurant donates a dinner for four worth \$200 to your committee. At your committee's auction, Gloria Sanchez bids \$300 and wins the dinner for four. Itemize \$200 as a nonmonetary contribution from the restaurant on Schedule C of the Form 460. Itemize Gloria Sanchez on Schedule I of the Form 460 (\$200 miscellaneous increase to cash) and on Schedule A of the Form 460 as a contributor of \$100 (the amount over the fair market value).

**Fundraisers:** The full amount (face value) of a fundraiser ticket is a reportable contribution, unless it is a joint committee/charity fundraiser advertised with specific attribution. The costs of the event are not subtracted when determining the amount of the contribution.

**Auctions and Garage Sales:** When items are donated for auction or sale at a fundraiser, the donated item is a nonmonetary contribution. (See below for determining the value.) When someone buys an item, the payment is considered a "Miscellaneous Increase to Cash" and is reported as such. If any person or entity pays \$100 or more, the payment is itemized.

When someone pays more for an item than it is worth, the amount that is equal to the fair market value is reported as a miscellaneous increase to cash and the amount over the fair market value is reported as a monetary contribution. Each is itemized at \$100.

**Bar Receipts:** Funds received by selling drinks at a fundraiser at fair market value are reported as miscellaneous increases to cash, not contributions.

**Raffle Tickets:** Receipts from the sale of raffle tickets at a fundraiser are reported as contributions. Items donated for raffle prizes are reported as nonmonetary contributions. (Note that Penal Code section 319 imposes some restrictions on raffles. Contact your county's district attorney for further information.)

**Joint Checking Accounts:** Individuals (including spouses) may make separate contributions from a joint checking account. For reporting purposes, the full amount of the contribution is reported as coming from the individual who signs the check. If two or more individuals sign the check, the contribution is divided equally between or among the signers, unless there is an accompanying document signed by each individual whose name is printed on the check that clearly indicates a different apportionment.

**Ex 4.15** - Linda and Jerry Nelson have a joint checking account. From this account, Linda signed a \$100 check payable to Friends of Joshua Truman. The committee identifies Linda Nelson as the contributor of the full \$100.

A check drawn on a joint checking account that is signed by an individual not listed on the check (e.g., an accountant) must be accompanied by a document signed by at least one of the individuals listed on the check stating to whom the check is to be attributed.

**Business Accounts:** Generally, if a check is drawn on the account of a business entity, the contributor is the business entity, not the person who signs the check.

**Ex 4.16** - Barbara Taylor was defeated in a June election. In order to use the leftover funds for a future election, Barbara must transfer the remaining funds to a new account within 90 days of the postelection reporting period. If the funds are not transferred by that date, they are considered “surplus funds” and may not be used for a future election.

**Minor Children:** A contribution made by a child under the age of 18 is presumed to be a contribution from their parent or guardian.

**Text Contributions:** For a contribution received by a text message, the contributor is the person who is subscribed to the cell phone number that texted the contribution.

**Transfers from a Prior Campaign:** Candidates who have more than one campaign bank account and controlled committee may transfer funds from one account/committee to another so long as the funds are not “surplus funds.”

Leftover funds become surplus upon the 90th day after leaving an elective office, or the 90th day following the end of the postelection reporting period following the defeat of a candidate for elective office, whichever occurs last. See Chapter 8 for information about how to report transferred funds.

Chapter 11 includes a discussion about the rules for using leftover campaign funds for a future election.

**QUICK TIP:** There are restrictions on transfers of funds to run for state office. See FPPC’s Information Manual for State Candidates (Manual 1) for further information. In addition, candidates and committees should check with the local elections office to determine if there are local contribution limits or other restrictions pursuant to a local campaign ordinance.

**Contributions from the Candidate:** A payment from a joint checking account that bears the name of the candidate and spouse is considered a contribution from the candidate. This is true even if the spouse signs the check.

A contribution received from a spouse’s legally separate funds and signed by the spouse is considered to be made by the spouse and is subject to possible contribution limits and other applicable provisions of the Act.

A candidate's business, other than a sole proprietorship, is considered a separate legal entity. Therefore, contributions from the business are not considered to be the candidate's personal funds and may be subject to local contribution limits. Generally, contributions from a candidate's sole proprietorship to the candidate are not considered to be from a separate entity and are therefore not subject to contribution limits, if any. Note: Contributions to another candidate or committee from the candidate and their sole proprietorship are aggregated for purposes of contribution limits. (See *Burch* Advice Letter, No. A-14-032.)

**Contributions from Other Candidates:** Candidates and committees may receive contributions, subject to contribution limits, if any, from other candidates or officeholders.

**Undesignated Contributions:** Candidates who are soliciting contributions for more than one office and receive a contribution that has not been designated for a specific office may deposit the contribution in any of their campaign bank accounts. An undesignated monetary contribution must be reported on the campaign statement for the reporting period in which it is received, and must be deposited in the campaign bank account for the controlled committee to which it is being allocated within 30 days of receipt.

Undesignated nonmonetary contributions must be allocated to a particular committee within 30 days of receipt or by the reporting deadline for the reporting period in which the contribution is received, whichever is earlier.

## G. Valuing Nonmonetary Contributions

This section provides assistance in determining how to value nonmonetary contributions so that they may be reported accurately. The varieties of nonmonetary contributions are vast, so it is not possible to present all possibilities. Contact the FPPC for assistance.

**Ex 4.17** - The owner of an electronics store donates an iPad valued at \$550 to your committee for sale at an upcoming auction. Although the cost to the owner is less than \$550, the nonmonetary contribution is reported at the fair market value amount of \$550 (the amount it would cost a member of the public to purchase the iPad).

**Fair Market Value:** When a nonmonetary contribution is received, the fair market value of the goods or services (the amount it would cost a member of the public to purchase the goods or services) must be reported. If the committee does not know the fair market value of a nonmonetary contribution (e.g., an original piece of artwork), the committee may send an email or a letter requesting that the contributor provide the value of the contribution in writing. The contributor is legally required to provide an amount if the value of the contribution is \$100 or more.

**Ex 4.18** - Your committee treasurer knows the owner of a printing shop and the owner provides your committee a 50 percent discount on the printing of a brochure that normally would cost \$1,200. Your committee must report a nonmonetary contribution of \$600 from the printing shop.

**Employee Time:** If an employer donates the use of an employee to work on campaign activities for one or more campaigns, the amount the individual is paid is reportable as a nonmonetary contribution from the employer if the employee spends more than 10 percent of their compensated time in a calendar month working on campaign activity. To determine the contribution amount, the gross compensation is allocated to the time spent on campaign activity. Compensation

includes wages paid and any benefits in lieu of wages, such as stock options or an annuity purchase. Compensation does not include routine benefits, such as the employer's payments to a health care or retirement plan.

**Ex 4.19** - An accounting firm provides your committee with the services of an accountant. The accountant spends 25 percent of their time working for the campaign. This percentage of their gross compensation is \$2,000. The amount of the nonmonetary contribution reported from the accounting firm is \$2,000.

**Discounts:** If the committee receives a discount on goods or services it purchases and the discount is not offered to the public in the regular course of business, the discount is a nonmonetary contribution that must be reported.

**Private Air Transportation:** A person who provides a candidate with a flight in a private airplane is making a nonmonetary contribution. The value is determined by using either the commercial rate to the destination, if available, or the charter rate divided by the number of passengers on the flight.

**Email Lists:** If a list of email addresses is donated, the fair market value must be reported as a nonmonetary contribution.

**Corporate Stock:** The contribution of corporate stock must be reported and valued as listed on the stock exchange on the date of receipt. When the stock is sold, the total proceeds of the sale are reported on Schedule I as a miscellaneous increase to cash. If the purchaser is unknown, report the brokerage firm as the source with a notation that the payment represents the sale of stock. Broker's fees must be reported on Schedule E.

## H. Valuing Mailings, Telephone Banks, Polls

Generally, the fair market value of a communication is reported as a contribution when it expressly advocates support of or opposition to a candidate and was made at the behest of (or in coordination with) the affected candidate or primarily formed committee.

**Ex 4.20** - The Express Paper Company agrees to produce a mailing for your committee. The value of the nonmonetary contribution is the amount it would have cost your committee if it had paid fair market value for the mailing, which is likely more than what the actual costs were to the company.

**Multiple Candidates/Measures:** If a communication expresses support of or opposition to more than one candidate or ballot measure, the fair market value attributable to each may be calculated by prorating the costs among the featured candidates and ballot measures. The prorated value is based on the amount of space allotted to each candidate or measure supported or opposed in the mailer.

The value of a mailer that supports or opposes candidates and measures being voted on in different jurisdictions may be prorated based on the number of mailers sent to each candidate or ballot measure's jurisdiction.

**Ex 4.21** - A Chamber of Commerce produces and mails a one-page flyer urging voters to vote for supervisor candidate Smith and vote against two ballot measures. Half of the flyer is devoted to supporting candidate Smith and the other half equally opposes the two measures. The Chamber coordinates the mailing with candidate Smith. The total cost of producing and mailing the flyer was \$10,000. Candidate Smith must report a nonmonetary contribution of \$5,000 from the Chamber.



**Political and Non-Political Material:** The cost of a communication containing both express advocacy in support of or opposition to a candidate, as well as non-political material, may be prorated. Costs directly associated with the political message are reportable by the candidate, including, for example, compensation paid to employees who spend more than 10 percent of their compensated time in a calendar month producing or mailing the political materials, and the pro rata cost of paper, envelopes, and postage. The allocation may be based on the comparative number of pages or the comparative amount of weight between the political and non-political materials.

**Bulk Rate Permits:** Use of an organization's bulk rate permit is a nonmonetary contribution from the organization. If the committee pays the actual postage costs incurred under the bulk rate permit, the fair market value of the contribution is either:

- The price the organization paid for the bulk mailing permit; or
- The difference in postage costs between the bulk mailing rate and that of regular mail.

**QUICK TIP:** If the organization pays for the costs of the mailing using its bulk rate permit and the committee does not have such a permit, the amount it would have cost to pay for the mailing using regular mail or the cost of the bulk rate mailing plus the cost of a permit should be reported as a nonmonetary contribution.

**Phone Banks:** Businesses and other entities will sometimes allow a committee to use their phones to call prospective voters during non-business hours. The fair market value of the use of the phones is calculated to determine the amount reported as a nonmonetary contribution, even if only local calls are made. One method to determine the fair market value is to contact organizations that provide phone banks as a business. Note: Disclosures are required on certain paid telephone calls. (See Chapter 7.)

**Polls and Surveys:** A person or entity that provides data from a public opinion poll or survey to a candidate or committee is making a nonmonetary contribution if the candidate or committee requests the data or the data are used for political purposes. Standards used by the Federal Election Commission (11 CFR 106.4) may be used for valuing polling or survey data. The formula is based on the age of the data. The chart below illustrates the fair market value of data based on the number of days that pass from the date the entity originally received the data to the date the data were provided to the candidate or committee.

**Ex 4.22** - A local business association commissioned a public opinion poll to determine voters' attitudes about candidates running for Supervisor and candidates running for City Council. The association provided the poll results to a candidate for Supervisor and certain City Council candidates. Since only a limited number of questions pertained to City Council issues, the candidates for Supervisor who received the poll results may prorate the poll costs to determine the nonmonetary contribution amount they must report.

<b>Age of Data</b>	<b>Value</b>
0 - 15 days	Full Value
16 - 60 days	50%
61 - 180 days	5%
More than 180 days	No Value

When only a portion of a survey is provided to or for the benefit of a candidate or committee, the nonmonetary contribution is the prorated portion of the total value of the survey.

## I. Notification to Contributors of \$5,000 or More

Committees that receive one or more contributions totaling \$5,000 or more in a calendar year from an individual or entity that made the contribution(s) from personal, business, corporate, or general funds must send the contributor written notice that they may have a filing obligation.

Generally, the notice must be mailed, faxed or emailed to the contributor **within two weeks** of receiving contributions totaling \$5,000 or more. But, if a contribution of \$10,000 or more is received in the 90 days prior to or on the date of the election, the notice must be mailed, faxed or emailed to the contributor **within one week**. A copy of each notice or a record of all notices showing the date sent and the name and address of the person receiving the notice must be retained.

The notice does not need to be sent again for subsequent contributions received from the same contributor in the same calendar year. In addition, the notice is not required to be sent if the source of the contribution is a candidate, officeholder, or an existing committee because they already are required to file campaign statements.

The notice may be tailored as long as it contains language substantially similar to the language below:

### **Major Donors**

*If your contribution(s) to this committee and to other California state or local committees total(s) \$10,000 or more in a calendar year, California law requires you to file a Major Donor Committee Campaign Statement (Form 461). The deadline and location for filing this statement will depend upon the timing and type of contribution(s) you have made. For additional information, visit [www.fppc.ca.gov](http://www.fppc.ca.gov) and review the available campaign materials.*

## ***Multipurpose Organizations Including Nonprofits***

*If your organization is a multipurpose group, it may qualify as a major donor committee required to file Form 461 or as a recipient committee required to file the Form 460 disclosing donors. Refer to Government Code Section 84222 and FPPC Regulation 18422 to determine your filing requirements. For additional information, visit [www.fppc.ca.gov](http://www.fppc.ca.gov) and review the available campaign materials.*

### ***24-Hour/10-Day Reports***

*Major donors, nonprofits, and other multipurpose organizations that trigger reporting obligations must also file a 24-Hour/10-Day Contribution Report (Form 497) if they:*

Make contributions totaling \$1,000 or more to a single candidate, any of the candidate's controlled committees, or to a committee primarily formed to support or oppose a candidate or ballot measure during the 90 days prior to the election, or on the date of the election, in which the candidate or ballot measure is being voted on; or

Make contributions totaling \$1,000 or more to state or county political party committees during the 90 days prior to a state election, or on the date of the election, including state special elections.

**QUICK TIP:** Once contributions of \$10,000 or more are made, the major donor may be required to immediately file Form 497 (24-Hour/10-Day Contribution Report). Committees should provide donors the link to the appropriate FPPC filing schedule.

### ***Electronic Filing***

*State committees that make contributions of \$25,000 or more must file electronically with the Secretary of State. State committees that are required to file the Form 497 (24-Hour/10-Day Contribution Report) must file this form electronically even if the \$25,000 threshold has not yet been met. For more information on the electronic filing requirements, contact the Secretary of State's office at (916) 653-6224. Local committees should contact the local jurisdiction to determine if there are electronic filing requirements.*

### ***Late Filing Penalties and Fines***

*Failure to file campaign statements may result in late filing penalties of \$10/day (state committees may be fined \$20/day if they must file electronically and on paper) and fines of up to \$5,000 per violation.*

### ***FPPC Assistance***

For assistance with your filing obligations, contact the Fair Political Practices Commission toll-free at (866) ASK-FPPC, send an email to [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov), or refer to their website: [www.fppc.ca.gov](http://www.fppc.ca.gov).

## J. Returning Contributions

There are several provisions in the Act and FPPC regulations that regulate the return of contributions. The general rule is that a committee may return all or part of a contribution to the contributor so long as the return is reasonably related to a political, legislative, or governmental purpose.

**General Rules:** If a contribution is deposited, cashed or negotiated, it must be disclosed on the next campaign statement, even if it is subsequently returned. If a contribution is not deposited, cashed, or negotiated, it is not required to be reported under the following circumstances:

- **Outside the 90-Day Election Period:** A contribution is not required to be reported (by the donor or the committee receiving the funds) if it is not deposited, cashed, or negotiated and it is returned to the contributor before the closing date of the campaign statement on which it would otherwise be reported.
- **During the 90-Day Election Period:** A contribution of \$1,000 or more received during the 90 days before an election, including the date of the election, is not required to be reported (by the donor or the committee receiving the funds) if it is not deposited, cashed, or negotiated and it is returned to the contributor within 24 hours of receipt.

**Missing Contributor Information:** A contribution of \$100 or more must be returned within 60 days of receipt if the committee has not obtained the contributor's name, address, and, in the case of a contributor who is an individual, their occupation and employer. If the committee returns the contribution for lack of information, and the check is not cashed by the contributor within 90 days, the committee must, within the next 30 days, forward the amount to the general fund of the local jurisdiction.

## Answering Your Questions

- A. Our committee is holding a \$200 per person dinner fundraiser. The actual cost of the event to our committee will be \$75 per person. When someone pays \$200 to attend the dinner, do we subtract the \$75 cost to our committee and report receiving a \$125 contribution?**

No. Report the full amount paid for the fundraiser ticket (\$200) as the contribution. The costs to the committee will be reported on Schedule E (Expenditures) of the Form 460.

- B. When we send out a fundraising letter, are we required to put our committee identification number on the invitation?**

There is no requirement to include the committee identification number, but it is highly recommended. Many campaigns do so because others need the information for their own reporting forms.

- C. We would like to hold a raffle at our next fundraiser. Are there any restrictions on raffles?**

The Political Reform Act does not restrict raffles; however, Penal Code 319 does prohibit certain raffles. The Penal Code is interpreted and enforced by each county's district attorney. Contact the local district attorney where the raffle will be held for further information. Of course, be sure all of the reporting and recordkeeping requirements are met.

- D. If my nextdoor neighbor spends \$1,000 on an event to help raise funds for two different candidates and the event is held in their home, have they made a contribution to each committee?**

Yes. The total cost of a home fundraiser must be \$500 or less or the event will qualify as a nonmonetary contribution. This is true no matter how many committees benefit from the event.

**E. If I hold a fundraiser in my home for my candidacy, and the total cost is \$500 or less, would the home/office fundraiser exception apply, meaning nothing would need to be reported on the Form 460?**

No. A candidate must deposit any personal funds that will be used to promote their election into the campaign bank account. Therefore, any expenditures made for the fundraiser must be reported on your Form 460.

**F. May a nonprofit organization hold a joint fundraiser with a political committee?**

Yes. However, any costs incurred by the nonprofit organization which are not reimbursed by the political committee would be considered to be a nonmonetary contribution from the nonprofit to the political committee. The nonprofit organization should contact the IRS for any possible restrictions based upon the organization's tax status.

**G. Is volunteer work provided by some people considered a nonmonetary contribution because of the volunteer's profession, such as free legal advice provided by a lawyer or bookkeeping done by a CPA?**

No. Volunteer personal services, regardless of the profession of the individual, are not reportable so long as the individual providing the services is not paid by a third party.



**H. Three candidates wish to conduct individual polls. A polling firm has offered a reduced rate because all three polls can be combined using one very large sample. Are the candidates receiving contributions from the polling firm because of the discounted fee, and are the candidates making contributions to each other?**

To the extent each candidate pays only their share of the cost of the poll, the candidates are not making contributions to each other. Additionally, if the polling firm provides the discount as part of its standard business policy of providing discounts in similar situations and does not provide the discount for political purposes, the candidates will not receive a contribution from the polling firm.

**I. A committee receives a contribution from a joint checking account signed by one of the individuals. The contribution exceeds local limits. If the committee later receives a document stating that the contribution is from both individuals, may the contribution be reported that way?**

No. A document must accompany the contribution at the time the contribution is received in order for the contribution to be reported from both individuals. This is true for contributions made by check or electronic means.

**J. If a potential donor takes me out to dinner to discuss my school board campaign and pays for my meal, do I report the meal as a nonmonetary contribution?**

No. Because there is a personal benefit to you, the payment for the meal would be considered a gift to you, not a contribution.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

82004.5	Behested Payment.
82015	Contribution.
82015.5	Contribution; Aggregation.
82018	Cumulative Amount.
82025	Expenditure.
82025.5	Fair Market Value.
82036	Late Contribution.
82041.3	Made at the Behest of.
82047	Person.
82047.6	Principal Officer.
84105	Notification of Contributors.
84211	Contents of Campaign Statement.
84216	Loans.
84300	Cash and In-Kind Contributions; Cash Expenditures.
84302	Contributions by Intermediary or Agent.
84306	Contributions Received by Agents of Candidates and Committees.
85308	Family Contributions.
85312	Communications to Members of an Organization.
85700	Donor Information Requirements; Return of Contributions.
85704	Prohibition on Earmarking.

## Title 2 Regulations

- 18215 Contribution.
- 18215.2 Uncompensated Internet Activity by Individuals that is not a Contribution or Expenditure.
- 18216 Enforceable Promise to Make a Payment.
- 18402.2 Limited Liability Companies, Responsible Officer.
- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18421.2 Cryptocurrency Contributions.
- 18421.3 Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
- 18421.10 Reporting Contributions from Limited Liability Companies.
- 18421.31 Text Message Contributions.
- 18423 Payments for Personal Services as Contributions and Expenditures.
- 18427.1 Notification to Contributors of Filing Obligations.
- 18428 Reporting of Contributions and Independent Expenditures Required to be Aggregated.
- 18430 Committee Controlled by More Than One Candidate.
- 18432.5 Intermediary and Earmarked Funds Disclosure.
- 18523 Nondesignated Contributions or Loans.
- 18531.7 Payments for Communications – Section 85312.
- 18533 Contributions from Joint Checking Accounts.

# CONTRIBUTION RESTRICTIONS

Although the Political Reform Act (Act) is primarily a disclosure law, there are several important restrictions and prohibitions on receiving contributions. This chapter reviews these restrictions and prohibitions, as well as some that are contained in laws other than the Act.

In addition, while the receipt of campaign contributions generally will not create a conflict of interest for an elected officeholder in the performance of their duties, contributions may be the source of a conflict of interest for officeholders or candidates who are also appointed to certain boards or commissions. The section on “Disqualification and Campaign Contributions” covers this area of the law.

## A. Local Contribution Limits

The Act does not contain contribution limits for local candidates, but provides that cities and counties may adopt contribution limits applicable to their elections. Many California cities and counties have adopted campaign ordinances that include contribution limits and other disclosure provisions.

**QUICK TIP:** Check with your local elections office to determine if local campaign finance rules apply to your campaign.

Effective January 1, 2021, a default contribution limit applies to city and county candidates when the city or county has not already enacted a contribution limit. Please see AB 571 (2019).

The FPPC’s website lists cities and counties with local campaign finance rules and links to the ordinances. For questions about local contribution limits, candidates and committees should contact their city clerk, county elections office, or their City Attorney’s or County Counsel’s office.

## B. Restrictions under the Political Reform Act

### Reporting the True Donor

If a contribution of \$100 or more is received from a single source in a calendar year, the source must be identified on the committee's Form 460. If a contribution is received through an intermediary, both the intermediary and the true source of the contribution must be identified. (See Chapter 3 for additional information about intermediaries.)

Failure to disclose the true source of a contribution is often referred to as campaign money laundering, which is a serious violation of the Act. One type of common violation is when an employer reimburses individual employees for contributions so that the committee receiving the contributions discloses the employees rather than the true source of the contribution (the employer) on campaign disclosure reports.

Another occurrence is when a person (organization, business, individual) makes a contribution to another person with the condition, agreement or understanding that the payment will be subsequently used for political purposes, such as a contribution to another committee. It is a violation for persons to conceal their identities by contributing through another person.

Committee treasurers must inquire about any information that a person of reasonable prudence would question based on all available information. It is not possible to describe every situation that might trigger a duty for a treasurer to inquire if a contribution is identified correctly. Some examples are the size of the contribution, the reported source, and the likelihood of that source making a contribution of the size reported.

**Ex 5.1** - A committee receives contributions of \$1,000 each from ten different individuals in the same week. The committee treasurer and campaign fundraiser did not make specific solicitations to the individuals. Upon the treasurer's request, the individuals state that they all work for the same employer. The committee treasurer has a duty to inquire to determine if the employer reimbursed the employees.

If it is discovered that a committee received a contribution and the donor and intermediary were not properly identified, the contribution must be paid to the Secretary of State for deposit in the State General Fund. When the action is brought under a local campaign ordinance, a local committee may pay the contribution to the local jurisdiction for deposit in its general fund.

## Cash Contributions

The committee may not accept a cash contribution of \$100 or more. Such a contribution will not be deemed “received” if it is not deposited or spent and is returned to the contributor prior to the end of the reporting period of the campaign statement on which the contribution would otherwise be reported. Even if the contribution is inadvertently deposited, it is not deemed “received” if it is refunded within 72 hours of receipt. However, a cash contribution of \$1,000 or more that is received in the 90 days before the election, including the date of the election, that is inadvertently deposited must be refunded within 48 hours in order to not be deemed “received.”

**QUICK TIP:** Even if change is immediately provided, a committee may not accept \$100 or more in cash from a single source. For example, if the committee is holding a fundraiser and charging \$50 per person, an attendee may not pay with a \$100 bill. The payment must be made by personal check, debit card, or credit card.

## Anonymous Contributions

Anonymous contributions of \$100 or more are prohibited. If a committee receives a cash contribution of \$100 or more from an unknown source, it must be sent to the Secretary of State for deposit in the State General Fund.

## Contributions Made by Money Orders/Cashier’s Checks/ Traveler’s Cheques

Contributions of \$100 or more made by money order, cashier’s check, or traveler’s cheque are prohibited and must be returned to the contributor, or, if made anonymously, sent to the Secretary of State for deposit in the State General Fund.

All monetary contributions of \$100 or more must be made by written instrument (such as a check) containing the name of the donor and drawn from the account of the donor or the intermediary. Contributions may also be received by credit card (including over the Internet), wire transfer, or other electronic means. (See Chapter 3.)

### **Contributor's Legal Name**

Contributions must be made in the name by which the contributor is identified for legal purposes.

### **Commingling Funds**

Campaign funds may not be commingled with any individual's personal funds; they must be kept in an account separate from any account that contains personal funds. In general, campaign funds may not be used for personal expenses. (See Chapter 5 for information about the use of campaign funds.)

**QUICK TIP:** Campaign contributions must be kept separate from personal funds and may not be used for personal expenses.

### **Contributions Delivered in State Office Buildings**

A contribution may not be delivered to or received by another person, personally or through an agent, in the State Capitol or any other state office building for which the State of California pays the majority of the rent. "Personally delivered" includes the delivery of a copy or facsimile of a contribution, and the original or a copy of a contribution transmittal letter. This prohibition does not apply to contributions received or delivered in a legislative district office or those sent by postal mail.

### **Contributions from State Lobbyists**

A state lobbyist may not make a contribution to an elected state officer or a candidate for elective state office if the lobbyist is registered to lobby the governmental agency of the elected officer or the agency to which the candidate is seeking election. The lobbyist also may not contribute to a local committee controlled by a state officer or candidate for elective state office.

## **State Lobbyist and Lobbying Firm Fundraisers**

A fundraiser held in the home of a state lobbyist is considered a contribution; therefore, a lobbyist or a cohabitant of a lobbyist is prohibited from holding a fundraiser in their home for a candidate seeking election to a governmental agency that the lobbyist is registered to lobby. This includes a local candidate/officeholder that is seeking election to a state office. A similar prohibition applies to lobbying firms holding fundraisers at their offices.

## **Federal Law Prohibitions: Contributions from Foreign Nationals (including Foreign Principals and Foreign Governments)**

Committees may not solicit or accept contributions from foreign nationals. Federal law prohibits contributions and expenditures solicited, directed, received or made directly or indirectly by or from foreign nationals in connection with any election — federal, state or local. This prohibition includes contributions made to political committees. Furthermore, it is a violation of federal law to knowingly provide substantial assistance in the making, acceptance or receipt of contributions or in connection with federal and nonfederal elections to a political committee. This prohibition includes, but is not limited to, acting as an intermediary for foreign national contributions. (52 USCS Section 30121.) Contact the Federal Election Commission for information at (800) 424-9530 or [info@fec.gov](mailto:info@fec.gov).

## **Federal Law Prohibitions: Contributions from National Banks or Federally-Chartered Corporations**

National banks and federally-chartered corporations are subject to federal law prohibiting particular contributions and expenditures in connection with local, state, or federal elections. (The Federal Election Campaign Act, 52 USCS Section 30101, et seq. and specifically Section 30118; and see 11 C.F. R. Section 114.2.) Contact the Federal Election Commission for information at (800) 424-9530 or [info@fec.gov](mailto:info@fec.gov).



## Soliciting Contributions from Public Employees

Government Code Section 3205 prohibits a local candidate from knowingly, directly or indirectly, soliciting a political contribution from any employees of their agency or from a person on an employment list of that agency. There is an exception for solicitations that are made to a significant segment of the public. For further information, contact the Attorney General's office at (800) 952-5225 or the local district attorney.

## C. Public Funds and Public Resources

Under Government Code Section 85300, the use of public moneys for the purpose of seeking elective office is prohibited unless:

- The governmental entity establishes a dedicated fund for this purpose by statute, ordinance, resolution, or charter; and
- Public moneys held in the fund are available to all qualified, voluntarily participating candidates for the same office without regard to incumbency or political party preference; and
- The state or local governmental entity has established criteria for determining a candidate's qualification by statute, ordinance, resolution, or charter.

**QUICK TIP:** Using public resources for campaign purposes is prohibited.

Please note that at the time of this publication, recently enacted provisions of Section 85300 are currently the subject of a court challenge. (See *Howard Jarvis Taxpayers Assn. v. Brown*, Super. Ct. Sacramento County, 2016, No. 34-2016-80002512.)

In addition, laws outside the Act prohibit the use of public resources, such as office equipment, staff time, etc., for campaign or personal purposes. (Education Code Section 7054; Gov. Code Section 8314; Penal Code Section 426; and *Vargas v. City of Salinas* (2009) 46 Cal 4th 1.)

**Ex 5.2** - Three city councilmembers and two county supervisors serve on the Local Agency Formation Commission (LAFCO). Since the councilmembers and supervisors were appointed to the commission, they may not vote on a LAFCO issue if they have received a contribution in the last 12 months of more than \$250 from someone who is a party, participant, or agent in the proceeding.

Government Code Section 54964 prohibits an officer, employee or consultant of a local agency from expending or authorizing the expenditure of any local agency funds to support or oppose a candidate or ballot measure. For further information about laws outside the Act, contact the Attorney General's office at (800) 952-5225 or the local district attorney.

## D. Campaign Contributions and Disqualification

Campaign contributions received in connection with an elective office may serve as the basis for disqualifying an officer from voting on a matter affecting the contributor, and may limit the amount of a contribution an officer can receive from a contributor with certain matters pending before the officer's agency. These rules apply to decisions before both elected officers as well as appointed officers where the appointed officer is also a candidate for an elected office. Specifically, Government Code Section 84308:

- **Prohibits Contributions Over \$250:** Prohibits an officer from soliciting, accepting, or directing campaign contributions of more than \$250 from any party, participant, or agent of a party or participant, while a proceeding involving a license, permit, or other entitlement for use is pending before the officer's agency and for 12 months following the date of that decision. This prohibition applies even when the contribution is for another candidate.
- **Requires Disclosure:** Requires disclosure of all such campaign contributions and also requires an officer's disqualification from making decisions in certain proceedings if the officer has received more than \$250 in campaign contributions from a party or participant within 12 months preceding the decision.

- **Permits Return of Contributions After Proceeding:** Permits an officer who does not willfully or knowingly accept, solicit, or direct a contribution of more than \$250 during the 12 months after the date a final decision is rendered in the proceeding to cure the violation by returning the contribution, or the portion of the contribution in excess of the \$250, within 14 days of accepting, soliciting, or directing the contribution, whichever comes last. An officer's controlled committee, or the officer themselves if no controlled committee exists, must maintain records of curing any violation.
- **Permits Return of Contribution While Proceeding is Pending:** Allows an officer who receives a contribution that would otherwise require disqualification, who returns the contribution within 30 days from the time the officer knows, or should have known, about the contribution and the proceeding involves a license, permit, or other entitlement for use, to participate in the proceeding.

## Who is Covered?

Generally, appointed board members, commissioners, or individuals who head state or local government agencies and who make decisions in proceedings involving licenses, permits, or other entitlements for use are subject to Section 84308. Common positions include:

- Local agencies whose members are elected by the voters (e.g., board of supervisors, city council, school board)
- Planning Commissioners
- Local Agency Formation Commission (LAFCO) members
- Members of redevelopment agencies that are not entirely comprised of elected members of the same agency
- Transportation Authority members
- Air Quality Management District members
- Waste Management Authority members
- California Coastal Commissioners

**Ex 5.3** - A planning commissioner serves as the treasurer for a councilmember's campaign. The planning commissioner may not solicit, accept, or direct a campaign contribution of more than \$250 for the councilmember's campaign from a party, participant, or agent whose proceeding is pending before the planning commission.

**Ex 5.4** - Sarah is a city council candidate. Sarah is also an appointed member of the city's planning commission. Christopher has a permit request pending before the planning commission. Sarah is prohibited from soliciting or receiving any contribution of more than \$250 from Christopher or Christopher's agent.

**Ex 5.5** - Sarah wins the election and resigns from the position on the planning commission. Sarah is now serving solely in an elected position. Sarah is still required to disqualify herself from making decisions in proceedings involving a license, permit, or entitlement for use on the city council if Sarah has received contributions of more than \$250 from a party or participant in the proceeding within the preceding 12 months.

## Exempted Agencies

Section 84308 does not apply to the following agencies:

- Judicial branch
- Legislature
- Board of Equalization (Gov. Code Section 15626 applies)
- Constitutional officers

**QUICK TIP:** Section 84308 applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

82015	Contribution.
84300	Cash and In-Kind Contributions; Cash Expenditures.
84301	Contributions Made Under Legal Name.
84302	Contributions by Intermediary or Agent.
84304	Anonymous Contributions.
84307	Commingling with Personal Funds.
84308	Contributions to Officers; Disqualification.
84309	Transmittal of Campaign Contributions in State Office Buildings.
85700	Donor Information Requirements; Return of Contributions.
85701	Laundered Contributions.
85702	Contributions from Lobbyists.
85704	Prohibition on Earmarking.

### Title 2 Regulations and Opinion

18215	Contribution.
18432.5	Intermediary and Earmarked Funds Disclosure.
18438.1	Officers and Agencies Under Government Code Section 84308.
18438.5	Aggregated Contributions Under Government Code Section 84308.
18438.6	Solicitation, Direction, and Receipt of Contributions Under Government Code Section 84308.
18438.7	Prohibitions and Disqualification Under Government Code Section 84308.
18438.8	Disclosure Under Government Code Section 84308.
18439	Definition of “Personally Deliver.”
18572	Lobbyist Contributions – Making a Contribution Defined.

*Pelham* Opinion (2001) 15 FPPC Ops. 1

# USE OF CAMPAIGN FUNDS

The use of campaign funds by candidates, elected officials, and others who control the expenditure of campaign funds, is strictly regulated. The expenditure of campaign funds must be reasonably related to a political, legislative, or governmental purpose.

If an expenditure confers a substantial personal benefit on the candidate, officeholder, or any individual authorized to approve campaign expenditures, the expenditure must be directly related to a political, legislative, or governmental purpose. A substantial personal benefit means an expenditure of campaign funds which results in a direct personal benefit with a value of more than \$200.

The following are examples of specific expenditures and the rules regarding the use of campaign funds for such purposes. If the examples are not helpful, contact the FPPC for assistance about whether or not a specific use of campaign funds is permissible by sending an email with specific facts to [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov).

**QUICK TIP:** Campaign funds must be used for political, legislative, or governmental purposes. The FPPC has fined committees for payments made from a campaign account that were used for the following personal purposes: auto care services, doctor visits, clothing, and personal life insurance premiums.

## A. Campaign Expenditures

### Election Night Celebrations

Costs associated with election night celebrations or similar campaign events are considered to be directly related to a political, legislative, or governmental purpose; therefore, campaign funds may be used.

## Attorneys' Fees

Generally, attorneys' fees and other costs related to administrative, civil, or criminal litigation may only be paid with campaign funds if the litigation is directly related to activities of the committee that are consistent with its primary objectives. Campaign funds may be used to pay for expenses related to the following:

- Action to halt defamation;
- Defense of an action to halt defamation;
- Defense of an action for violation of state or local campaign, disclosure, or election laws;
- Litigation to secure a place on the ballot or challenge the wording of the ballot pamphlet;
- Contested election;
- Election recount; and
- Compliance expenses (for example, completing campaign disclosure reports).

## Reimbursements

If a bank account is required (see Chapter 1), the candidate must deposit personal funds in the campaign bank account and make expenditures from that account instead of spending personal funds for the campaign and later seeking reimbursement from campaign funds. However, any other individual (e.g., a volunteer or campaign worker) may make expenses from personal funds and be reimbursed, so long as the expenses are incurred for political, legislative, or governmental purposes and repayment is made within 45 days. An officeholder may use personal funds and be reimbursed for "officeholder" expenses. (See Chapter 8 for specific reporting rules and deadlines for reimbursements.)

**Ex 6.1** - The candidate's spouse buys bagels for the morning shift of volunteer workers. After providing the treasurer with a receipt for bagels, the treasurer may reimburse the spouse for their expenses so long as the reimbursement is made within 45 days of the payment.

## Automobile Lease or Purchase

When making payments associated with leasing, purchasing, or operating a vehicle, such as insurance, maintenance, and repairs, the campaign committee must be the lessee or hold title to the vehicle. Additional titleholders may not be the candidate, officeholder, treasurer, or any other person who may approve campaign expenditures, or a member of any such person's immediate family (spouse or registered domestic partner and dependent children). Additional lessees may not be the candidate, officeholder, treasurer, or a member of any of these persons' immediate family.

## Reimbursed Automobile Expenses

Campaign funds may be used to reimburse an officeholder, candidate, immediate family member, treasurer, and committee staff for use of a personal vehicle if the use is directly related to a political, legislative, or governmental purpose. Documentation should be kept which includes the trip's purpose and mileage in a manner approved by the Internal Revenue Service for deducting mileage expenses. The rate for reimbursement may not exceed that allowed under Internal Revenue Code Section 162. For more details, the Internal Revenue Service may be contacted at (800) 829-1040 ([www.irs.gov](http://www.irs.gov)).

## Childcare Expenses

Campaign funds may be used to pay or reimburse a candidate for a dependent child's reasonable and necessary childcare expenses resulting *directly* from engaging in campaign activities. An officeholder may use campaign funds for childcare expenses resulting from directly engaging in campaign activity including that which is both political and legislative or governmental. Under the Act, "directly" means that the candidate would not have otherwise incurred the childcare expenses if not for the candidate engaging in campaign activities.



Under the Act, “childcare expenses” include the reasonable costs of:

- Professional daycare services
- Babysitting
- Nanny services
- Food and beverages
- Transportation to and from the location of a childcare services provider
- Before and after school programs
- Summer day camps
- Preschool
- Costs related to a nurse, home care provider, or other care provider for a disabled dependent child

Prohibited uses of campaign funds for childcare expenses include:

- Private school tuition
- Medical expenses
- Tutoring services
- Payments to a relative within the third degree of consanguinity, unless the relative owns or operates a professional daycare or babysitting service for which the cost is no greater than the relative would otherwise charge.

## Clothing

The purchase of clothing is a personal expense. The committee may not use campaign funds to pay for a candidate’s business or casual clothing. Specialty clothing, such as formal wear worn by an officeholder or candidate, may be purchased with campaign funds if the use of such clothing is directly related to a political, legislative, or governmental purpose.

**Ex 6.2** - A candidate has been asked to attend a formal event honoring the mayor. Since they do not own a tuxedo, they may rent one with campaign funds since the event is directly related to a political purpose.

## Contributions to Other Candidates and Committees

Candidates may make contributions to other candidates and committees unless prohibited by local rules. Contributions to certain state committees are subject to limitations.

## Donations

Campaign funds may be used to make donations or loans to bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organizations as long as the donation or loan is reasonably related to a political, legislative, or governmental purpose. In addition, the donation may not personally benefit the officeholder, candidate, committee treasurer, or any individual with authority to approve the expenditure of campaign funds, or any such person's immediate family member (spouse or registered domestic partner and dependent children).

**Ex 6.3** - A fundraiser will be held to raise funds for a veteran's memorial at the local civic center. The committee is permitted to donate campaign funds because the payment has a political, legislative, or governmental purpose.

**Ex 6.4** - Your committee would like donate funds to a homeless shelter where your spouse is a salaried employee. It is determined that a substantial part of the proceeds would benefit your spouse; therefore, this expenditure is not permissible.

## Equipment and Appliances

Campaign funds may be used to buy, lease, or refurbish equipment or appliances, but only if their use is directly related to a political, legislative, or governmental purpose. As with restrictions on vehicles, the committee must hold title, or be the lessee, on the equipment; no individual may be listed as owner or lessee.

**Ex 6.5** - When the printer breaks down, the treasurer goes out and buys a new one. While shopping, the treasurer finds a great buy on a big screen TV. While the printer is a permissible expense, since it will be used to communicate with the voters, the television does not serve a directly-related political, legislative, or governmental purpose and, therefore, may not be paid for with campaign funds.

## Fines, Penalties, Judgments, and Settlements

Generally, campaign funds may be used to pay the following fines, penalties, judgments, and settlements:

- Parking citations received while performing political, legislative, or governmental activities
- Fines assessed in relation to situations in which the use of campaign funds to pay for an attorney is allowed (discussed above)
- Fines imposed for late filing of campaign statements and Statements of Economic Interests (Form 700)

**Ex 6.6** - Your treasurer was two days late in filing the committee's first preelection statement and the filing officer fined the committee \$20. The committee may pay the fine with campaign funds.

But campaign funds of any amount may not be used to pay a fine, penalty, judgment, or settlement relating to an improper use of campaign funds or an action involving bribery under Penal Code Section 86.

A candidate or officeholder may not use any funds to pay or be reimbursed for a penalty, judgement or settlement related to a claim of sexual assault, sexual abuse or sexual harassment filed against the candidate or officeholder in any civil, criminal or administrative proceeding.

A candidate or officeholder may use legal defense committee funds for *other* legal costs and expenses related to claims of sexual assault, sexual abuse or sexual harassment, but if the candidate or officeholder is held liable, the candidate or elected officer must reimburse the legal defense fund for all funds used in connection with those other legal costs and expenses.

“Sexual assault” and “sexual abuse” have the same meaning as provided in Penal Code Section 11165.1. “Sexual Harassment” has the same meaning as found in Government Code Section 12940(j).

## Food

A committee may use campaign funds to purchase a meal with a cost of \$200 or less, so long as the expenditure is reasonably related to a political, legislative, or governmental purpose. However, if the aggregate cost of the meal is more than \$200, the expense must be directly related to one of these purposes. When a candidate controlled committee reports itemized expenditures for gifts, meals, or travel, specific details must be included as described in Chapter 8.

**Ex 6.7** - An officeholder attends a dinner sponsored by the police department to honor a local good Samaritan. Since the expenditure is directly related to a governmental purpose, the campaign may pay for their attendance even if the total cost is more than \$200.

## Future Election

Campaign funds leftover after an election may be redesignated for a future election to seek the **same office** in a city or county that has enacted its own contribution limit so long as the funds are not “surplus funds.” If the city or county has not enacted its own contribution limit, campaign funds leftover must be deposited in a new bank account for reelection to the same office. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit should check with the local jurisdiction to determine if there is a local ordinance that does not allow a candidate to use the same committee for a future election.) In addition, campaign funds leftover after an election may be transferred to a new bank account for a future election to seek a **different office** so long as the funds are not “surplus funds.” There is a discussion on when leftover funds become “surplus funds” at the end of this chapter. See Chapter 11 for the other requirements that must be met in order to use the funds for election to a future office.

## Gifts

Unless directly related to a political, legislative, or governmental purpose, personal gifts may not be paid for with campaign funds. However, gifts of less than \$250 in a calendar year to campaign employees or workers are permitted because they are considered to be directly related to a political, legislative, or governmental purpose. When a candidate controlled committee reports itemized expenditures for gifts, meals, or travel, specific details must be included as described in Chapter 8.

## Health-Related Expenses

A committee may use campaign funds to pay for health care benefits for its employees or independent contractors. However, campaign funds may not be used to pay for other health-related expenses such as health club dues, special dietary foods, or medical check-ups.

## Independent Expenditures

Government Code Section 85501 states that a candidate controlled committee may not make independent expenditures and may not contribute funds to another committee for the purpose of making independent expenditures to support or oppose other candidates.

However, a recent Sacramento County Superior Court decision in *Charles R. “Chuck” Reed v. Fair Political Practices Commission* found Section 85501 unconstitutional and enjoined the Commission from enforcing that provision.

Before making an independent expenditure to support or oppose another candidate, committees should seek advice from the FPPC. An advice letter (Downing, No. A-14-148) has been issued on the matter.

A candidate controlled committee for elective office may make independent expenditures to support or oppose a ballot measure.

## Loans

Campaign funds may be used to make loans to other political committees, subject to applicable limits, if any. Transfers from a local candidate’s committee to their state committee must be attributed to the original contributors. See Campaign Disclosure Manual 1 for State Candidates for more information on transfers and attribution.

Campaign funds may also be used to make loans to bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organizations, so long as the loan does not personally benefit the officeholder, candidate, committee treasurer, or any individual with authority to approve the expenditure of campaign funds, or any such person’s immediate family member. The loan must be reasonably related to a political, legislative, or governmental purpose. Campaign funds may not be loaned to an individual or to an entity other than those described above.

## Professional Services

When the committee reasonably requires the services of professionals, such as accountants or attorneys, their fees may be paid with campaign funds as these expenditures are considered to be directly related to a political, legislative, or governmental purpose. (See below for restrictions on salary and compensation.)

## Real Property

The committee may not purchase real property. It may, however, lease property for up to one year, so long as its use is directly related to a political, legislative, or governmental purpose. The candidate, officeholder, committee treasurer, any individual with authority to approve the committee's expenditures, or an immediate family member of any of these persons may not be a lessee or sublessor, or hold legal title to the leased property.

## Recurring Contributions

A "recurring contribution" is a contribution from a person to a candidate or committee that is automatically charged to the person's bank account, credit card, or other payment account on a repeated basis, such as weekly or monthly, without approval or any other affirmative consent by the person after their initial contribution to the candidate or committee.

A committee must obtain affirmative consent from a person making a recurring contribution at the time of the initial contribution. Any solicitation for a recurring contribution must be in a form that requires affirmative consent from the person making the contribution. Passive action by the contributor, such as failing to uncheck a pre-checked box authorizing a recurring contribution, does not meet the requirement of affirmative consent. A committee that accepts a recurring contribution is required to provide a receipt for each contribution, provide information necessary to cancel the recurring contribution, and immediately cancel a recurring contribution upon request.

A recurring contribution accepted in response to a solicitation that did not require affirmative consent must be returned to the contributor within 14 days of the earlier of the following:

- receipt of a request from the contributor to return the contribution, or
- the date on which the candidate or committee becomes aware that the solicitation of the recurring contribution was in violation of the Act.

A contribution accepted after a contributor requested to cancel a recurring contribution must be returned to the contributor within 14 days of the request to cancel the recurring contribution.

## Refunding Contributions

The return of contributions to contributors is permitted.

## Returning Contributions Lacking Contributor Information

When a contribution of \$100 or more is received in a calendar year from a single contributor, the committee must disclose the contributor's name and address, and, if the contributor is an individual, their occupation and employer. If the committee does not have this information in its records within 60 days of receipt of the contribution, it must be returned to the contributor. (See Chapter 2.)

**Ex 6.8** - Paula Greene, a member of Supervisor Howard's staff, is also the treasurer of the Supervisor's campaign committee. Paula does all recordkeeping for the committee and completes the committee's campaign reports. Paula also has authority to approve committee expenditures. Campaign funds may be used to pay Paula Greene for services Paula provides as committee treasurer. Funds may not be used to supplement or pay her government salary.



## Salary and Compensation

The candidate or officeholder, or any individual authorized to approve the committee's expenditures, may not receive a salary or other compensation from the committee for the performance of political, legislative, or governmental activities. However, the committee may pay for professional services such as an accountant or treasurer, even if the accountant or treasurer has authority to sign committee checks.

A spouse or domestic partner of an elected officer or a candidate for elective office may not receive, in exchange for any services rendered, compensation from campaign funds held by a controlled committee of the officer or candidate.

## Security Systems

A candidate may use campaign funds to purchase an electronic security system. To do so, the candidate must have received threats to their physical safety because of their status as a candidate or elected official and the incidents must be verified by an appropriate law enforcement agency. No more than \$5,000 may be spent and a report to the FPPC is required.

Effective January 1, 2020, campaign funds may be used to pay for, or reimburse the state for, the installation and monitoring of hardware, software, and services related to the cybersecurity of the electronic devices of a candidate, elected officer, or campaign worker. Any expenditure of campaign funds for these purposes must be reported on the candidate or elected officer's campaign statements.

## Tickets for Entertainment and Sporting Events

Campaign funds may not be used to purchase entertainment and sporting event tickets for use by the candidate or officeholder, or staff of the committee, unless attendance at the event is directly related to a political, legislative, or governmental purpose.

**Ex 6.9** - Candidates for the office of mayor have been offered the chance to speak during half-time at the local college football game. Campaign funds may be used to purchase tickets for the candidates and committee staff to attend, but only because they will be speaking.

### **Tickets to Political Fundraisers**

A committee may purchase tickets to political fundraisers (subject to any applicable contribution limits) for the candidate, officeholder, or their immediate family, or an officer, director, employee, or staff of the committee or the officeholder's governmental agency.

### **Travel**

A committee may use campaign funds to pay for travel or accommodations for the candidate or officeholder, any individual with authority to approve the committee's expenditures, or staff of the committee so long as the standards set by Internal Revenue Code Sections 162 and 274 (deduction of travel expenses for tax purposes) are complied with. Contact the Internal Revenue Service at (800) 829-1040 for more information. When a candidate controlled committee reports itemized expenditures for gifts, meals, or travel, specific details must be included as described in Chapter 8.

### **Airline Mileage Programs**

Some airlines have mileage programs that allow individuals to earn free tickets or other awards. These mileage credits and awards belong to the individual traveler, not the committee. The committee is not required to report either the receipt of the mileage credit awards or the redemption of the credits.

## B. Surplus Funds

There are restrictions on how campaign funds held by an elected officeholder or candidate may be spent once the funds become “surplus.” Surplus funds may not be used for a future election. See Chapter 11 for information about all requirements that must be met in order to use leftover campaign funds for a future election before the funds become surplus.

Campaign funds held by an officeholder become surplus on the 90th day after the officeholder leaves the office for which the funds were raised, or on the 90th day after the end of the postelection reporting period following their defeat, whichever occurs last. Campaign funds held by a non-incumbent defeated candidate or a candidate that withdrew become surplus on the 90th day after the postelection reporting period following the election. The end of the postelection reporting period is June 30 for elections held during the first six months of the calendar year and December 31 for elections held during the last six months of the calendar year.

### **Surplus funds may only be used to make the following expenditures:**

- Payments for outstanding campaign debts or officeholder expenses.
- Refunds to contributors.
- Donations to a bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, provided no substantial part of the proceeds will have a material financial effect on the candidate, on any member of the candidate’s immediate family (spouse or registered domestic partner and children), or the campaign treasurer.
- Contributions to a political party committee, so long as the funds are not used to make contributions in support of or opposition to a candidate for elective office. (For example, funds earmarked for overhead expenses.)

- Contributions to support or oppose any candidate for federal office, any candidate for elective office in a state other than California, or any ballot measure.
- Payments for professional services or attorneys' fees for litigation that arises out of campaign or election activities.
- Payment for an electronic security system. Contact the FPPC for information about specific requirements that must be met.

## Answering Your Questions

### **A. Are there private firms that provide treasurer or campaign reporting services?**

Yes. The FPPC does not endorse or recommend any particular private firm. Candidates may find useful information on the websites of the California Political Attorneys Association and the California Political Treasurers Association.

### **B. I am a candidate for a local office. It appears that I won't have any problem winning my seat. I would like to return some of my contributions to my contributors. May I do this?**

At any time during the campaign, you may return all or part of a contribution to your contributors.

### **C. I am a candidate. I make long-distance phone calls on my home phone to request support from organizations statewide. How may I pay for them?**

When the bill arrives and there are additional charges that can be directly attributed to the campaign activity, the committee should pay for that portion. If the personal charges are not changed by the campaign activity, there is no reporting required.

**D. May I use campaign funds to pay a babysitter for the evenings that I am out campaigning?**

Yes. Candidates may use campaign funds to pay for babysitting services for events that are directly related to campaign activity because the candidate would not have otherwise incurred childcare expenses if the candidate did not engage in the campaign activity.

**E. As a candidate, I will be using my personal car to get around during the campaign. Is mileage considered a reportable contribution if I do not want to be reimbursed?**

No. Incidental use of your personal car for campaign purposes is not considered a contribution and is not reportable.

**F. May I use campaign funds to have an additional telephone line put in my home?**

Yes, as long as the additional phone line is used for campaign purposes only. If, after the campaign, you choose to retain the additional phone line for personal purposes, you must pay the campaign what it would cost to install an additional line at that time.

**G. Is it permissible to use campaign funds to pay an independent contractor (e.g., the campaign consultant) additional money if I win my election?**

Yes. You may use campaign funds to pay a contractor for fees that are part of the written contract.

**H. May I host a victory party or give bonuses to my campaign workers?**

Yes. In most cases, the bonuses would be considered gifts and would be limited to \$250 per calendar year.

**I. I lost my election and have funds remaining. May I, a non-incumbent, use the leftover funds to run again in two years?**

If you wish to use funds left over from an unsuccessful race for a future election to the same office, file a new Form 501 and amend your existing Form 410 within 90 days after the end of the postelection reporting period. For elections occurring in the first six months of the calendar year, the end of the postelection reporting period is June 30. For elections occurring in the last six months of the calendar year, the end of the postelection reporting period is December 31. If you plan to run for a different office, file a new Form 501, transfer the funds to a new campaign bank account, and file a new Form 410. If the funds become “surplus,” they may not be used for a future election.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

82022.5	Election-Related Activities.
82025	Expenditure.
82044	Payment.
84307.5	Fundraising Payments Made to a Spouse or Domestic Partner.
85201	Campaign Bank Account.
85304.5	Legal Defense Fund; Local Candidates and Elected Officeholders.
85501	Prohibition on Independent Expenditures by Candidate Controlled Committees.
85700	Donor Information Requirements; Return of Contributions.
85710.5	Recurring Contributions
89511	Campaign Funds Held by Candidates and Committees.
89511.5	Use of Personal Funds for Incumbent Elected Officers.
89512	Expenditures Associated with Seeking or Holding Office.
89513	Use of Campaign Funds for Specific Activities.
89514	Use of Campaign Funds for Attorney's Fees.
89515	Use of Campaign Funds for Donations and Loans.
89516	Use of Campaign Funds for Vehicle Expenses.
89517	Use of Campaign Funds for Real Property, Appliances or Equipment.
89517.5	Use of Campaign Funds for Security System.
89517.6	Use of Campaign Funds for Cybersecurity System.
89518	Use of Campaign Funds for Compensation.
89519	Use of Surplus Campaign Funds.

## Title 2 Regulations

- 18526 Reimbursement of Expenditures.
- 18530.45 Legal Defense Funds – Local Candidates and Officers.
- 18570 Return of Contributions with Insufficient Donor Information.
- 18951 Surplus Funds.
- 18960 Direct Personal Benefit Defined.
- 18961 Incidental Use.



# COMMUNICATIONS

Campaigns reach the voters through political communications including television, radio, and Internet advertising, mailers, billboards, precinct-walking, and flyers. The Political Reform Act (Act) requires that committees report most payments in connection with political communications as direct expenditures, nonmonetary contributions to the campaign, or independent expenditures. As discussed below, however, certain types of communications may not be reportable at all, or may be subject to special reporting requirements. This chapter reviews common communications in a campaign and how payments for the communications are reported.

The Act also requires “paid for by” disclosures on campaign ads to inform voters who is paying for the communication. Chapter 7 discusses the disclosure requirements that apply to communications, including mass mailings, made by candidate controlled committees for their own election and communications made by non-controlled committees that are primarily formed to support or oppose a candidate.

## A. Payments for Communications Made by Candidate’s Campaign

In most cases, a candidate’s campaign committee will be funding the bulk of the communications to elect that candidate to office. When a candidate’s campaign committee makes expenditures for communications in furtherance of the candidate’s election, the committee simply reports these direct expenditures. The expenditures are reported on the committee’s Form 460, Schedule E, as described in Chapter 8.

## B. Payments for Communications Made by Others

Generally, when someone other than the candidate or their committee pays for a communication that expressly advocates support of the candidate, and the communication is coordinated with or “made at the behest” of the affected candidate, the candidate has received a **nonmonetary contribution** that must be reported by the candidate’s controlled committee.

Payments for communications expressly advocating support of or opposition to a candidate, which are not coordinated with or made at the behest of the candidate, are **independent expenditures**, and the affected candidate is not required to report the payments; however, the person making the independent expenditure may have reporting obligations.

Whether a communication is a contribution, an independent expenditure, or some other type of reportable payment depends on several facts, including whether the communication “expressly advocates” support of or opposition to a clearly identified candidate or ballot measure. The information and examples below may be of assistance in making that determination. However, it is impossible to address all of the types of communications in a campaign. If presented with specific facts, FPPC staff may provide assistance.

**QUICK TIP:** If a third party pays for communications supporting or opposing the election of a candidate, these may be nonmonetary contributions to the candidate, if coordinated with the candidate, or independent expenditures.

Communications paid for by a candidate’s controlled committee to support their own candidacy, or to oppose their opponent, are direct campaign expenditures, not contributions or independent expenditures.

In most cases, communications paid for by a non-candidate controlled committee primarily formed to support or oppose a candidate are considered contributions or independent expenditures.

## Coordinated Communications - Nonmonetary Contributions

When someone other than the candidate or their committee pays for a communication that is coordinated with or “made at the behest” of the candidate or their committee, the payment for the communication is a nonmonetary contribution to the affected candidate.

### Coordination – “Made at the Behest”

A payment is coordinated with or “made at the behest” of the candidate or committee under each of the following situations:

- It is made at the request, suggestion, or direction of, or in cooperation, arrangement, consultation, concert, or coordination with the candidate or committee on whose behalf, or whose benefit the expenditure is made.
- The candidate or committee has made or participated in making any decision about the content, timing, location, mode, intended audience, volume of distribution, or frequency of placing the communication.
- A creator, producer, or distributor of the communication, or the person paying for the communication has had a discussion with the candidate or committee regarding the content, timing, location, mode, intended audience, volume of distribution, or frequency of placing the communication.

There is a rebuttable presumption that an expenditure funding a communication is **coordinated with or “made at the behest”** of a candidate or committee if:

- **Committee’s Needs.** It is based on information about the candidate’s or committee’s campaign needs or plans provided by the candidate or committee to the person making the expenditure, such as information concerning campaign messaging, planned expenditures, or polling data.
- **Agent.** It is made by or through any agent of the candidate or committee in the course of the agent’s involvement in the current campaign. “Current campaign” means the period beginning 12 months prior to the date of the primary or special

election in which the candidate is on the ballot for an elective office and ending on the date of the general or special runoff election for that office.

**QUICK TIP:** When a communication that expressly advocates support of a candidate is paid for by someone other than the candidate or their committee, and the communication is “made at the behest” of the affected candidate, the candidate must report the payment as a nonmonetary contribution.

- **Common Consultants.** The person making the expenditure retains the services of a person who provides either the candidate or the committee supporting or opposing the ballot measure with professional services related to campaign or fundraising strategy for the current campaign.
- **Republication.** The communication replicates, reproduces, republishes, or disseminates, in whole or substantial part, a communication, including video footage, designed, produced, paid for, or distributed by the candidate or committee.
- **Fundraising.** The committee making the expenditure is primarily formed to support the candidate or oppose their opponent and in the course of the current campaign, the candidate who benefits from the expenditure solicits funds for or appears as a speaker at a fundraiser for the committee making the expenditure.
- **Former Staff.** The person making the expenditure is established, run, or staffed in a leadership role, by an individual who previously worked in a senior position or advisory capacity on the candidate’s or officeholder’s staff within the current campaign.
- **Candidate’s Family.** The person making the expenditure is established, run, staffed in a leadership role, or principally funded by an individual who is an immediate family member of the candidate.

However, an expenditure is **not considered to be coordinated** with or made at the behest of a candidate or committee based solely on any of the following circumstances:

- **Interview.** A person interviews the candidate on issues affecting the person making the expenditure.
- **Candidate Material.** The person making the expenditure has obtained a photograph, biography, position paper, press release, or similar material from the candidate or the candidate's agents.
- **General Request for Support.** The person makes the expenditure in response to a general, non-specific request for support by a candidate or committee, provided that there is no discussion with the candidate or committee prior to the expenditure relating to details of the expenditure.
- **Public Appearance.** The person making the expenditure has invited the candidate or committee representative to make a public appearance before the person's members, employees, shareholders, or their families, provided that there is no discussion with the candidate or committee prior to the expenditure related to details of the expenditure.
- **Prior Contribution.** The person making the expenditure has made a contribution to the candidate or committee.
- **Informed after the Expenditure is Made.** A person informs a candidate or committee that the person has made an expenditure, provided that there is no exchange of information, not otherwise available to the public, relating to details of the expenditure.
- **Expenditure Benefits Another Candidate or Committee.** The expenditure is made at the request or suggestion of the candidate or committee for the benefit of another candidate or committee.
- **Hyperlink.** The communication includes a hyperlink to the Internet website or other social media page of a candidate or ballot measure committee.

FPPC Regulation 18225.7, summarized above, specifies when a communication is considered independent versus made at the behest of a candidate or committee. Because the determination is based on specific facts, persons are encouraged to contact the FPPC for guidance.

## Independent Expenditures

An independent expenditure is a payment for a communication that:

- **Expressly advocates** the election or defeat of a **clearly identified candidate** or the qualification, passage or defeat of a clearly identified measure, and
- The communication is **not coordinated** with or “made at the behest” of the affected candidate or committee.

### Clearly Identified Candidate

A communication clearly identifies a candidate when it uses the candidate’s name, photograph, or status as a candidate or officeholder. If a communication includes a group of candidates and refers to some well-defined characteristic of the group, the candidates are clearly identified even if it does not use specific names.

**QUICK TIP:** When a communication that expressly advocates support of a candidate is not “made at the behest” of the affected candidate, the payment is considered an independent expenditure and the candidate does not report the payment. The person making the payment may have reporting obligations.

### Express Advocacy

A communication expressly advocates support of or opposition to a clearly identified candidate under the following scenarios:

- **Magic Words.** The communication uses words such as “vote for,” “elect,” “support,” “cast your ballot,” “vote against,” “defeat,” or “reject.”

**Ex 7.1** - An individual paid \$4,000 for a newspaper ad stating “Vote for Autumn Gomez.” The communication expressly advocates support for a clearly identified candidate and must be reported either as a contribution if it was made at the candidate’s behest or as an independent expenditure if it was not.

Later, the same individual paid \$2,000 for post card-sized flyers that simply stated, “Vote on Election Day.” This communication is not reported as a contribution or independent expenditure because it did not expressly advocate support of or opposition to a candidate or measure.

**Ex 7.2** - Friends of Gomez, a non-candidate controlled committee primarily formed to support Autumn Gomez’s candidacy, printed campaign literature stating, “Vote for Autumn Gomez.” The communication included a copy of a photograph the committee obtained from the public information counter at Autumn Gomez’s campaign headquarters. Autumn Gomez did not in any way coordinate with the committee in producing the campaign literature. Therefore, the committee made an independent expenditure, not a contribution to Autumn’s Gomez’s campaign.

On the other hand, if the committee contacted Autumn Gomez and arranged for a professional photographer to meet for the purpose of taking photographs for the mailer, the committee would be making a nonmonetary contribution to Autumn Gomez’s campaign.

**Ex 7.3** - During Curt Anthony’s campaign, two newspaper advertisements supporting Curt Anthony were published without Curt Anthony’s knowledge or consent. Because the payments for these communications were not coordinated with Curt Anthony or made at Curt Anthony’s behest, they were independent expenditures by the person(s) funding the ads and were not reportable by Curt Anthony’s campaign. The person(s) who paid for the ads may have a filing obligation.

- **Unambiguously Urges.** The communication is made within 60 days prior to an election, it refers to a clearly identified candidate, and when taken as a whole, it unambiguously urges a particular result in an election. The message must be susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate.

A committee or person making independent expenditures must be aware that the communication cannot be coordinated with the affected candidate or measure committee. If there is coordination, the payments are reported as contributions.

## C. Other Communications

### Endorsements

An endorsement of a candidate may become a contribution or an independent expenditure when a payment is made in connection with the endorsement.

Frequently, a candidate will publish their endorsement by another official. As long as the communication does not advocate the election of the endorsing official (or the defeat of that official's opponent), a payment made to communicate the endorsement is not a contribution to the endorsing candidate or official, even though the endorsement was made at the behest of both individuals.

If a candidate pays for a communication supporting their own candidacy that also supports or opposes a ballot measure, the payment is not a contribution or independent expenditure made in connection with the ballot measure.



**Ex 7.4** - The president of a police officers' association announces at its annual meeting that the association endorses John Law for county sheriff. Merely making an oral endorsement is not a contribution to or independent expenditure for John Law. Closer to the election, at the request of candidate John Law, the association mails a special flyer to the voters announcing its endorsement of John. Because the mailing was made at the behest of the candidate, the association has now made a nonmonetary contribution to John Law.

**Ex 7.5** - A city council candidate paid for a mailing which quoted the mayor's verbal endorsement of their candidacy. Although the mayor was also on the ballot, the flyer was not a contribution to the mayor.

**Ex 7.6** - Emmelyn Chin, a city council member running for reelection, sent out a flyer to registered voters in Emmelyn's district asking them to support Emmelyn's candidacy. The flyer also encouraged the voters to vote for Lorraine Sweet for Governor, although this endorsement was not made at Lorraine's behest. Because the gubernatorial election and city council election would appear on the same ballot for those living in Emmelyn Chin's district (and the flyer was sent only to voters in that district), the payment for the flyer is not an independent expenditure supporting Lorraine Sweet.

If a candidate pays for a communication that supports another candidate, and the payment is not made at the behest of the endorsed candidate, the payment is not considered to be an independent expenditure if: (1) the candidate paying for the communication also is included in the communication; (2) the non-paying candidate is listed on the same ballot as the paying candidate; and (3) the communication is targeted only to potential voters in the paying candidate's district.

**QUICK TIP:** See Chapter 7 for the disclosure and sender identification requirements for mass mailings sent by a candidate-controlled committee or a committee primarily formed to support or oppose a candidate.

## Social Media – Internet Communications

**Paid Advertisements on the Internet.** A paid advertisement that a candidate or committee places on the Internet is reportable under the Act. A candidate or committee that pays to place a communication on another person’s website must report the expenditure on a campaign statement. Similarly, a candidate must report a payment to purchase email addresses or any payment for general or public advertisements on Internet sites.

**Ex 7.7** - John is running for school board and John’s neighbor George posts support for John’s candidacy on Facebook. In George’s Facebook post, George includes a picture of John that George got from John’s website. The communication is not reportable because George was not paid for the Facebook post.

**Uncompensated Individuals’ Internet Activity.** When an individual who is not compensated by a candidate or committee sends communications over the Internet (e.g., emails, social networking, blogging, website postings, and hyperlinks) that support or oppose a candidate or measure, these activities do not constitute reportable contributions or expenditures. Regulation 18215.2 creates a “safe harbor” for uncompensated individuals’ political activity on the Internet.

**Paid Blogger.** The safe harbor for an individual’s uncompensated Internet activity does not apply to a blogger a committee pays to support or oppose a candidate or measure. The committee must report payments to that individual. The safe harbor also does not apply to a blogger who receives a majority of their advertisement revenue from a single candidate or committee because they are not considered to be providing uncompensated personal services.

**Ex 7.8** - Camille is running for local office and pays Julia to post a message on Julia's blog supporting Camille's candidacy. Camille's committee must report the payment as an expenditure on the Form 460.

## D. Non-Contributions

There are some communications that are not considered to be contributions to the candidate or the candidate's controlled committee.

**Ex 7.9** - The League of Women Voters invited all candidates for city council to speak at a forum. Only one candidate attended, but since at least two candidates running for the same office were invited, the cost of the forum is not a contribution to the candidate who attended.

### Debates

If a nonpartisan organization hosts a debate or other forum and invites at least two opposing candidates, a payment for the event is not a contribution to the candidates.

Similarly, a payment for a debate or forum sponsored by a political party or a committee affiliated with a political party is not a contribution if a majority of the candidates for the party's nomination are invited to participate.

**Ex 7.10** - At a union's regularly-scheduled monthly meeting, one candidate was invited to solicit votes. The union did not incur any additional costs in connection with the speaker's presentation, so no contribution was made.

### Meetings

A payment made by a bona fide service, social, business, trade, union, or professional organization for reasonable overhead expenses associated with a regularly-scheduled meeting at which a candidate speaks is not a contribution if the organization pays no additional costs in connection with the speaker's attendance.

## Non-Political Communications

A payment made at the behest of a candidate for a communication by the candidate or any other person is not a contribution to the candidate if the communication:

- Does not contain express advocacy;
- Does not refer to the candidate's election campaign, or their opponent's qualifications for office; and
- Does not solicit contributions to the candidate or to third persons for use in support of or opposition to the candidate.

## Member Communications

Payments made by an organization or its sponsored committee for a communication that supports or opposes a candidate are not contributions or expenditures as long as the communication is made only to the organization's members, employees, or shareholders, or the families of its members, employees, or shareholders.

The payments may not be for general public advertising, such as billboards, newspaper ads, or radio or television ads. If the organization's sponsored committee makes the payments, the committee would report the payments as being made for general member communications.

Payments made by a political party for a communication that supports a candidate are not contributions to the candidate as long as the communication is distributed only to the party's members, employees, and families of its members and employees. The party must report the payments, however, as if they were contributions or independent expenditures.

**Ex 7.11** - Your campaign consultant asks a labor organization to send a mailing supporting your election. The mailing will be sent only to the organization's membership. The mailing is not a contribution to you. Later, the campaign consultant asks the organization to send the mailing to all registered voters in your district. The mailing to the voters is a contribution to you.

**Ex 7.12** - The Green Party pays for a mailing supporting your candidacy to all of its members five days before your election. The cost of the mailing exceeds \$1,000. The Party must file a Form 497 (24-Hour/10 Day Contribution Report). You are not required to disclose the mailing as a contribution.

## News Stories

A payment for the cost of publishing or broadcasting a news story, commentary, or editorial is not a contribution when the payment is made by a federally regulated broadcast outlet or a regularly published newspaper, magazine or other periodical of general circulation that routinely carries news, articles, and commentary of general interest.

## Voter Registration

A payment made at the behest of a candidate as part of voter registration or get-out-the-vote activities is not a contribution if the communication does not expressly advocate support of or opposition to the candidate.

**Ex 7.13** - At the behest of an elected official, an organization paid for a voter registration booth at a local fair. No other literature was distributed at the booth. The payment for the voter registration booth was not a contribution to the official.

## Voting Records

An entity may publish the voting records of public officials. As long as only the voting records are published, the communication is not considered a contribution or an independent expenditure.

## Answering Your Questions

**A. A labor union pays for a mailing advocating the election of a candidate for city council. The mailing list includes both union members and non-union members and 20% of the mailing costs are attributed to non-union members. Must the candidate report the full cost of the mailing as a non-monetary contribution?**

No. The candidate may pro-rate the cost and report as a nonmonetary contribution only the mailing costs for the non-union members.

**B. A representative of an environmental organization interviewed a candidate for county supervisor about issues affecting the environment. Later, the candidate learned that the organization paid for a radio advertisement advocating the election of that candidate. Must the candidate report a nonmonetary contribution?**

No. An expenditure is not made at the behest of a candidate just because a person interviews the candidate on issues affecting the person making the expenditure. As long as the candidate did not coordinate with the organization to produce the advertisement in any other way, the organization made an independent expenditure, not a contribution to the candidate.

**C. I was elected to the city council in November. May I assist an independent expenditure committee that supported my candidacy in retiring its debt now that the election is over?**

No. An “independent expenditure” is made without the coordination, cooperation, or consultation of the candidate. If you assist the committee, the expenditures are not considered independent.

**D. I am a law enforcement officer running for city council. Is it permissible to wear my law enforcement uniform in my campaign literature?**

The Political Reform Act does not contain restrictions related to a candidate wearing a law enforcement uniform; however, other laws may apply. Candidates should contact the District Attorney or City Attorney.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

82015	Contribution.
82025	Expenditure.
82031	Independent Expenditure.
82041.3	Made at the Behest of.
82044	Payment.
82047	Person.
84211	Contents of Campaign Statement.
85312	Communications to Members of an Organization.

### Title 2 Regulations

18215	Contribution.
18215.2	Uncompensated Internet Activity by Individuals that is not a Contribution or Expenditure.
18225.7	Made At the Behest; Independent versus Coordinated Expenditures.
18421.5	Reporting an Expenditure for Paid Online Communications.
18450.1	Definitions. Advertisement Disclosure.
18531.7	Payments for Communications – Section 85312.

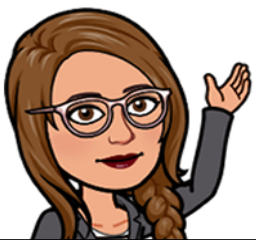


This chapter describes the disclosures required by the Political Reform Act (“Act”) on mass mailings and other advertisements made by candidate controlled committees and committees primarily formed to support or oppose a candidate. A disclosure is the portion of a political message that identifies the committee that paid for and authorized the communication. The basic disclosure for a communication made by a candidate’s committee for their own election is “paid for by [committee name].” The disclosure ensures that the committee paying for the ad is identified. The Act does not regulate the truth or accuracy of political communications given that the First Amendment provides broad protection for political speech.

## Disclosure Example:

- FIGHTING TO RESTORE PUBLIC SAFETY ●
- WORKING TO EXPAND EARLY EDUCATION ●
- CROSSING PARTY LINES TO GET IT DONE ●

**elizabeth lane**



Paid for by  
Elizabeth Lane for City Council 20XX  
P.O. Box 152  
Padua, CA 94868

## A. Which Communications Require an Ad Disclosure?

### Candidate Controlled Committees

Under the Act, a candidate controlled committee must include a disclosure on mass mailings and certain telephone calls advocating the candidate's own election. In addition, radio and television advertisements require a "paid for by" disclosure. The Act does not require a specific disclosure on other communications, such as billboards and yard signs, when they are paid for by a candidate controlled committee in support of the candidate's own campaign. However, the FPPC recommends placing "paid for by [committee name]" and the committee's ID number on all public campaign materials.

### Primarily Formed Committees Making Independent Expenditures

Under the Act, committees that are primarily formed to support or oppose a candidate must include a disclosure on the following communications:

- Mailings, including emails
- Paid telephone calls
- Radio ads
- Television and video ads
- Electronic media ads, including audio only ads
- Newspaper and magazine ads
- Billboards
- Yard signs
- Door hangers
- Flyers
- Posters

**QUICK TIP:** Check with your local elections office for rules on the placement of campaign signs and any local advertisement disclosure rules. Also check the rules on placing temporary political signs in California’s Outdoor Advertising Act Sec. 5405.3, on the Department of Transportation’s website.

## Advertisement Disclosure Exceptions

Generally, a disclosure is not required on the following advertisements:

- Regular-size campaign buttons and bumper stickers, pins, or magnets
- Pens, pencils, rulers, mugs, potholders, key tags, golf balls and similar small campaign promotional items where a disclosure cannot be conveniently printed
- T-shirts, caps, hats, and other articles of clothing
- Skywriting and airplane banners
- Committee checks and receipts

## Online Platform Disclosed Advertisement Requirements

Please note that advertisements that are “online platform disclosed advertisements” have different disclosure requirements than other types of online advertisements. “Online platform disclosed advertisements” are either (1) electronic media advertisements made via an online platform that allows users to engage in discourse and post content, or any other type of social media, for which the committee pays the online platform or (2) electronic media advertisements that are in the form of a graphic, image, animated graphic, or animated image that an online platform hosting the advertisement does not allow to hyperlink to an internet website containing required disclosures. For more information on “online platform disclosed advertisements” please refer to the “Online Platform Disclosed Advertisement Requirements” chart later in this chapter.

Electronic media advertisements that are not “online platform disclosed advertisements” shall follow disclosure requirements described in this chapter, other than those listed in the “Online Platform Disclosed Advertisement Requirements” chart.

## B. How Must the Disclosure Appear?

Disclosures on political ads vary by the type of advertisement. Please review the advertisement disclosure charts available on the FPPC’s [website](#) for the specific requirements.

## C. Advertisement Disclosures for Communications by Candidate Committees for their own Election

The disclosure on a communication made by a candidate’s committee for their own election must include “Paid for by [committee name],” unless otherwise noted in the [Communications by Candidate Committees for their own Election chart #1](#) available on the FPPC’s website.

**QUICK TIP:** A candidate’s personal Facebook page needs the “Ad paid for by” disclosure on Header Photo if the candidate has a controlled committee and is using their personal Facebook page for campaigning and/or fundraising.

## D. Advertisement Disclosures for Independent Expenditure Ads Made by Committees Primarily Formed to Support or Oppose a Candidate

When a committee primarily formed to support or oppose a candidate pays for an advertisement that is an independent expenditure, the advertisement disclosure must include the information contained in the [Independent Expenditure Ads on Candidates \(except ads by candidates and political party committees\) chart #2](#) available on the FPPC's website, including the names of the committee's top three contributors.

### Top Contributors

"Top contributors" means the persons from whom the committee paying for an advertisement has received its three highest cumulative contributions of fifty thousand dollars (\$50,000) or more. If two or more contributors of identical amounts qualify as top contributors, the most recent contributor of that amount must be listed as the top contributor.

If an advertisement paid for by a committee supports or opposes a candidate, the determination of top contributors may not include any nonprofit organization exempt from federal income taxation pursuant to Section 501(c)(3) of the United States Internal Revenue Code or any person who has prohibited in writing the use of their contributions to support or oppose candidates if the committee does not use such contributions to support or oppose candidates.

Print Advertisement Disclosure Example:

# Ruby Vargas

has your back  
in **VERONA**

- ✓ Delivered improvements to I-5
- ✓ Supported art corridor expansion
- ✓ Funded mental health services



Ad paid for by Public Safety Workers and Educators to Re-elect Supervisor Vargas 20XX

**Ad Committee Top Funder(s):**  
International Workers Association  
State Safety Workers Association  
California Teachers United

This advertisement was not authorized by a candidate or committee controlled by a candidate.

## E. Online Platform Disclosed Advertisements

“Online platform disclosed advertisements” are either (1) electronic media advertisements made via an online platform that allows users to engage in discourse and post content, or any other type of social media, for which the committee pays the online platform, or (2) electronic media advertisements that are in the form of a graphic, image, animated graphic, or animated image that an online platform hosting the advertisement does not allow to hyperlink to an internet website containing required disclosures.

Electronic media advertisements that are not “online platform disclosed advertisements” shall follow disclosure requirements described previously in this chapter.

### Online Platform Disclosed Advertisement Requirements

Communication	Disclosure and Manner of Display
<b>Type of Advertisement Law Applies To:</b>	Either (1) electronic media advertisements made via an online platform that allows users to engage in discourse and post content, or any other type of social media, for which the committee pays the online platform or (2) electronic media advertisements that are in the form of a graphic, image, animated graphic, or animated image that an online platform hosting the advertisement does not allow to hyperlink to an internet website containing required disclosures.

Communication	Disclosure and Manner of Display
<p><b>Ad Disclosure that Online Platform is Required to Place on Advertisement:</b></p>	<p><b>An Online Platform Must Do One of the Following:</b></p> <ol style="list-style-type: none"> <li>1) Display “Paid for by” or “Ad Paid for by” followed by “Ad Committee’s Top Funder(s)” followed by the committee’s top three contributors of \$50,000 or more, followed by a colon, followed by surrounded in quotation marks, the name of the committee easily readable to the average viewer located adjacent to any statement the communication is an advertisement (or is promoted or sponsored). The online platform may display only one hundred or more characters of the “committee major funding from” followed by the committee’s top three contributors and name of the committee disclosures if followed by a “...” that is clearly clickable and that links to a page that provides the disclosures. The ad may instead link to a website that the committee has created pursuant to other provisions of the Act that contains the committee’s name, top contributor information, and whether the ad was authorized by a candidate for independent expenditure ads on candidates.</li> <li>2) Display a hyperlink, icon, button, or tab with the text “Who funded this ad?,” “Paid for by,” or “Ad Paid for by” that is clearly clickable and links to a page that provides the “Ad Committee’s Top Funder(s)” followed by the committee’s top three contributors of \$50,000 or more, followed by a colon, followed by the committee’s name disclosures. This text must be easily readable to the average viewer, in the same or similar font and in at least the same font size as the online platform’s text stating that the communication is an advertisement (or is promoted or sponsored). The ad may instead link to a website that the committee has created pursuant to other provisions of the Act that contains the committee’s name, top contributor information, and whether the ad was authorized by a candidate for independent expenditure ads on candidates.</li> </ol> <p>If fewer than three contributors qualify as top contributors, only those contributors that qualify shall be disclosed. If there are no contributors that qualify as top contributors, the top contributor disclosure is not required. Please note that advertisements for a candidate controlled committee established for an elective office of the controlling candidate are not required to display top contributor disclosures.</p> <p><b>The Online Platform Must Also:</b></p> <p>Display a prominent button, icon, tab, or hyperlink with the text “View Ads” or similar text. The button, icon, tab, or hyperlink shall link to a page containing the records required to be displayed in the publicly available online database in one of the following locations:</p> <ol style="list-style-type: none"> <li>1) Near the top of a profile, landing page, or similar location of a committee that paid for an advertisement in a position that the average viewer will readily see it upon viewing that page.</li> <li>2) On a page that displays the committee’s profile information or biographical information.</li> <li>3) On a page on which the average viewer would normally navigate to view additional information about a committee.</li> </ol>



Communication	Disclosure and Manner of Display
<p><b>Information Committee Paying for Advertisement is Required to Provide to Online Platform:</b></p>	<p>Upon requesting the dissemination of the advertisement, committee must do all of the following:</p> <ol style="list-style-type: none"> <li>1) Expressly notify the online platform that the advertisement is one that falls under the Act.</li> <li>2) Provide the online platform with committee's top contributors and the committee's name and identification number.</li> <li>3) Provide the online platform with the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, or number or letter of the ballot measure and the jurisdiction to which the advertisement refers.</li> <li>4) Update the online platform with any change in the name of the committee or its top three contributors within 5 business days.</li> </ol>
<p><b>Records Required to be Kept and Provided to the Public in Online Platform's Public Database:</b></p>	<p>For all committees that purchased online platform disclosed ads and paid for five hundred dollars (\$500) or more in advertisements to the online platform during the preceding 12 months the database must contain:</p> <ol style="list-style-type: none"> <li>1) A digital copy of the advertisement.</li> <li>2) The approximate number of views generated from the advertisement and the date and time that the advertisement was first displayed and last displayed.</li> <li>3) Information regarding the range charged or the total amount spent on the advertisement.</li> <li>4) The name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, as applicable, or number or letter of the ballot measure and the jurisdiction to which the advertisement refers.</li> <li>5) The name and identification number of the committee that paid for the advertisement, if the committee is assigned an identification number.</li> </ol> <p>These records are required to be made available by the online platform as soon as practicable and must be retained by the online platform for 4 years.</p>

## F. Mass Mailings – Emails and Postal Mailings

A “mass mailing” is made when more than 200 substantially similar pieces of mail have been sent within a calendar month. A mass mailing also includes more than 200 substantially similar messages distributed to the public within a calendar month through electronic mail (“email”). Solicitation letters, notices of fundraising events, newsletters sent by the candidate or committee, and other types of campaign literature are common types of mass mailings.

**QUICK TIP:** The committee ID number is not required to be included on mass mailings, but the FPPC recommends that committees include the committee name and ID number on all public campaign materials.

### Disclosures for Emails Sent by a Candidate for their own Election

Emails must include the committee’s name preceded by the words “paid for by” in at least the same size font as a majority of the text in the email.

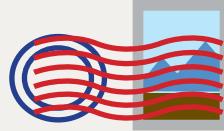
From: Rreynolds@yahoo.com  
To: Voter1@gmail.com  
Cc:  
Subject: Reynolds for City Council 20XX

Don't forget to vote for Reynolds on Tuesday! This message was paid for by Reynolds for City Council 20XX.

### Disclosures for Postal Mailings Sent by a Candidate for their own Election

A mass mailing sent by a candidate controlled committee must include the words “paid for by” immediately in front of or above the name and address of the committee on the outside of each piece of postal mail. The disclosure must be in no less than 6-point type and in a color that contrasts with the background (Example: no light blue disclosures on a blue background). A post office box may be used as the address only if the committee’s street address is on its Statement of Organization (Form 410) on file with the Secretary of State.

Paid For By  
Roxie Reynolds for City Council 20XX  
1615 Skate Street  
Torrance, CA 90503



Ahmed Cooper  
315 S. Fairfield Street  
Torrance, CA 90503

## Mailings Sent by More than One Candidate Controlled Committee

A mass mailing sent by more than one candidate controlled committee must include the words “paid for by” immediately in front of or above the name and address of the committee that is paying the greatest share of the mass mailing including costs for designing, printing, and postage. This disclosure must appear on the outside of each piece of mail. If two or more committees pay equally for the mailer, the name and address of at least one of the committees must be shown on the outside and the names and addresses of all committees must appear on at least one insert. The disclosure must be in no less than 6-point type and in a color that contrasts with the background (Example: no light blue disclosure on a blue background). A post office box may be used as the address only if the committee’s street address is on its Statement of Organization (Form 410) on file with the Secretary of State.

**QUICK TIP:** If two or more candidate controlled committees pay equally for a mass mailing, the names and addresses of each of the committees must appear on at least one insert.

## Mailings (including Emails) Sent by Committees Primarily Formed to Support or Oppose a Candidate

**Postal Mailings.** Any mailing (regardless of the number of pieces sent) paid for by a primarily formed committee as an independent expenditure supporting or opposing a candidate must include the disclosures below in Arial equivalent font, in at least 10-point size, in a contrasting color, centered horizontally and, except for the names of top contributors, underlined. The names of top contributors may not be underlined and the text may not be condensed. If there are no top contributors, the “Ad paid for by” need not be underlined. All text must appear in a printed or drawn box with a solid white background at the bottom of at least one page and set apart from other printed matter.

- “Ad paid for by [committee’s name]”
- “Ad Committee Top Funder(s) [names of top three contributors of \$50,000 or more]” each listed on a separate horizontal line, in descending order, beginning with the largest contributor. Mailings that are 20 square inches or less must only disclose the single top contributor of \$50,000 or more. This text may not appear in all capital letters.
- Below the top contributor information (if any), a statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate. This text must not appear in all capital letters.

**QUICK TIP:** A mass mailing paid for by an independent expenditure must include a statement that the mailing was not authorized by a candidate or a committee controlled by a candidate.

**Emails.** Emails sent by a primarily formed committee supporting or opposing a candidate must include the “Paid for by,” “Committee major funding from,” and “Not authorized by” disclosures printed clearly and legibly in a contrasting color and in no less than 8-point font at the top or bottom of the email. “Committee major funding from” and “Not authorized by” disclosures must not appear in all capital letters.

## Recordkeeping for Mass Mailings (including Emails)

For each independent expenditure mailing and candidate-controlled mass mailing or email communication, the following information must be retained in the committee's records for a period of four years:

- A sample of the mailing;
- A record of the date of the mailing;
- The number of pieces sent; and
- The method of postage used for postal mailings.

## G. Telephone Calls

### Calls Made by Candidate Controlled Committees for their own Election

If a candidate controlled committee pays for **500 or more** similar telephone calls made by vendors ("robo" calls) or paid individuals advocating the candidate's own election, the name of the organization that authorized the call must be disclosed to the recipient of the call. If the organization authorizing the call does not have filing obligations under the Act, the name of the candidate that paid for the call must be disclosed to recipients. The disclosure must include the words "paid for by" or "authorized by." The disclosure is not required for telephone calls personally dialed by the candidate, campaign manager, or volunteers. The disclosure can occur anytime during the call.

### Calls Made by Committees Primarily Formed to Support or Oppose a Candidate

If a primarily formed committee pays for a telephone call that expressly advocates support for or opposition to a candidate, the name of the committee must be disclosed to recipients. The disclosure must include the words "Ad paid for by." If the call is an independent expenditure, the disclosure must also include a statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate. The disclosure must also include the committee's top three contributors of \$50,000 or more during the 12-month period prior to the expenditure, if any. The disclosure must be spoken clearly for at least three seconds at the beginning or end of

the call, in a pitch and tone substantially similar to the rest of the call. Prerecorded telephone ads must disclose only the top two contributors of \$50,000 or more unless the ad lasts 15 seconds or less or the disclosure statement would last more than eight seconds, in which case only the single top contributor must be disclosed.

**QUICK TIP:** Anonymous robocalls are a violation of the Act. Committees are prohibited from contracting with a vendor for political calls that does not disclose who paid for or authorized the calls.

### Recordkeeping for Telephone Calls

A committee must retain for a period of four years the following records for each telephone call:

- If the message was live, a script of the call.
- If the message was recorded, a copy of the recording.

**Ex 8.1** - City Councilmember Reitz pays a vendor to make calls to 1,500 local voters to encourage them to reelect the Councilmember to the city council. The disclosure must state that the telephone calls were paid for by the candidate's committee. For example, "[t]his call was paid for by Reelect City Councilmember Reitz 20XX."

**Ex 8.2** - At City Councilmember Reitz's request, Citizens for Better Schools (a general purpose committee) pays a vendor to make calls to 1,500 local voters to encourage them to reelect Councilmember Reitz to the city council. The disclosure must identify the committee paying for the call or the candidate authorizing the call. For example, "[t]his call was paid for by Citizens for Better Schools" or "[t]his call was authorized by Councilmember Reitz."

## H. Electronic Media Ads

Please review the advertisement disclosure charts available on the FPPC's [website](#) for the specific disclosure requirements on electronic media ads.

## I. Newspaper, Radio and Television Ads

Radio and television ads paid for by a candidate's committee for their own election must include the following disclosures:

- **Radio:** "Ad paid for by" followed by name of committee as it appears on most recent Form 410 at the beginning or end of advertisement read in a clearly spoken manner with pitch and tone substantially similar to the rest of advertisement.
- **Television:** "Ad paid for by" followed by name of committee as it appears on most recent Form 410 shown for at least four seconds. Letters must be in a type size greater than or equal to four percent of the height of the screen.

The Act does not require a specific disclosure on newspaper ads paid for by a candidate's committee for their own election. For newspaper ad requirements, candidates and committees should check the Elections Code.

Committees primarily formed to support or oppose a candidate making independent expenditures for a newspaper, radio, or television ad to support or oppose a candidate are subject to the "Ad paid for by [committee name]" disclosure and other requirements as described in the advertisement disclosure chart available on the FPPC's website.

## J. Paid Spokespersons for Ballot Measure Ads

Generally, candidate controlled committees and primarily formed committees spend campaign funds only in connection with the candidate's election. However, there may be times when a committee wants to pay for an advertisement to support or oppose a ballot measure.

The Act requires specific disclosure when any committee uses a paid spokesperson in an advertisement to support or oppose a ballot measure. The committee must (1) file a Paid Spokesperson Report, Form 511, for an individual's appearance in a ballot measure advertisement and (2) include a disclosure on the ad in the following situations.

**\$5,000 payment to an individual in an ad:** The committee makes expenditures totaling \$5,000 or more for an individual's appearance in an advertisement to support or oppose the qualification, passage or defeat of a state or local ballot measure.

**Disclosure on ad:** "(Spokesperson's name) is being paid by this campaign or its contributors."

**Any payment to an individual in an ad portraying a professional (e.g., nurse, doctor, firefighter, scientist, engineer, lawyer, etc.):**

The committee makes expenditures of any amount to an individual for their appearance in an ad supporting or opposing the qualification, passage or defeat of a state or local ballot measure that states or suggests that the individual is a member of an occupation that requires licensure, certification, or other specialized, documented training to engage in that occupation.

**Disclosure on ad:** "Persons portraying members of an occupation in this advertisement are compensated spokespersons not necessarily employed in those occupations."



**Note:** If the individual in the ad is actually a member of the occupation portrayed, the committee may omit this disclosure, and shall maintain documentation of the individual's license or certification for the occupation. Upon request from the FPPC, the committee must provide documentation of an individual's occupation by electronic means within 24 hours.

**QUICK TIP:** If the committee pays for a spokesperson in an advertisement to support or oppose a ballot measure, the committee may also be required to file the Form 511 (Paid Spokesperson Report). See Chapter 10.

The advertisements include print, television, video, and radio ads, as well as telephone messages. The disclosures on the ads must be shown in highly visible font for print, television or video ads, or spoken in a clearly audible manner for radio ads or telephone messages. The disclosure must be shown continuously except when other required disclosures are being shown.

## K. Updating a Disclosure

Advertisement disclosures must be revised if a committee's name changes, if the order of the top contributors changes, or if there is a new \$50,000 contributor. Television, radio, electronic media, or "robo" calls must be amended within five business days. Print media, mass mailings, or other tangible items must be amended every time an order to reproduce is placed.

## L. Penalties

Failure to comply with the Act's disclosure requirements may result in fines of up to \$5,000 per violation. In addition, any person who violates the disclosure requirements for ballot measure and independent expenditure advertisements may be liable for fines of up to three times the cost of the advertisement, including placement costs.

## Answering Your Questions

**A. Are the disclosure rules the same for candidate controlled committees and committees primarily formed for candidates that will be making independent expenditures?**

No. Stricter disclosure rules apply to independent expenditure advertisements because it is less clear to the public who is responsible for these ads. The Act requires disclosures on a broader range of advertisements when they are paid for by a committee making independent expenditures. See the ad disclosure charts in this chapter for additional information.

**B. A committee primarily formed for a candidate has agreed to pay for several types of communications (yard signs, a billboard, door hangers) to advocate support of the candidate. The advertisements are prepared by the candidate's campaign consultant. What disclosures are required, if any?**

The same disclosures are required as those for a primarily formed committee making independent expenditures except for the "not authorized by" disclosure.

**C. If a business entity includes a copy of a candidate's flyer in its regular monthly mailing, is the candidate required to be identified on the outside of the mailer?**

No. The candidate's name and address must be identified on the flyer only.

**D. If a committee has more than one address, can any of the addresses be used on mass mailings?**

Any address that is on the committee's Statement of Organization (Form 410) on file with the Secretary of State may be used.

**E. A committee pays for a candidate's mailing as a nonmonetary contribution. Must the committee paying for the mailing or the candidate's committee be identified on the outside of the mailing?**

The committee that pays for the mailing must be identified on the outside of the mailing.

**F. If a candidate's committee is sending a postcard-type mailing, may the name of the committee appear only once?**

Yes. The name must appear only once. The committee's address must also be included.

**G. Where on the outside of the mailing must the candidate identification be placed?**

There is no specific requirement for the location of the sender identification as long as it appears on the outside of the mailing. The words "paid for by" must be immediately in front of or above the committee name and address.

**H. What type of disclosure is required for a committee that sends independent expenditure ads on candidates through Twitter?**

Committees making independent expenditures via electronic media ads on Twitter may satisfy the Act's disclosure requirements in one of two ways: (1) providing its full disclosure statement on its Twitter profile/landing page or (2) including the phrase "Who funded this ad?" on its Twitter profile/landing page immediately followed by a hyperlink to an Internet Web site containing the full disclosure statement.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

82025	Expenditure.
82031	Independent Expenditure.
82041.5	Mass Mailing.
82044	Payment.
82047	Person.
84305	Requirements for Mass Mailing.
84310	Identification Requirements for Telephone Calls.
84501	Advertisement.
84502	Disclosure; Committee Name.
84503	Top Contributor Disclosure.
84504	Disclosure; Radio and Telephone Ads.
84504.1	Disclosure; Video and Television Ads.
84504.2	Disclosure; Print Ads.
84504.3	Disclosure; Electronic Media Ads.
84504.4	Disclosure; Radio and Television Ads; Political Parties and Candidates.
84504.5	Disclosure; Independent Expenditure Ads; Political Parties and Candidates.
84505	Avoidance of Disclosure.
84506.5	Disclosure; Independent Expenditure Ads; Not Authorized by Candidate.
84504.6	Disclosure; Online Platform.
84504.7	Disclosure; Text Messages.
84509	Amended Disclosure.
84511	Ballot Measure Ads; Paid Spokesperson Disclosure.

## Title 2 Regulations

- 18215 Contribution.
- 18225.7 Made At the Behest of; Independent versus Coordinated Expenditures.
- 18247.5 Primarily Formed Committees.
- 18401 Required Recordkeeping for Chapters 4 & 5.
- 18435 Definition of Mass Mailing.
- 18440 Telephone Advocacy.
- 18450.1 Definitions. Advertisement Disclosure.
- 18450.2 Definitions. Authorized and Paid For.
- 18450.4 Video and Television Advertisement Disclosure.
- 18450.5 Amended Advertising Disclosure.
- 18450.11 Spokesperson Disclosure.
- 18523.1 Written Solicitation for Contributions.

# COMMITTEE REPORT – FORM 460

Generally, candidate controlled committees and committees primarily formed to support or oppose a candidate(s) use the Recipient Committee Campaign Statement (Form 460) to report campaign activity for all semi-annual and preelection statements. The Form 460 is the main campaign disclosure statement and provides the public with an overview of the committee's activity, including money coming in and money going out, during a specified reporting period.

The statement must include all activity during the specified reporting period, even if it was previously reported. For example, a contribution that was already reported on the Form 497 (24-Hour/10-Day Contribution Report) must still be reported on the committee's next Form 460.

A primarily formed committee may file the Form 450 (Committee Campaign Statement – Short Form) instead of the Form 460 if, during the reporting period, the committee:

- Has not received a contribution that must be itemized (a cumulative amount of \$100 or more from a single source);
- Has not received any other payment of \$100 or more (miscellaneous increases to cash);
- Has no outstanding loans made or received; and
- Has no accrued expense (unpaid bills).

**QUICK TIP:** A committee controlled by a candidate must use the Form 460 to report its campaign activity – the short Form 450 or Form 425 may not be used.

A primarily formed committee that has not received any contributions and has not made any expenditures during the six-month period covered by a semi-annual statement may file the Form 425 (Semi-Annual Statement of No Activity).

This chapter discusses how to complete the Form 460 and provides examples for each type of campaign activity that may have to be reported. The Forms 450 and 425 are available on the FPPC's website and include detailed instructions for completing the forms.

**Recipient Committee Campaign Statement Cover Page**

COVER PAGE

Date Stamp	<b>CALIFORNIA FORM 460</b>
	Page <u>XX</u> of <u>XX</u>
	For Official Use Only

**A** Statement covers period from 7/1/XX through 12/31/XX

**B** Date of election if applicable: (Month, Day, Year)

SEE INSTRUCTIONS ON REVERSE

**1 Type of Recipient Committee:** All Committees – Complete Parts 1, 2, 3, and 4.

Officeholder, Candidate Controlled Committee  
 State Candidate Election Committee  
 Recall  
(Also Complete Part 5)

General Purpose Committee  
 Sponsored  
 Small Contributor Committee  
 Political Party/Central Committee

Primarily Formed Ballot Measure Committee  
 Controlled  
 Sponsored  
(Also Complete Part 6)

Primarily Formed Candidate/Officeholder Committee  
(Also Complete Part 7)

**2 Type of Statement:**

Preelection Statement  
 Semi-annual Statement  
 Termination Statement (Also file a Form 410 Termination)  
 Amendment (Explain below)

Quarterly Statement  
 Special Odd-Year Report

**3 Committee Information**

I.D. NUMBER: 12344XX

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE):  
Manuel Alvarez for Mayor 20XX

STREET ADDRESS (NO P.O. BOX):  
225 Presley Street

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Oakmont	CA	95443	707-555-6868

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX:  
P.O. Box 1744

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Oakmont	CA	95434	707-555-6868

OPTIONAL: FAX / E-MAIL ADDRESS:  
707-555-6869/mrichards@oakmontmail.com

**Treasurer(s)**

NAME OF TREASURER:  
Madeline Richards

MAILING ADDRESS:  
225 Presley Street

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Oakmont	CA	95443	707-555-6868

NAME OF ASSISTANT TREASURER, IF ANY:  
Manuel Alvarez

MAILING ADDRESS:  
225 Presley Street

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Oakmont	CA	95443	707-555-6868

OPTIONAL: FAX / E-MAIL ADDRESS:  
707-555-6869/mrichards@oakmontmail.com

**4 Verification**

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ [Date Required] Date	By _____ [Signature Required] Signature of Treasurer or Assistant Treasurer
Executed on _____ [Date Required] Date	By _____ [Signature Required] Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor
Executed on _____ Date	By _____ Signature of Controlling Officeholder, Candidate, State Measure Proponent
Executed on _____ Date	By _____ Signature of Controlling Officeholder, Candidate, State Measure Proponent

**A. Completing the Form 460 Cover Page**

**A Statement Covers Period**

If this is the first statement of the calendar year, the “from” date should be January 1. Otherwise, this date should be the day after the closing date of the most recently filed campaign statement. The closing date depends on the type of statement being filed (e.g., semi-annual, preelection). The period covered will be identified on the filing schedule for the specific election.

## **B** Date of Election

When filing a preelection statement in connection with an election, provide the date of the election.

## **1** Type of Recipient Committee

Check the appropriate box to indicate the type of committee:

- Officeholder/Candidate Controlled Committee: Complete Cover Page Parts 1, 2, 3, 4, and 5.
- Primarily Formed Candidate/Officeholder Committee: Complete Cover Page Parts 1, 2, 3, 4, and 7.

## **2** Type of Statement

Check the appropriate box to indicate the type of statement being filed (e.g., semi-annual, preelection).

## **3** Committee Information and Treasurer(s)

This entire section must be completed and should include the same information as provided on the committee's most recently filed Statement of Organization (Form 410). An email address for the committee must be included. If the committee has not yet received an identification number from the Secretary of State, enter "pending" in the "I.D. Number" box.



## 4 Verification

All campaign statements are signed under penalty of perjury and must be verified by the committee treasurer or the assistant treasurer named on the committee's Statement of Organization (Form 410). The verification states that the signer has used all reasonable diligence in its preparation, and that to the best of their knowledge, it is true and complete. The Form 460 is not considered filed if it is not signed.

If an officeholder or candidate controls the committee, they also must sign the verification. If two or three officeholders or candidates control the committee, each of them must sign the verification. If more than three officeholders or candidates control the committee, one may sign the verification on behalf of the others.

Some local agencies may require local candidates and committees to file campaign statements electronically. The electronic filing system must include a procedure for filers to comply with the requirement that they sign the statements under penalty of perjury.

**Recipient Committee  
Campaign Statement  
Cover Page — Part 2**

**5 Officeholder or Candidate Controlled Committee**

NAME OF OFFICEHOLDER OR CANDIDATE  
Manuel Alvarez

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)  
Mayor, City of Oakmont

RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP  
4245 McDow Street Oakmont CA 95443

**Related Committees Not Included in this Statement:** *List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.*

COMMITTEE NAME Friends Supporting Alvarez for Mayor 20XX	I.D. NUMBER 12399XX
NAME OF TREASURER Karen Lucci	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX) 10 Main Street	
CITY STATE ZIP CODE AREA CODE/PHONE Oakmont CA 95443 707-111-2222	

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)	
CITY STATE ZIP CODE AREA CODE/PHONE	

**6 Primarily Formed Ballot Measure Committee**

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
----------------------	--------------	---

**Identify the controlling officeholder, candidate, or state measure proponent, if any.**

NAME OF OFFICEHOLDER, CANDIDATE, OR PROONENT

OFFICE SOUGHT OR HELD	DISTRICT NO. IF ANY
-----------------------	---------------------

**7 Primarily Formed Candidate/Officeholder Committee** *List names of officeholder(s) or candidate(s) for which this committee is primarily formed.*

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

*Attach continuation sheets if necessary*

**B. Completing the Form 460 Cover Page – Part 2**

**5 Officeholder or Candidate Controlled Committee**

Provide the name of the officeholder or candidate controlling the committee and indicate the office sought or held, including the location and district number, if any. If more than one candidate controls the committee, include the required information for all controlling candidates in an attachment.

## Related Committees Not Included in this Statement

If the officeholder or candidate controls any other committees (i.e., ballot measure committee, legal defense fund committee, another election committee), those committees must be listed. If the candidate is aware of any primarily formed committees that exist to receive contributions or to make expenditures on behalf of their candidacy, those committees must also be listed.

### **6** Primarily Formed Ballot Measure Committee

Candidate controlled committees and primarily formed candidate/officeholder committees do not complete Part 6.

### **7** Primarily Formed Candidate/Officeholder Committee

Provide the name(s) of the officeholder(s) or candidate(s), the office(s) sought or held, and indicate whether the committee is supporting or opposing the officeholder(s) or candidate(s).

**Campaign Disclosure Statement  
Summary Page**

Amounts may be rounded  
to whole dollars.

SUMMARY PAGE

Statement covers period from <u>7/1/XX</u>		<b>CALIFORNIA FORM 460</b>
through <u>12/31/XX</u>		
Page <u>XX</u> of <u>XX</u>		I.D. NUMBER 12344XX

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Manuel Alvarez for Mayor 20XX

	<b>A</b>	<b>B</b>
	<b>Column A</b> TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	<b>Column B</b> CALENDAR YEAR TOTAL TO DATE
<b>1 Contributions Received</b>		
1. Monetary Contributions..... Schedule A, Line 3	\$ 6,773	\$ 100,000
2. Loans Received..... Schedule B, Line 3	9,000	11,000
3. SUBTOTAL CASH CONTRIBUTIONS..... Add Lines 1 + 2	\$ 15,773	\$ 111,000
4. Nonmonetary Contributions..... Schedule C, Line 3	6,500	6,500
5. TOTAL CONTRIBUTIONS RECEIVED..... Add Lines 3 + 4	\$ 22,273	\$ 117,500

<b>Calendar Year Summary for Candidates Running in Both the State Primary and General Elections</b>		
	1/1 through 6/30	7/1 to Date
20. Contributions Received	\$ _____	\$ _____
21. Expenditures Made	\$ _____	\$ _____

<b>2 Expenditures Made</b>		
6. Payments Made..... Schedule E, Line 4	\$ 40,950	\$ 75,750
7. Loans Made..... Schedule H, Line 3	1,000	1,000
8. SUBTOTAL CASH PAYMENTS..... Add Lines 6 + 7	\$ 41,950	\$ 76,750
9. Accrued Expenses (Unpaid Bills)..... Schedule F, Line 3	1,550	3,550
10. Nonmonetary Adjustment..... Schedule C, Line 3	6,500	6,500
11. TOTAL EXPENDITURES MADE..... Add Lines 8 + 9 + 10	\$ 50,000	\$ 86,800

<b>Expenditure Limit Summary for State Candidates</b>		
<b>22. Cumulative Expenditures Made*</b> (If Subject to Voluntary Expenditure Limit)		
Date of Election (mm/dd/yy)	Total to Date	
/ /	\$ _____	
/ /	\$ _____	

<b>3 Current Cash Statement</b>			
12. Beginning Cash Balance..... Previous Summary Page, Line 16	\$ 39,500		
13. Cash Receipts..... Column A, Line 3 above	15,773		
14. Miscellaneous Increases to Cash..... Schedule I, Line 4	3,000		
15. Cash Payments..... Column A, Line 8 above	41,950		
16. ENDING CASH BALANCE..... Add Lines 12 + 13 + 14, then subtract Line 15	\$ 16,323		
<i>If this is a termination statement, Line 16 must be zero.</i>			

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

\*Amounts in this section may be different from amounts reported in Column B.

<b>4</b>	17. LOAN GUARANTEES RECEIVED..... Schedule B, Part 2	\$ 10,000
<b>5</b>	<b>5 Cash Equivalents and Outstanding Debts</b>	
	18. Cash Equivalents..... See instructions on reverse	\$ 1,000
<b>6</b>	19. Outstanding Debts..... Add Line 2 + Line 9 in Column B above	\$ 14,550

**C. Completing the Form 460 Summary Page**

The Summary Page provides an overview of the committee’s financial activities, including all contributions received and expenditures made during the period covered by the statement. The Summary Page also includes the cumulative totals for contributions received and expenditures made during the calendar year. Although the Summary Page is located at the beginning of the Form 460, it should be completed last. Totals from certain schedules are carried forward to the Summary Page.

**QUICK TIP:** Complete the Summary Page after all other schedules have been completed. Totals from some of the schedules are carried forward to the Summary Page.

## **A** Column A – Total This Period

This column reflects the committee's activity through the current reporting period as reported on Schedules A through I. If there is no activity to report on a particular schedule, enter a zero or the word "none" on the appropriate line in Column A. There should be no blank lines.

## **B** Column B – Total to Date

This column generally reflects the cumulative totals since January 1 of the current calendar year. However, there is an exception if a committee is required to file a preelection statement in one year in connection with an election held in another year, such as elections held in January or early February. In this case, the cumulation period begins on January 1 of the year before the election and ends on the closing date of the semi-annual statement filed after the election.

Add the totals from Column B of the committee's last campaign statement (if any) to the corresponding amounts in Column A to calculate the Column B totals for the current statement. If this is the first report being filed for a calendar year, only carry forward the amounts for loans and accrued expenses reported on Lines 2, 7, and 9 of Column B from the committee's last statement. (Note: The amounts reported on Lines 2, 7, and 9 of Column B should be the same as the total outstanding amounts disclosed in column (d) of Schedules B, H, and F, respectively, of the current report.)

When loans (Schedules B and H) and accrued expenses (Schedule F) are paid, the figures to be carried forward from the schedules to Lines 2, 7, and 9 of Column A may be negative numbers. In this case, be sure to show them as negative figures on the Summary Page (e.g., with a minus sign (-) or in parentheses), and subtract them when totaling Columns A and B.

**QUICK TIP:** Loans and accrued expenses must be reported on each campaign statement until the amounts are paid off or forgiven.

## **1 Lines 1-5 (Contributions Received)**

Collectively, these lines represent contributions received: monetary, nonmonetary, and loans.

## **2 Lines 6-11 (Expenditures Made)**

Collectively, these lines represent expenditures made: payments, loans made, accrued expenses (bills that are still outstanding), and nonmonetary adjustments.

## **3 Lines 12-16 (Current Cash Statement)**

The Current Cash Statement section should accurately reflect the committee's cash position at the end of the reporting period. If deposits or expenditures have been made that have not cleared the bank account, the committee's bank balance may not match the ending cash balance.

Beginning and ending cash balances should include the total amount of funds in the committee's campaign checking and savings accounts, plus any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks and bonds, etc.

### **Line 12 (Beginning Cash Balance)**

The beginning cash balance must be the same as the ending cash balance reported on Line 16 of the previously filed statement. If this is the first statement of the calendar year and no previous statement has been filed but money was raised or spent in the previous reporting period, enter the amount of cash on hand on December 31. Otherwise, enter zero.

### **Line 13 (Cash Receipts)**

This amount represents the total of all monetary contributions and loans received during the reporting period. Nonmonetary contributions should not be included.

### **Line 14 (Miscellaneous Increases to Cash)**

This amount represents increases to the committee's cash position that are not contributions, loans, or repayments of loans made to others. Miscellaneous increases to cash include, for example, interest received from a bank account, refunds received from vendors, and proceeds from the sale of campaign property or auction items. The amount is carried forward from Schedule I.

Together, Lines 13 and 14 reflect all money that has been received during the current reporting period.

### **Line 15 (Cash Payments)**

This amount represents the total amount the committee has spent during the reporting period, including loans made and any accrued expenses paid.

### **Line 16 (Ending Cash Balance)**

This amount represents the total of Lines 12, 13, and 14 minus Line 15. The amount reported on Line 16 must equal the total amount of cash the committee has in its campaign bank account and the amount of all funds held in interest bearing accounts, certificates of deposit, money market accounts, shares in government bonds, or any other investments that can be readily converted to cash.

If this is a termination statement, Line 16 must be zero.

### **4 Line 17 (Loan Guarantees Received)**

This amount represents the total of all loan guarantees, endorsements, or security received during the period. The amount is carried forward from Schedule B, Part 2.

### **5 Line 18 (Cash Equivalents)**

This amount includes investments that cannot be readily converted to cash, as well as the balance due on all outstanding loans the committee has made to others.

Do not include any amount that is invested in interest bearing accounts, certificates of deposit, money market accounts, or any other investments that can be readily converted to cash. These amounts should be part of the ending cash figure reported on Line 16.

## **6** Line 19 (Outstanding Debts)

This amount is the total of all money owed by the committee. Using Column B, add Line 2 (loans received) and Line 9 (accrued expenses).

### **Lines 20, 21, & 22**

These lines are for certain state candidates only. Local committees do not complete these sections.

### **Answering Your Summary Page Questions**

#### **A. Is there any circumstance where Line 16, Ending Cash Balance, would be a negative amount?**

If you report a negative amount on Line 16, this means that either you have made a mathematical error in your calculations or the committee's bank account is overdrawn. Rounding off also may cause a small negative in the cash on hand balance.

#### **B. Is there any circumstance where an amount in Column A would be negative?**

Yes. When loans and accrued expenses are paid down, the amount reflected in Column A may be a negative amount.

#### **C. What should I do if I am unable to balance my accounting records by the filing deadline?**

Since the Political Reform Act does not provide for filing deadline extensions, complete the form as accurately as you can and file by the deadline. You should file an amendment with the corrections as soon as possible.



## **D. What is the most common mistake made on the Form 460 Summary Page?**

Loan repayments are often reported twice, once on Schedule B and again on Schedule E. When the committee makes a loan repayment, it should only be reported on Schedule B.

## **D. General Rules for Reporting Contributions Received on Schedule A**

Chapter 3 provides detailed information on the following topics, as well as other contribution reporting rules. The information below is a short summary of some of the most common reporting rules.

### **\$5,000 Contributor – Major Donor Notice**

If contributions totaling \$5,000 or more are received from a single source in a calendar year, a “major donor” notice must be sent to the contributor within two weeks. If a contribution of \$10,000 or more is received from a single source within 90 days before the election or on the date of the election, the notice must be sent within one week. Do not send the notice if the contribution is from another recipient committee.

### **Joint Checking Account**

If a check is received that is imprinted with two individuals’ names, report the contribution from the person who signed the check. However, if both individuals signed the check, or one signed the check but both have signed an accompanying document indicating that the contribution is from both, then report 50 percent of the contribution amount from one individual and 50 percent from the other, unless the document attributes specific amounts to each contributor.

## Reporting Earmarked Contributions

A committee that makes a contribution to another committee earmarked for a third specifically identified committee must disclose the specifically identified committee as the recipient of the contribution and the other committee as an intermediary at the time the earmarked contribution is made. The specifically identified committee must disclose the contributor and intermediary at the time the funds are received from the intermediary. The intermediary must disclose receipt of the funds as a miscellaneous increase to cash on Schedule I of Form 460 at the time the funds are received and must disclose the expenditure as the transfer of an earmarked contribution from the contributor to the specifically identified committee at the time the funds are given to the specifically identified committee.

**Ex 9.1** - Sarah Gomez made a \$500 contribution to your committee and notified you that they would later be reimbursed by their employer, Hilltop Dairy. Your committee will report Hilltop Dairy as the source of the contribution and must also disclose Sarah as the intermediary.

A committee that makes a contribution to another committee and subsequently reaches an agreement with that committee that all or a portion of the contribution would be used for another committee, ballot measure or candidate must include a notation on its next statement that the original contribution was subsequently earmarked, including the name of the specifically identified committee, ballot measure, or candidate. The committee that initially received the funds must also include a notation on its next statement that the original contribution was subsequently earmarked and must disclose the original contributor to any new committee to which it transfers the earmarked funds. The new committee shall disclose the true source of the contribution with a notation that the contribution was earmarked to the specific ballot measure or candidate.

**Ex 9.2** - Temple Construction is a subsidiary of Temple Enterprises. Contributions made by the two entities must be aggregated and they qualify as a major donor. Your committee receives a contribution from Temple Construction. Temple Construction is required to notify you that its contribution is reported on a campaign statement filed under the name of Temple Enterprises. Your committee must identify both names on its report and, if you receive contributions from both entities, the contributions must be aggregated for purposes of reporting cumulative amounts.

A committee that makes a contribution earmarked for a specifically identified ballot measure or candidate must disclose a contribution to the committee that received the contribution with a notation that the contribution was earmarked to the specific ballot measure or candidate. The committee receiving the earmarked contribution must disclose the contributor with a notation that the contribution was earmarked for the specific ballot measure or candidate when the contribution is received. This committee is solely responsible for disclosing the ultimate use of the earmarked contribution, whether by contribution or expenditure, at the time the funds are used. If the committee receiving the earmarked contribution contributes any portion of the contribution to another committee to support or oppose the specifically identified ballot measure or candidate, that committee shall disclose the true source of the contribution to the new committee receiving the earmarked funds for disclosure on the new committee's campaign report. The new committee shall disclose the true source of the contribution with a notation that the contribution was earmarked to the specific ballot measure or candidate.

### **Intermediary**

If a contribution of \$100 or more is received from a person who is acting as an intermediary for the true source of the contribution, disclose both the true source of the contribution and the intermediary. Failure to report the true source of a contribution is a serious violation of the Act.

### **Contributions from Family Trusts**

If a contribution is received from a family trust account, it is attributed to the person who directed the contribution.

## Aggregating Contributions

There are a variety of situations in which contributions from two or more contributors must be aggregated for reporting purposes. For example, when an individual who is the sole proprietor of a company makes a contribution from company funds and another contribution from personal funds, these contributions are added together for reporting purposes. Additional information and several examples are included in Chapter 3.

If contributions that must be aggregated are received from a major donor (i.e., an individual or business entity that makes contributions totaling \$10,000 or more in a calendar year), the major donor must notify each committee to which it makes a contribution of the name under which the major donor is filing its campaign statement (Form 461). When reporting the contribution received, the recipient of the contribution must identify the name under which the major donor is filing its Form 461 and the name of the contributor, if it is different.

## Contributor Information

If a committee receives a contribution of \$100 or more, but does not receive the required contributor information (name, address, and if the contributor is an individual, their occupation and employer) within 60 days of receiving the contribution, the committee must return the contribution to the contributor. Contributions may be deposited in the committee's bank account pending receipt of the information, in which case they must be reported on the next campaign statement (Form 460) filed. The campaign statement must be amended within 70 days from its closing date to disclose the missing contributor information, unless the contribution was returned to the donor.

See the chart below for examples of acceptable ways to report an individual's occupation and employer.

<b>Individual Donor Information</b>	
(Contributors of \$100 or more)	
<b><u>Complete</u></b>	<b><u>Incomplete</u></b>
<ul style="list-style-type: none"><li>• Retired</li><li>• Consultant, A Better Business Agency</li><li>• Self-Employed, No Separate Business Name</li><li>• Homemaker or Student</li><li>• Private Investor: stocks &amp; bonds</li><li>• Lawyer, Ortiz &amp; Smith</li></ul>	<ul style="list-style-type: none"><li>• Manager</li><li>• Next Door Neighbor</li><li>• Friend</li><li>• ABBA (no acronyms)</li><li>• Business Person</li><li>• Entrepreneur</li><li>• Investor</li></ul>
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;"><p>Contributions of \$100 or more <b>must be returned within 60 days</b> if individual's name, street address, occupation, and employer are not obtained.</p></div>	

### Calendar Year Cumulation Exception

The cumulation period for a statement is generally January 1 through December 31 of the current calendar year. However, there is an exception if a committee is required to file a preelection statement in one calendar year in connection with an election held in the next calendar year, such as elections held in January or early February. In this case, the cumulation period begins on January 1 of the year before the election and ends on the closing date of the semi-annual statement filed after the election.

**Ex 9.3** - A city calls a February 4 special election to fill a vacant city council position. Candidates running in the February 4 election are required to file two preelection statements in connection with the election. The first preelection statement is due in December of the year prior to the year in which the election will be held. In this case, the cumulation period begins on January 1 of the year before the election and ends on the closing date of the semi-annual statement filed after the election.

## Returned Contributions

**Not Deposited:** A contribution need not be reported if it is not cashed, negotiated, or deposited and is returned to the contributor before the closing date of the campaign statement on which it would otherwise be reported. A contribution of \$1,000 or more received in the 90 days prior to the election, or on the date of the election, need not be reported if it is not cashed, negotiated, or deposited and is returned to the contributor within 24 hours of receipt.

**Deposited, Negotiated, or Returned After Closing Date:** A contribution that is cashed, negotiated, or deposited, and is not returned prior to the closing date of the campaign statement, must be reported on Schedule A. If the contribution is returned within 30 days of receipt, and within the reporting period, the return may be shown as a negative figure on Schedule A. Otherwise, the return of the contribution must be reported on Schedule E.

**Returned for Insufficient Funds:** If the committee deposits a check and the check is returned from the bank due to insufficient funds, both the receipt and the return of the contribution may be reported on Schedule A (the return will be reported as a negative amount) if the committee returns the check to the contributor during the same reporting period. Otherwise, the return of the contribution must be reported on Schedule E.

## Transfers

If campaign funds are transferred from one of a candidate's controlled local election committees to another, the transfer is reported by the receiving committee on Schedule I, not on Schedule A.

## Enforceable Promises

If a contribution is received in the form of an "enforceable promise" that has not been paid during the period, report the contribution as a memo entry on Schedule A.

Disclose the date of the promise, all of the required information about the contributor, and the amount promised, but do not include the amount in the summary totals. When the contributor makes the actual payment, fully disclose the contribution on Schedule A, if the payment is made to the committee, or on Schedule C, if the contributor pays the vendor directly, and include the amount in the appropriate summary section.

### **Installment Payments**

Contributions may be received as installment payments made at regular intervals over a period of time via credit card, debit card, wire transfer, or similar electronic means. When a contributor authorizes a series of installment payments, the contribution is reported as received when the committee, or agent of the committee, obtains possession or control of the funds for each installment payment.

**Schedule A  
Monetary Contributions Received**

Amounts may be rounded to whole dollars.

SCHEDULE A

Statement covers period from <u>7/1/XX</u>	<b>CALIFORNIA FORM 460</b>
through <u>12/31/XX</u>	
Page <u>XX</u> of <u>XX</u>	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
**Manuel Alvarez for Mayor 20XX**

I.D. NUMBER  
**12344XX**

1 DATE RECEIVED	2 FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER, IF LLC, REFER TO INSTRUCTIONS FOR WHAT TO ENTER.)	3 CONTRIBUTOR CODE *	4 IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	5 AMOUNT RECEIVED THIS PERIOD	6 CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	7 PER ELECTION TO DATE (IF REQUIRED)
9/2/XX	Joey's Super Market 500 North Mesa Street Oakmont, CA 95443	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$5,000	\$5,000	
10/15/XX	Martin Developers 1650 Wingfield Road Oakmont, CA 95443	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$198	\$198	
	Intermediaries: Marcus Brown \$99 325 Richmond Road, Oakmont, CA 95443	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Bookkeeper, Martin Developers			
	Ashley Green \$99 448 Harbor Drive Oakmont, CA 95443	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Sales Representative, Martin Developers			
12/15/XX	Angel Trujillo 6688 Fourth Avenue Oakmont, CA 95443	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Requested	\$75	\$300	
<b>SUBTOTAL \$</b>				5,273		

**8 Schedule A Summary**

1. Amount received this period – itemized monetary contributions. (Include all Schedule A subtotals.).....	\$ 5,273
2. Amount received this period – unitemized monetary contributions of less than \$100.....	\$ 1,500
3. Total monetary contributions received this period. (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) .....	<b>TOTAL \$ 6,773</b>

\*Contributor Codes  
IND – Individual  
COM – Recipient Committee  
(other than PTY or SCC)  
OTH – Other (e.g., business entity)  
PTY – Political Party  
SCC – Small Contributor Committee

**E. Completing the Form 460 Schedule A (Monetary Contributions Received)**

Schedule A is used to report monetary contributions received by the committee, except for loans received, which are reported on Schedule B. Payments received for repayments on loans made to others are reported on Schedule H. Payments received that are not contributions, loans, or repayments of loans made to others, are reported as miscellaneous increases to cash on Schedule I.



## 1 Date Received

Enter the date the committee obtained possession or control of the contribution. For instance, in the case of a check, report the date the check was received, which may differ from the date the check was written and the date the check was deposited.

For contributions received by electronic transaction (such as credit card, debit account, or wire transfer, including those received over the Internet), report the date the committee received or had control of the credit/debit account information or other payment information, or the date the committee received or had control of the funds, whichever is earlier. Chapter 2 provides several examples of different types of contributions and when they are deemed “received.”

## 2 Contributor Information

Itemize persons that have contributed to the committee a cumulative amount of \$100 or more during the calendar year. Provide each contributor’s full name, street address, city, state, and zip code. Many local agencies require itemization at a lower threshold so check with your elections office.

**Ex 9.4** - Wade Murphy contributed \$25 to your committee during the first reporting period of the calendar year. On your committee’s first campaign statement, Wade’s contribution was not required to be itemized. During the second reporting period, Wade contributed \$99 to your committee. Since Wade’s cumulative contributions for the calendar year are now \$100 or more, Wade must be itemized on the second campaign statement. The \$99 contribution will be reported under “amount received this period” and \$124 will be reported as the “cumulative to date” total. Wade’s name, address, occupation, and employer must also be disclosed.

If the contributor is a recipient committee, report that committee's identification number. If an identification number has not yet been assigned or is unknown, report the full name, street address, city, state, and zip code of that committee's treasurer. If the contributor is a limited liability company (LLC) that has qualified as an independent expenditure committee or major donor, include the name of the LLC and the full legal name of the of the LLC's responsible officer as defined in Regulation 18402.2. For contributions of \$100 or more received from an LLC that has qualified as a recipient committee, include the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, include the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified.

If a contribution is received through an intermediary, provide the name, street address, city, state, zip code, and, if applicable, occupation and employer, of both the intermediary and the true source of the contribution. (See Chapter 3.) Additionally, for contributions of \$100 or more from an intermediary that is a limited liability company (LLC) that has qualified as an independent expenditure committee or major donor, include the name of the LLC and the full legal name of the LLC's responsible officer as defined in Regulation 18402.2. If the contributor is an LLC that has qualified as a recipient committee, include the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, include the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified.

### **3 Contributor Code**

For each itemized contributor, check the appropriate box to indicate whether the contributor is an individual, a committee, "other" (such as a business entity), or a political party. (The code "SCC" is for small contributor committees and is applicable only to state candidates and committees.)

## 4 Occupation and Employer Information

If the contributor is an individual, provide the individual's occupation and the name of their employer. If the individual is self-employed, provide the name of their business. Do not leave this column blank. If the information has not yet been obtained, enter "requested" or similar language and amend Schedule A when the information has been received.

**QUICK TIP:** Once a committee has received \$100 or more from a contributor in a calendar year, all future contributions received from that contributor in that calendar year, regardless of the amount, must be itemized.

As explained in Chapter 2, a contribution of \$100 or more must be returned if the contributor's name, street address, and if the contributor is an individual, their occupation and employer are not in the committee's records within 60 days of receipt of the contribution.

## 5 Amount Received This Period

Report the amount of the contribution.

## 6 Cumulative to Date

Enter the cumulative amount of contributions (including monetary contributions, nonmonetary contributions, loans, and loan guarantees) received from the contributor. Contributions from a single source are generally cumulated from January 1 through December 31 of the current calendar year. However, there is an exception to calendar year cumulation if the committee is required to file a preelection statement in one calendar year in connection with an election held in the next calendar year. See "Calendar Year Cumulation Exception" under Section D., General Rules for Reporting Contributions Received on Schedule A.

The amount listed in the "Cumulative to Date Calendar Year" column will differ from the "Amount Received This Period" column if the committee has received other contributions, including nonmonetary contributions, loans, or loan guarantees from the same source during

the calendar year. Once a committee has received \$100 or more from a contributor in a calendar year, all future contributions received from that contributor in that calendar year, regardless of the amount, must be itemized.

## **7 Per Election to Date**

The “Per Election to Date” column is generally for state candidates and committees that are subject to contribution limits. The Act does not contain contribution limits for local candidates and committees; however, local ordinances may include limits and other restrictions and reporting requirements. Local candidates and committees should check with the local elections office about reporting obligations under local laws.

## **8 Schedule A Summary**

Complete the Schedule A Summary section by entering the total amount of itemized contributions (\$100 or more) received this period on Line 1 and the total amount of unitemized contributions (less than \$100) received this period on Line 2. Add Lines 1 and 2 and enter that amount on Line 3. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Line 2.

**Schedule B – Part 1  
Loans Received**

Amounts may be rounded to whole dollars.

SCHEDULE B - PART 1

Statement covers period from <u>7/1/XX</u> through <u>12/31/XX</u>	<b>CALIFORNIA FORM 460</b>
Page <u>XX</u> of <u>XX</u>	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Manuel Alvarez for Mayor 20XX

I.D. NUMBER

1234567890

1	2	a	b	c	d	e	f	g
FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	OUTSTANDING BALANCE BEGINNING THIS PERIOD	AMOUNT RECEIVED THIS PERIOD	AMOUNT PAID OR FORGIVEN THIS PERIOD	OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	INTEREST PAID THIS PERIOD	ORIGINAL AMOUNT OF LOAN	CUMULATIVE CONTRIBUTIONS TO DATE
American Credit Union 350 South Park Street Oakmont, CA 95443  † <input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$ 0	\$ 10,000	<input type="checkbox"/> PAID \$ 0 <input type="checkbox"/> FORGIVEN \$ 0	\$ 10,000 7/1/XX DATE DUE	\$ 250 5 % RATE	\$ 10,000 7/1/XX DATE INCURRED	\$ N/A N/A PER ELECTION**
Manuel Alvarez 4245 McDow Street Oakmont, CA 95443  † <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Editor, Oakmont Weekly	\$ 2,000	\$ 0	<input checked="" type="checkbox"/> PAID \$ 1,000 <input type="checkbox"/> FORGIVEN \$ 0	\$ 1,000 N/A DATE DUE	\$ -0- 0 % RATE	\$ 2,000 1/15/XX DATE INCURRED	\$ 2,000 N/A PER ELECTION**
<b>3</b> SUBTOTALS		\$ 10,000	\$ 1,000	\$ 11,000	\$ 250			

**Schedule B Summary**

1. Loans received this period (Total Column (b) plus unitemized loans of less than \$100.)	\$ 10,000
2. Loans paid or forgiven this period (Total Column (c) plus loans under \$100 paid or forgiven.) (Include loans paid by a third party that are also itemized on Schedule A.)	\$ 1,000
3. Net change this period. (Subtract Line 2 from Line 1.)	NET \$ 9,000

Enter the net here and on the Summary Page, Column A, Line 2. (May be a negative number)

(Enter (e) on Schedule E, Line 3)

†Contributor Codes  
IND – Individual  
COM – Recipient Committee (other than PTY or SCC)  
OTH – Other (e.g., business entity)  
PTY – Political Party  
SCC – Small Contributor Committee

**F. Completing the Form 460 Schedule B – Part 1 (Loans Received)**

Schedule B is used to report activity on loans received by the committee. Outstanding loans are reported on each campaign statement until they are paid off or forgiven. Schedule B has two parts:

- Part 1 lists loans received or outstanding, and the repayment, forgiveness, or payment by a third party of a loan previously received.
- Part 2 lists information about loan guarantors, if any.

**QUICK TIP:** If the committee has drawn on a line of credit, it is reported as a loan.

## 1 Lender Information and Contributor Code

Provide the full name, street address, city, state, and zip code, of each lender of \$100 or more. For each itemized lender, check the appropriate box to indicate whether the lender is an individual, a committee, “other” (such as a business entity), or a political party. (The code “SCC” is for small contributor committees and is applicable only to state candidates and committees.) For loans that are contributions of \$100 or more from Limited Liability Companies (LLCs) please see instructions for Schedule A above for information required to be reported in connection with contributions received from LLCs. Loans received from commercial lending institutions in the normal course of business are not contributions.

**QUICK TIP:** A loan received from a commercial lending institution in the normal course of business is reportable on Schedule B but is not considered a contribution. Contributor codes and cumulative amounts are only required for loans that are contributions.

### Financial Institution

If a financial institution (i.e., bank or credit union) has made a loan to the committee, or the committee has drawn on a line of credit from a financial institution, report the institution as the lender, even if the candidate has established the line of credit.

## 2 Individual Lender

If the lender is an individual (including a candidate or officeholder using personal funds to make a loan to their committee), provide the individual’s occupation and the name of their employer. If the individual is self-employed, provide the name of their business. Do not leave this column blank. If this information has not yet been obtained, enter “requested” or similar language and amend Schedule B, Part 1, when the information is received. (See Chapter 2 for information about the requirement to return contributions/loans if the name, address, occupation, or employer information is not received.)

**QUICK TIP:** A candidate or officeholder who deposits personal funds into their own campaign bank account may report the funds as a loan on Schedule B or as a contribution on Schedule A.

**QUICK TIP:** Report each loan separately, even if the committee has received more than one loan from a single source.

## Loan Amounts

### **a** Outstanding Balance Beginning This Period

Enter the outstanding loan balance at the beginning of this reporting period (Column (d) of the last report filed). If the loan was received this period, enter zero.

### **b** Amount Received This Period

Enter the amount received from the lender during this reporting period. If this loan was received in a previous reporting period, enter zero.

### **c** Amount Paid or Forgiven This Period

Enter the amount of any reduction of the loan during this reporting period. Check the appropriate box to indicate whether the reduction was a payment or forgiveness. When the lender forgives all or part of a loan, or a third party makes a payment on a loan, also report the lender or third party on Schedule A as a contributor. Enter zero if no payments were made during this reporting period.

#### **d Outstanding Balance at Close of This Period**

Enter the outstanding balance of the loan at the close of this reporting period. Enter the due date, if any.

#### **e Interest Paid This Period**

Enter the interest rate and the amount of interest paid on the loan during this reporting period. If the lender is not charging interest, indicate “none” on the “interest rate” line. Interest paid is reported separately from payments made on the loan principal. Interest payments are also transferred to the Schedule E Summary.

#### **f Original Amount of Loan**

Enter the original amount of the loan and the date it was received. If this is the first time the loan is being reported, this is the same amount as reported in Column (b).

**QUICK TIP:** Do not report the repayment of a loan on Schedule E. Only the “Interest Paid This Period” should be reported on Schedule E.



## **g** Cumulative Contributions to Date

Enter the cumulative amount of contributions (including loans, loan guarantees, monetary and nonmonetary contributions) received from the lender. Contributions from a single source are generally cumulated from January 1 through December 31 of the current calendar year. However, there is an exception to calendar year cumulation if the committee is required to file a preelection statement in one calendar year in connection with an election held in the next calendar year. See “Calendar Year Cumulation Exception” under Section D., General Rules for Reporting Contributions Received on Schedule A.

The “Per Election to Date” column is generally for state candidates and committees that are subject to contribution limits. The Act does not contain contribution limits for local candidates and committees; however, local ordinances may include limits and other restrictions and reporting requirements. Local candidates and committees should check with the local elections office about reporting obligations under local laws.

## **3** Schedule B Summary

Complete the Schedule B Summary by entering the total amount of loans **received** this period on Line 1 and the total amount of loans **paid or forgiven** on Line 2. Subtract Line 2 from Line 1 and enter the difference (net change this period) on Line 3. The amount on Line 3 will be a negative amount when the loans paid or forgiven this period are more than the amount of new loans received. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Line 2.

### **Outstanding Loans Received (Summary Page – Column B, Line 2)**

Loans received are carried forward on future statements until they are paid off or forgiven. To determine the amount for Column B, Line 2 of the overall Summary Page, add the amount from Column A, Line 2 of this statement to the amount of Column B, Line 2 of the previous statement. If the amount in Column A, Line 2 is a negative number, subtract it from the amount in Column B, Line 7 of the previous statement.

**Schedule B – Part 2  
Loan Guarantors**

Amounts may be rounded to whole dollars.

SCHEDULE B - PART 2

Statement covers period from <u>7/1/XX</u>	<b>CALIFORNIA FORM 460</b>
through <u>12/31/XX</u>	
Page <u>XX</u> of <u>XX</u>	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Manuel Alvarez for Mayor 20XX

I.D. NUMBER  
12344XX

1	2	3	4	5	6	7
FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE*	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	LOAN	AMOUNT GUARANTEED THIS PERIOD	CUMULATIVE TO DATE	BALANCE OUTSTANDING TO DATE
Joseph Alvarez 445 C Street Oakmont, CA 95443	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Realtor, Alvarez and Mitchell Realty	LENDER American Credit Union  DATE 7/1/XX	\$10,000	CALENDAR YEAR \$10,000 PER ELECTION (IF REQUIRED) N/A	\$10,000
<b>SUBTOTAL</b>				<b>\$ 10,000</b>	Enter on Summary Page, Line 17 only.	

**G. Completing the Form 460 Schedule B – Part 2 (Loan Guarantors)**

**1 Guarantor Information**

If someone other than the controlling candidate co-signs, endorses, or provides security for a loan of \$100 or more, enter the full name, street address, city, state, and zip code, of the guarantor. If the guarantor is a Limited Liability Company (LLC) please see instructions for Schedule A above for information required to be reported in connection with contributions received from LLCs.

**Lines of Credit**

If a third party establishes a line of credit of \$100 or more for the committee, enter the third party’s full name, street address, city, state, and zip code, as the guarantor.

**2 Contributor Code**

For each itemized guarantor, check the appropriate box to indicate whether the guarantor is an individual, committee, “other” (i.e., business entity), or a political party. (The code “SCC” is for small contributor committees and is applicable only to state candidates and committees.)

### 3 Individual Loan Guarantor

If the guarantor is an individual, provide the individual's occupation and the name of their employer. If the individual is self-employed, provide the name of their business. Do not leave this column blank. If this information has not yet been obtained, enter "requested" or similar language and amend Schedule B, Part 2, when the information is received.

### 4 Loan/Lender

Enter the name of the lender or the entity at which a line of credit was established and the date of the loan or the date the line of credit was established.

### 5 Amount Guaranteed This Period

Enter the amount guaranteed this period, if applicable. For lines of credit, enter the full amount established or secured by the guarantor during the period. (Report amounts **drawn** on a line of credit on Schedule B — Part 1.)

### 6 Cumulative to Date

Enter the cumulative amount of contributions (including loans, loan guarantees, monetary and nonmonetary contributions) received from the guarantor. Contributions from a single source are generally cumulated from January 1 through December 31 of the current calendar year. However, there is an exception to calendar year cumulation if the committee is required to file a preelection statement in one calendar year in connection with an election held in the next calendar year. See "Calendar Year Cumulation Exception" under Section D., General Rules for Reporting Contributions Received on Schedule A.

**QUICK TIP:** Loan guarantees are not included in the Schedule B Summary, but are carried forward in a lump sum to Line 17 of the overall Summary Page.

The “per election” information is generally only required for state candidates and committees that are subject to contribution limits. The Act does not contain contribution limits for local candidates and committees; however, local ordinances may include limits and other restrictions and reporting requirements. Local candidates and committees should check with the local elections office about reporting obligations under local laws.

## **7 Balance Outstanding to Date**

Report the outstanding balance for which the guarantor is liable at the close of the reporting period.

## **H. General Rules for Reporting Nonmonetary Contributions Received on Schedule C**

Schedule C is used to report nonmonetary contributions received by the committee. Nonmonetary contributions are goods or services provided to the committee for which it does not pay the fair market value.

The fair market value is the amount the committee would pay for the goods or services on the open market – whatever it would cost any member of the general public to obtain the same goods or services. (See Chapter 3 for assistance in determining the fair market value of a nonmonetary contribution.)

**Ex 9.5** - A restaurant donates food for a committee fundraiser. The cost of the food if purchased by the committee would be \$1,000. The committee must report \$1,000 as the fair market value of the contribution even though the cost to the restaurant was less than the fair market value.

## Examples of Nonmonetary Contributions

- Items donated for a garage sale, raffle, or auction
- Poll results
- Signs, postage, and printing
- Food and entertainment provided for a fundraiser
- Discounts or rebates that are not extended to the general public
- Mailing lists, mailings, and other advertising
- Forgiveness of an accrued expense by the creditor
- Use of an office, automobile, or airplane
- Mail production, postage, printing, shipping, data and graphics
- Phone banking and public communications
- Media consulting services
- Video services
- Staff time and expenses
- Banner ads
- Precinct walking and door hangers
- Food for volunteers
- Slate mailer/slate cards
- Campaign materials, flyers for rally, buttons, t-shirts
- Corporate stock

**QUICK TIP:** If corporate stock is received as a contribution, the amount reported on Schedule C is the value listed on the stock exchange on the date of receipt. When the stock is sold, the proceeds are reported on Schedule I as a miscellaneous increase to cash. See Chapter 3 for additional information.

- Compensation paid by an employer to an employee who spends more than 10 percent of their compensated time in a calendar month working on campaign activities for one or more campaigns. Compensation includes gross wages paid and any benefits in lieu of wages, such as stock options or an annuity purchase. Compensation does not include standard benefits, such as the employer's payments to a retirement or health plan.

See Chapter 3 for exceptions, such as volunteer personal services, home/office fundraisers, and member communications.

**Schedule C  
Nonmonetary Contributions Received**

Amounts may be rounded to whole dollars.

SCHEDULE C

Statement covers period from <u>7/1/XX</u> through <u>12/31/XX</u>	<b>CALIFORNIA FORM 460</b>
	Page <u>XX</u> of <u>XX</u>

SEE INSTRUCTIONS ON REVERSE  
NAME OF FILER

I.D. NUMBER  
12344XX

Manuel Alvarez for Mayor 20XX

1 DATE RECEIVED	2 FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	3 CONTRIBUTOR CODE *	4 IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	5 DESCRIPTION OF GOODS OR SERVICES	6 AMOUNT/ FAIR MARKET VALUE	7 CUMULATIVE TO DATE CALENDAR YEAR (JAN 1 - DEC 31)	8 PER ELECTION TO DATE (IF REQUIRED)
9/25/XX	Genesis Insurance Company 850 F Street Oakmont, CA 95443	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		Food for Fundraiser	\$1,500	\$1,500	N/A
10/1/XX	Citizens for Improving Oakmont (ID 116787XX) 1275 Main Street, Oakmont, CA 95443	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		Employee Compensation for Campaign Activities	\$5,000	\$5,000	N/A
<b>Attach additional information on appropriately labeled continuation sheets.</b>					<b>SUBTOTAL \$</b>	6,500	

**9 Schedule C Summary**

1. Amount received this period – itemized nonmonetary contributions. (Include all Schedule C subtotals.).....	\$	6,500
2. Amount received this period – unitemized nonmonetary contributions of less than \$100 .....	\$	0
3. Total nonmonetary contributions received this period. (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Lines 4 and 10.).....	<b>TOTAL \$</b>	6,500

\*Contributor Codes  
IND – Individual  
COM – Recipient Committee (other than PTY or SCC)  
OTH – Other (e.g., business entity)  
PTY – Political Party  
SCC – Small Contributor Committee

**I. Completing the Form 460 Schedule C (Nonmonetary Contributions Received)**

**1 Date Received**

A nonmonetary contribution is received on the earlier of the following:

- The date that funds are expended by the contributor for the goods or services;
- The date that the candidate or committee obtains possession or control of the goods or services; or
- The date the committee receives the benefit of the expenditure.

**Ex 9.6** - A general purpose committee, in coordination with your committee, printed a brochure advocating your election to the school board. The committee delivered the brochures to your committee headquarters on February 22 and paid the printing bill on March 15. Your committee received the nonmonetary contribution on February 22.

## 2 Contributor Information

Itemize persons who have contributed to the committee a cumulative amount of \$100 or more during the calendar year. Provide each contributor's name, street address, city, state, and zip code. For contributions received from Limited Liability Companies (LLCs) please see instructions for Schedule A above for information required to be reported in connection with contributions received from LLCs. Remember to maintain the names and addresses of contributors of \$25 or more in your records. (See Chapter 2.)

## 3 Contributor Code

For each itemized contributor, check the appropriate box to indicate whether the contributor is an individual, committee, "other" (i.e., business entity), or a political party. (The code "SCC" is for small contributor committees and is applicable only to state candidates and committees.)

## 4 Occupation and Employer

If the contributor is an individual, provide the individual's occupation and the name of their employer. If the individual is self-employed, provide the name of their business. Do not leave this column blank. If this information has not yet been obtained, enter "requested" or similar language and amend Schedule C when the information has been received.

## 5 Description of Goods or Services

Provide a brief description of the goods or services received.

**QUICK TIP:** If an individual donates their personal or professional services to a campaign (including their travel expenses), no contribution has been made or received as long as the individual is not paid or reimbursed.

## 6 Amount/Fair Market Value

Report the value of the nonmonetary contribution received.



## 7 Cumulative to Date

Enter the cumulative amount of contributions (including loans, loan guarantees, monetary and nonmonetary contributions) received from the contributor. Contributions from a single source are generally cumulated from January 1 through December 31 of the current calendar year. However, there is an exception to calendar year cumulation if the committee is required to file a preelection statement in one calendar year in connection with an election held in the next calendar year. See “Calendar Year Cumulation Exception” under Section D., General Rules for Reporting Contributions Received on Schedule A.

## 8 Per Election to Date

The “Per Election to Date” column is generally for state candidates and committees that are subject to contribution limits. The Act does not contain contribution limits for local candidates and committees; however, local ordinances may include limits and other restrictions and reporting requirements. Local candidates and committees should check with the local elections office about reporting obligations under local laws.

## 9 Schedule C Summary

Complete the Schedule C Summary section by entering the total amount of itemized nonmonetary contributions (\$100 or more) received this period on Line 1 and the total amount of unitemized nonmonetary contributions (less than \$100) received this period on Line 2. Add Lines 1 and 2 and enter the total on Line 3. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Lines 4 and 10. **Reminder:** Once a contributor has contributed \$100 or more in a calendar year, all future contributions received from that person, regardless of the amount, must be itemized.

## Answering Your Nonmonetary Contributions Questions

### A. What is the value of the time provided by a graphic artist who volunteers to design a logo for my committee?

The artist's time is not reportable if it constitutes volunteer personal services. But, if the artist is an employee of a business and spends more than 10 percent of their compensated time in a calendar month working on the design, the paid compensation becomes a nonmonetary contribution from the artist's employer.

### B. How do I determine the fair market value of a mailing list provided by another committee?

The most common way for a committee to determine the value is to contact a business from which a similar mailing list may be obtained.

## J. General Rules for Reporting Expenditures Supporting/ Opposing Other Candidates, Measures, and Committees on Schedule D

Schedule D provides a summary of payments reported on Schedules E, F, and H that are contributions or independent expenditures to support or oppose other candidates, measures, and committees. Such payments include:

- Monetary contributions or loans to other candidates and committees.
- Payments to vendors for goods or services for other candidates and committees (nonmonetary contributions).
- Donations to other candidates and committees of goods on hand, or the payment of salary or expenses for a campaign employee who spends more than 10 percent of their compensated time in a calendar month on campaign activities for other candidates or committees (nonmonetary contributions).

- Payments for communications (e.g., mailings, billboards, radio ads) that expressly advocates support of or opposition to a clearly identified candidate or ballot measure, but the payments are not made to, or at the behest of, the candidate or ballot measure committee (independent expenditures).

### Candidate Controlled Committees

Payments made to support the controlling candidate's own candidacy, or to oppose the candidate's opponent(s), are not reported on Schedule D. These payments are direct campaign expenditures and are reported only on Schedule E.

If, during a calendar year, an officeholder or candidate uses **personal** funds to make contributions of \$10,000 or more, or independent expenditures of \$1,000 or more, to support or oppose **other** officeholders, candidates, committees, or ballot measures (including a controlled ballot measure committee), the candidate must file a Major Donor and Independent Expenditure Committee Campaign Statement (Form 461). These payments are not reported on Schedule D.

### Primarily Formed Committees

Payments made for communications that support or oppose the candidate for which the committee is primarily formed are required to be reported on Schedule D as either contributions or independent expenditures, depending on whether the payments were made at the behest of the candidate. These payments are also reported on Schedule E or F.

**Schedule D  
Summary of Expenditures  
Supporting/Opposing Other  
Candidates, Measures and Committees**

Amounts may be rounded to whole dollars.

Statement covers period		SCHEDULE D	
from	7/1/XX	<b>CALIFORNIA FORM 460</b>	
through	12/31/XX	Page XX of XX	
		I.D. NUMBER 12344XX	

SEE INSTRUCTIONS ON REVERSE  
NAME OF FILER

Manuel Alvarez for Mayor 20XX

1 DATE	2 NAME OF CANDIDATE, OFFICE, AND DISTRICT, OR MEASURE NUMBER OR LETTER AND JURISDICTION, OR COMMITTEE	3 TYPE OF PAYMENT	4 DESCRIPTION (IF REQUIRED)	5 AMOUNT THIS PERIOD	6 CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	7 PER ELECTION TO DATE (IF REQUIRED)
10/1/XX	Committee for Bike Lanes in Oakmont Yes on Measure E (ID 12456XX) City of Oakmont  <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	<input checked="" type="checkbox"/> Monetary Contribution <input type="checkbox"/> Nonmonetary Contribution <input type="checkbox"/> Independent Expenditure	Loan	\$1,000	\$1,000	N/A
10/12/XX	Del Norte County Independent Central Committee (ID 11852XX)  <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	<input checked="" type="checkbox"/> Monetary Contribution <input type="checkbox"/> Nonmonetary Contribution <input type="checkbox"/> Independent Expenditure		\$500	\$500	N/A
	  <input type="checkbox"/> Support <input type="checkbox"/> Oppose	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Nonmonetary Contribution <input type="checkbox"/> Independent Expenditure				
<b>SUBTOTAL \$</b>				1,500		

**Schedule D Summary**

1. Itemized contributions and independent expenditures made this period. (Include all Schedule D subtotals.).....	\$ 1,500
2. Unitemized contributions and independent expenditures made this period of under \$100.....	\$ 0
3. Total contributions and independent expenditures made this period. (Add Lines 1 and 2. Do not enter on the Summary Page.)..... TOTAL..	\$ 1,500

**K. Completing the Form 460 Schedule D  
(Summary of Expenditures Supporting/Opposing  
Other Candidates, Measures and Committees)**

**1 Date**

Report the date the contribution or independent expenditure was made. A monetary contribution is made on the date it is mailed, delivered, or otherwise transmitted to the officeholder, candidate, or committee.

A **nonmonetary contribution** is made on the earlier of the following:

- The date an expenditure is made for the goods or services;

- The date the committee or an agent of the committee obtained possession or control of the goods or services; or
- The date the committee otherwise received the benefit of the expenditure.

**Ex 9.7** - Your committee, working on behalf of the Friends of the Forest committee, arranged for the mailing of a campaign piece supporting their issue. The mailer is sent to voters directly from the mail house on September 4. On September 6, the mail house submits an invoice for payment to your committee. Your committee made a nonmonetary contribution to the Friends of the Forest committee on September 4 (the date they received the benefit of the expenditure).

A payment made in connection with the development, production, or dissemination of a communication that is an **independent expenditure** must be reported no later than the date the communication is mailed, broadcast, or otherwise disseminated to the public.

A payment for a communication that is never disseminated to the public is not considered an independent expenditure and need not be reported on Schedule D. The payment must be reported on Schedule E as an expenditure.

**QUICK TIP:** Schedule D is a summary of payments made by the committee that were contributions to other candidates and committees or independent expenditures to support or oppose other candidates and ballot measures. The payments are also reported on Schedule E, F, or H.

## 2 Candidate and Office, Measure and Jurisdiction, or Committee

If a total of \$100 or more is contributed or expended during a calendar year to support or oppose a single candidate, ballot measure, or a general purpose committee (e.g., a political party), disclose the name of the candidate and the office sought or held, the number or letter and jurisdiction of the ballot measure, or the name of the general purpose committee. For each candidate or measure listed, indicate whether the payment was made to support or oppose the candidate or measure.

**Ex 9.8** - The Committee to Elect Waters for Seaside Mayor 20XX made a contribution of \$100 to the Committee to Support Growth in Seaside, Yes on Measure C. In addition to reporting the contribution on Schedule D, the expenditure must also be reported on Schedule E.

## 3 Type of Payment

Check the appropriate box to indicate whether the payment was a monetary contribution, nonmonetary contribution, or independent expenditure.

## 4 Description of Nonmonetary Contribution Where No Payment is Made

Because payments must be described when they are reported on Schedule E or F, a description is not required on Schedule D for payments reported on Schedule E or F that are nonmonetary contributions or independent expenditures. However, if no payment was made, describe the goods or services. For example, if goods on hand (i.e., office supplies) are contributed to another candidate or committee, a description must be included.

## 5 Amount This Period

Provide the amount(s) of contributions or independent expenditures made this period relative to each candidate, measure, or committee.

## 6 Cumulative to Date Calendar Year

Report the cumulative amount contributed to or expended to support or oppose each itemized candidate, ballot measure, or committee since January 1 of the current calendar year.

If contributions are made to more than one election committee controlled by the same candidate, report the total amount contributed to all of the committees. Do not cumulate contributions made to a candidate's election committee with contributions made to other committees controlled by the candidate, such as a ballot measure committee or a legal defense fund committee. Contributions and independent expenditures are cumulative separately.

## 7 Per Election to Date

If contributions of \$100 or more were made to state candidates during a state election cycle, the cumulative amount contributed during the election cycle is reported in this column.

In addition, a local ordinance may require committees in that jurisdiction to report the cumulative amount contributed to a local candidate during a specified period. Check with the local elections office.

## 8 Schedule D Summary

Complete the Schedule D Summary by entering the total amount of itemized contributions and independent expenditures of \$100 or more (Line 1), the total amount of unitemized contributions and independent expenditures of less than \$100 (Line 2), and the total amount for both (Line 3). Totals from the Schedule D Summary are **not** carried forward to the overall Summary Page.

## Answering Your Major Donor Questions

- A. Must a candidate file the Form 461 (Major Donor and Independent Expenditure Committee Campaign Statement) if they make personal contributions to their controlled election campaign committee of \$10,000 or more?**

No. A candidate's contributions to their own election committee do not trigger the requirement to file the Form 461. But, if a candidate otherwise qualifies as a major donor committee by making personal contributions of \$10,000 or more to other candidates or committees, the Form 461 must also include personal contributions made to their own controlled committees.

- B. Must the spouse of a candidate file the Form 461 if they make personal contributions to their spouse's campaign of \$10,000 or more?**

If the contributions are made from community funds, neither the spouse nor the candidate will qualify as a major donor. But, if the candidate's spouse makes contributions from legally separate funds, the spouse will become a major donor and must file the Form 461.

- C. Must a candidate file the Form 461 if they make personal contributions to their controlled ballot measure committee of \$10,000 or more?**

Yes.

- D. Using personal funds, a candidate made contributions totaling \$9,000 to other candidates and committees. They also contributed \$3,000 to their own election committee. Since the total amount of all contributions made is \$12,000, must the candidate file the Form 461 as a major donor?**

No. Contributions to a candidate's own election committee are not counted toward the \$10,000 major donor threshold.



## L. General Rules for Reporting Payments Made on Schedule E and Accrued Expenses (Unpaid Bills) on Schedule F

Schedule E is used to report money spent by the committee during the reporting period, except for payments made on loans received by the committee or payments made in the form of loans to other candidates or committees. Use Schedule B (Part 1) to report repayments on **loans received** by the committee. Use Schedule H to report **loans made** to other candidates and committees.

**QUICK TIP:** Expenditures of campaign funds must have a political, legislative, or governmental purpose. (See Chapter 5.)

An expenditure is “made” on the date the payment is made or the date the committee receives the goods or services, whichever is earlier. Use Schedule F to report amounts owed by the committee for goods or services received but not paid for by the end of the reporting period.

**Ex 9.9** - During October and November, your committee:

- (a) Paid a deposit on a room for a fundraiser to be held January 10;
- (b) Ordered and received the fundraiser invitations for which you were billed but had not made a payment by December 31; and
- (c) Ordered, but did not receive, flowers for the fundraiser for which you will be billed at the end of January.

On your semi-annual statement covering the period ending December 31, report the payment for the room deposit on Schedule E. Because you received the invitations but had not paid for them by December 31, report the outstanding amount on Schedule F. The cost of the flowers will not be reported until the next reporting period because you did not pay for nor receive the flowers during the period covered by the statement.

The committee’s unpaid administrative overhead expenses, such as rent, utilities, phones, or employee salaries, need not be reported

on Schedule F if the committee has not received a bill in the normal course of business or if the due date for the payment is after the closing date of the statement. Regular administrative overhead does not include contracts for services such as accounting, legal services, campaign consulting, and public relations.

**Ex 9.10** - On June 15, your committee received two bills for June services. One bill was from the restaurant where your committee held a fundraiser and the other was for office rent. The due date for both invoices is July 15. If, on June 30, the committee has not paid the two bills, the bill from the restaurant is reported on Schedule F as an accrued expense on your semi-annual statement. Since the rent bill is a regular administrative overhead expense, it does not need to be reported as an accrued expense.

## Information Required

Itemize each payment or accrued expense of \$100 or more to a single payee, and any payments totaling \$100 or more for a single product or service made during the period.

If the committee has entered into an agreement to make payments over time for a product or service, other than general administrative expenses such as rent and utilities, the unpaid balance may be reportable on Schedule F as an accrued expense.

## Payments for Online Communications

Additional expenditure reporting is required when a committee pays a person to provide favorable or unfavorable content about a candidate or ballot measure on an Internet site other than the committee's own website. The committee must specifically describe amounts the committee paid to provide favorable or unfavorable content on a candidate or ballot measure by:

- Providing such content for or posting on a website or blog, whether one's own or another's.
- Providing such content for or posting on a social media platform.
- Providing such video content for posting online.

Content means that which is offered on a website or other digital platform in writing, picture, video, photograph or other similar format.

Payments made to an individual, either directly or through a third party, must be reported on Schedule E or F using the code “WEB.” In addition, the following information must be included: the amount of the payment, the payee, the name of the individual providing content, and the name of the website or the URL on which the communication is published in the first instance. The committee is not required to know where the content is shared or passed on to after the initial post. The additional reporting is not required if the fact that the campaign paid for the content is posted in a clearly conspicuous manner with the posted content. (See Regulation 18421.5 for additional information.)

### **Savings Accounts/Certificates of Deposit/Money Market Accounts**

Do not report on Schedule E the transfer of campaign funds into a savings account, certificate of deposit, money market account, or the purchase of any other asset that can be readily converted to cash. Report these amounts as cash on hand on the Summary Page, Line 16.

### **Transfers**

If a candidate controlled committee transfers funds to another committee controlled by the candidate, the transfer is reported on Schedule E. The receiving committee reports the transfer on Schedule I (Miscellaneous Increases to Cash). There are restrictions on transfers of surplus funds (see Chapter 5) and on transfers of funds to run for state office. (See Campaign Disclosure Manual 1 for State Candidates.)

### **Contributions and Independent Expenditures**

If the committee makes contributions and/or independent expenditures to support or oppose other candidates, officeholders, or committees, in addition to reporting the payments or accrued expenses on Schedule E or F, they must also be reported on Schedule D. For payments made for goods or services that are nonmonetary contributions or

independent expenditures, also identify the candidate, committee, or ballot measure supported or opposed by the expenditure in the “Description of Payment” column on Schedule E or F.

When a primarily formed committee makes a payment for a communication that expressly advocates support for or opposition to the candidate for whom the committee is formed, the payment is reported as a contribution or independent expenditure. As discussed in Chapter 6, the determination is based on whether the payment was made at the behest of the candidate. If the payment is an independent expenditure, additional forms, such as the Verification of Independent Expenditures (Form 462) and the 24-Hour/10-Day Independent Expenditure Report (Form 496), may be required. (See Chapter 10 for additional information.)

If a primarily formed committee makes payments for contributions or independent expenditures to support or oppose **other** candidates, officeholders, committees, or ballot measures, it may qualify as a different type of committee (i.e., a general purpose committee), which has different reporting obligations. Contact the FPPC for assistance.

### **Subvendor Payments (often reported on Schedule G)**

When an agent or independent contractor (such as a campaign worker, consulting firm, or advertising agency) makes an expenditure, or incurs a debt, of \$500 or more on behalf of the committee, the expenditure must be reported in the same detail as if it had been made directly by the committee. These are commonly known as “subvendor payments.” The committee must also obtain and keep receipts, invoices, and other documentation for subvendor payments. (See Chapter 2.)

Examples of subvendor payments that must be itemized include:

- Development of campaign strategy;
- Media placements – television, radio, cable, digital (specifically listing the TV or radio stations);
- Commissions paid to media firms for media placements;

- Travel expenses, such as a commercial airline or hotel paid \$500 or more;
- Print or online advertisements;
- Polling and survey research;
- Talent and media services, production costs;
- Voter canvas program;
- Robocalls;
- Printing and literature; and
- Design or management of campaign literature or advertising.

\* If signature gathering, door-to-door solicitations, or canvassing is done by an individual, the agent or independent contractor does not need to supply the name of the individual to the committee, nor does the committee need to name the individual. For more information regarding this, please review Regulation 18431(e).

**QUICK TIP:** Payments made to subvendors may be itemized on Schedule E or Schedule G. Accrued expenses owed to a subvendor are reported on Schedule F.

Generally, agents and independent contractors must provide the committee with the required payment information no later than **three working days** prior to the deadline for filing the campaign statement; however, an expenditure of \$1,000 or more made for a contribution or independent expenditure in the 90 days before an election, including the date of the election, must be reported to the committee **within 24 hours**. Expenditures made by the agent or independent contractor for its own overhead and operating expenses need not be itemized.

**Ex 9.11** - An agent purchased \$535 worth of flowers, \$250 worth of postage, and \$100 worth of balloons for a fundraiser. Itemize the agent on Schedule E (or Schedule F if the agent was not reimbursed during the reporting period). Provide the agent's name and address, a code or a description of the expenditures, and the amount being reimbursed (\$885). In addition, since the payment to the florist was \$500 or more, the florist must also be itemized. Provide the name and address of the florist, a code or description of the expenditure, and the amount paid to the florist (\$535).

In many cases, funds paid to an agent or independent contractor in one reporting period will not be used by the agent or contractor until a subsequent reporting period. Payments to an agent or contractor are reported on Schedule E of the campaign statement covering the period in which the payments are made. When the agent or contractor spends the money, subvendor payments are reported on the campaign statement covering the period in which the expenditures are made. Payments of \$500 or more must be itemized.

Subvendor payments are most commonly reported on Schedule G, but may be reported on Schedule E or F along with the payment made or owed to the agent or contractor. When itemizing subvendor payments on Schedule E or F, do not include the payments in the "Amount Paid" column, as this will inflate expenditure totals.

### **Credit Card Payments**

When reporting payments to a credit card company, provide the name, street address, city, state, zip code, and the amount of payment. In addition, provide the name, street address, city, state, and zip code of any vendor that received \$100 or more, the amount paid to each itemized vendor, and a code or description of the payment.

If a payment has not been made on the credit card by the end of the reporting period, or only partial payment has been made, report the amount outstanding to the credit card company on Schedule F. Payments to the credit card company should be reflected on Schedule E when payments are made and Schedule F when there is a balance still owing at the end of the reporting period. Vendors are not required to be listed more than one time, on either Schedule E or Schedule F. Schedule G may also be used to disclose vendors.

**Ex 9.12** - Sandra's committee for city council used the campaign credit card on December 28 at two different vendors to purchase office supplies and to have invitations to a fundraiser printed. The printing job cost \$560, while the office supplies were under \$100. Since the committee did not make a payment on the credit card by December 31, the end of the reporting period, the amount owed is reported on Schedule F. In addition to the total amount owed to the financial institution that issued the credit card, the committee also itemizes the printer, since the amount owed is \$100 or more. The committee will report payments it makes to the financial institution, but does not reitemize any vendors.

## Contingency Payments

If the committee has entered into an agreement to pay a contingency fee, such as a bonus to a consultant if the campaign is successful, report the fee amount on Schedule F only if it is outstanding at the end of the campaign. The fee is not required to be reported as an accrued expense until it is due.

## Reimbursements – Candidates

Candidates may not use their personal funds for campaign expenses (except for filing and ballot statement fees and the \$50 Secretary of State fee) without first depositing them into the campaign bank account.

## Reimbursements – Volunteers, Employees, Agents and Contractors

Volunteers (including a candidate's spouse), employees, and agents or independent contractors (e.g., a consultant or an advertising agent),

may be reimbursed for goods, services, or travel expenses when the following criteria are met:

- The treasurer is provided with a dated receipt and a written description of each expenditure prior to reimbursement;
- The reimbursement is paid within 45 calendar days after the expenditure is made; and
- There is a written contract between the committee and the agent or independent contractor providing for the reimbursement of expenditures. (Volunteers and employees do not need a written contract.)

If the reimbursement does not occur within 45 calendar days, the expenditure is considered a nonmonetary contribution from the volunteer, paid employee, agent or independent contractor, unless the person seeking reimbursement has made a good faith effort to obtain reimbursement and is unable to collect from the committee.

### **Reimbursements – Officeholders**

Officeholders may be reimbursed for expenses related to holding office paid for from personal funds when the following criteria are met.

- The expenditures are not campaign expenditures;
- The committee's treasurer is provided with a dated receipt and a written description of the expenditure; and
- Reimbursement occurs:
  - For a monetary expenditure: Within 90 calendar days after the officeholder incurs the expense.
  - For a credit card or charge account: Within 90 calendar days of the end of the billing period.

If the reimbursement does not occur within the 90-day period, the amount must be reported as a nonmonetary contribution from the officeholder to the committee and no reimbursement may occur.



An officeholder may be reimbursed from either the controlled committee campaign bank account established for election to the incumbent term of office, or from a controlled committee bank account established for a different election to the same office, if all of the conditions above are met. When reporting reimbursements to the officeholder, subvendor payments of \$100 or more must be itemized.

### **Expenditures Made for Gifts, Meals, and Travel Payments**

A candidate controlled committee that makes an expenditure of \$100 or more for a gift, meal, or travel must further explain the expenditure in the “Description of Payment” column as described below. The explanation must be provided even if an expenditure code is used.

**Gifts:** When reporting an itemized expenditure for a gift, the committee must briefly describe the political, legislative, or governmental purpose of the expenditure. In addition, the committee must provide the date of the gift and a description of the gift. If the gift was made to an individual recipient, the name of the recipient must be included. If a gift was made to a group of recipients, the name of each recipient who received a benefit of \$50 or more is required. When the recipient of a gift with a value of \$50 or more is not known at the time the payment is required to be reported, the committee must report that the gift was for an “undetermined recipient.” Once the gift has been given to the recipient, the campaign statement must be amended within 45 calendar days to disclose the name of the recipient.

**Meals:** When reporting an itemized expenditure for a meal (other than a meal reported as an itemized expenditure for travel, as discussed below), the committee must briefly describe the political, legislative, or governmental purpose of the expenditure. In addition, the committee must provide the date of the meal, the number of individuals who were present at the meal, and whether the candidate, a member of their household, or an individual with authority to approve expenditures of campaign funds was present at the meal. It is not necessary to include the names of individual attendees on the report. However, the names of the attendees must be maintained in the committee’s records. (See Chapter 2.)

**Ex 9.13** -The mayor’s election committee purchased \$50 restaurant gift certificates for two volunteer campaign workers. On Schedule E, the payment must be itemized. In the “Description of Payment” column, the following would adequately describe the payment: “12/5/XX – gift certificates for campaign workers, Linda Davis (\$50), and Richard Bailey (\$50).”

**Ex 9.14** -The committee’s controlling candidate and campaign manager discuss the election campaign during a lunch meeting at a restaurant. The meal was charged to the campaign credit card. On Schedule E, the payment to the credit card company and the restaurant must be itemized. In the “Description of Payment” column, the following would adequately describe the payment: “9/1/XX – Lunch meeting regarding campaign attended by campaign manager and candidate.

**Travel Payments:** When reporting an itemized expenditure for travel, including lodging and meals, the committee must briefly describe the political, legislative, or governmental purpose of the expenditure. In addition, the committee must also provide the date or dates of the travel, the destination, and the goods or services purchased. The description must also include the number of individuals for whom the payment was made and whether the trip included the candidate, a member of their household, or an individual with the authority to approve expenditures of campaign funds. The names of individuals who traveled are not required to be disclosed on the report. However, the names of the travelers must be maintained in the committee’s records. (See Chapter 2.)

**Ex 9.15** - A San Diego elected officeholder attended a fundraiser in Sacramento for a state ballot measure committee. The officeholder’s committee paid for the travel expenses. On Schedule E, the payment to the airline must be itemized. In the “Description of Payment” column, the following would adequately describe the payment:  
“8/1/XX and 8/3/XX – Round trip airfare to Sacramento for officeholder to attend ballot measure committee fundraiser.”

**Schedule E  
Payments Made**

Amounts may be rounded to whole dollars.

SCHEDULE E

Statement covers period		<b>CALIFORNIA FORM 460</b>
from	7/1/XX	
through		Page XX of XX
		I.D. NUMBER
		12344XX

SEE INSTRUCTIONS ON REVERSE  
NAME OF FILER

Manuel Alvarez for Mayor 20XX

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP campaign paraphernalia/misc.	MBR member communications	RAD radio airtime and production costs
CNS campaign consultants	MTG meetings and appearances	RFD returned contributions
CTB contribution (explain nonmonetary)*	OFC office expenses	SAL campaign workers' salaries
CVC civic donations	PET petition circulating	TEL t.v. or cable airtime and production costs
FIL candidate filing/ballot fees	PHO phone banks	TRC candidate travel, lodging, and meals
FND fundraising events	POL polling and survey research	TRS staff/spouse travel, lodging, and meals
IND independent expenditure supporting/opposing others (explain)*	POS postage, delivery and messenger services	TSF transfer between committees of the same candidate/sponsor
LEG legal defense	PRO professional services (legal, accounting)	VOT voter registration
LIT campaign literature and mailings	PRT print ads	WEB information technology costs (internet, e-mail)

1	2	3	
NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Del Norte County Bank (Visa) 8995 Pine Street, Crescent City, CA 95531			\$15,000
Subvendor: Mailings and More \$14,500 855 Redwood Street, Oakmont, CA 95443	LIT		
Lam and Pettit Consultants 2720 P Street Crescent City, CA 95531	PRO	See Schedule G for subvendors	\$20,000

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$ 35,000**

4	Schedule E Summary	
1.	Itemized payments made this period. (Include all Schedule E subtotals.)	\$ 37,200
2.	Unitemized payments made this period of under \$100	\$ 3,500
3.	Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).)	\$ 250
4.	Total payments made this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)	<b>TOTAL \$ 40,950</b>

**Schedule E  
(Continuation Sheet)  
Payments Made**

Amounts may be rounded to whole dollars.

SCHEDULE E (CONT.)

Statement covers period		<b>CALIFORNIA FORM 460</b>
from	7/1/XX	
through		Page XX of XX
		I.D. NUMBER
		12344XX

SEE INSTRUCTIONS ON REVERSE  
NAME OF FILER

Manuel Alvarez for Mayor 20XX

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP campaign paraphernalia/misc.	MBR member communications	RAD radio airtime and production costs
CNS campaign consultants	MTG meetings and appearances	RFD returned contributions
CTB contribution (explain nonmonetary)*	OFC office expenses	SAL campaign workers' salaries
CVC civic donations	PET petition circulating	TEL t.v. or cable airtime and production costs
FIL candidate filing/ballot fees	PHO phone banks	TRC candidate travel, lodging, and meals
FND fundraising events	POL polling and survey research	TRS staff/spouse travel, lodging, and meals
IND independent expenditure supporting/opposing others (explain)*	POS postage, delivery and messenger services	TSF transfer between committees of the same candidate/sponsor
LEG legal defense	PRO professional services (legal, accounting)	VOT voter registration
LIT campaign literature and mailings	PRT print ads	WEB information technology costs (internet, e-mail)

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Del Norte County Independent Central Committee (ID 11852XX) 18885 Ocean Blvd. Crescent City, CA 95531	CTB		\$500
Manuel Alvarez 4245 McDow Street Oakmont, CA 95443		Reimbursement of filing fee	\$1,500
Nelson Legal Group, LLC 4950 Professional Blvd. Crescent City, CA 95531	PRO		\$200

## M. Completing the Form 460 Schedule E (Payments Made)

### 1 Name and Address of Payee

Itemize each payment of \$100 or more made to a single payee during the reporting period, and any payments totaling \$100 or more made during the period for a single product of service. Include the name, street address, city, state, and zip code of the payee. Do not use a post office box number when reporting the address of a payee or creditor.

**QUICK TIP:** The spouse or registered domestic partner of an elected officer or a candidate for elective office may not receive, in exchange for any services rendered, compensation from campaign funds held by a controlled committee of the officer or candidate. **QUICK TIP:** The spouse or registered domestic partner of an elected officer or a candidate for elective office may not receive, in exchange for any services rendered, compensation from campaign funds held by a controlled committee of the officer or candidate.

### 2 Code or Description of Payment

When itemizing payments, provide either a code or a description of the payment. Expenditure codes are explained in detail in the Form 460, Schedule E instructions. If none of the codes listed on Schedule E fully explains the expenditure, leave the code column blank and provide a brief description of the goods or services purchased.

**QUICK TIP:** Campaign funds may be used only for certain types of legal payments. See Chapter 5 for information about the permissible uses of campaign funds.

If several expenditures are made to one vendor during the same reporting period, all of the payments to the vendor may be reported in a single record. When coding the expenditures, use the code that represents the largest share of the expenditures, and the description field for the other codes or a description. Alternatively, each expenditure may be reported separately by category.

For expenditures that are nonmonetary contributions or independent expenditures, provide the applicable code (“CTB” or “IND”) and disclose the name of the candidate or committee that received the contribution, or the name of the candidate or ballot measure supported or opposed by the independent expenditure. Also include a brief description of the contribution or independent expenditure. These expenditures must also be disclosed on Schedule D.

### **3 Amount Paid**

Enter the total amount paid to the payee during the reporting period.

### **Payment of Accrued Expenses**

When paying for accrued expenses previously reported on Schedule F, report all payments on Schedule E, itemizing each payment of \$100 or more. Subvendor information does not need to be reitemized if it was disclosed on Schedule F of a previous statement.

### **4 Schedule E Summary**

Complete the Schedule E Summary by entering the total amount of itemized payments of \$100 or more (Line 1) and the total amount of unitemized payments of less than \$100 (Line 2). If the committee is paying interest on loans, enter the amount from Schedule B, Part 1, Column (e) on Line 3. The total amount of all payments made is entered on Line 4. The amount on Line 4 is carried forward to the overall Summary Page, Column A, Line 6.

**Schedule F  
Accrued Expenses (Unpaid Bills)**

Amounts may be rounded to whole dollars.

Statement covers period from <u>7/1/XX</u> through <u>12/31/XX</u>	<b>CALIFORNIA FORM 460</b>
	Page <u>XX</u> of <u>XX</u>
	I.D. NUMBER 12344XX

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Manuel Alvarez for Mayor 20XX

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP campaign paraphernalia/misc.	MBR member communications	RAD radio airtime and production costs
CNS campaign consultants	MTG meetings and appearances	RFD returned contributions
CTB contribution (explain nonmonetary)*	OFC office expenses	SAL campaign workers' salaries
CVC civic donations	PET petition circulating	TEL t.v. or cable airtime and production costs
FIL candidate filing/ballot fees	PHO phone banks	TRC candidate travel, lodging, and meals
FND fundraising events	POL polling and survey research	TRS staff/spouse travel, lodging, and meals
IND independent expenditure supporting/opposing others (explain)*	POS postage, delivery and messenger services	TSF transfer between committees of the same candidate/sponsor
LEG legal defense	PRO professional services (legal, accounting)	VOT voter registration
LIT campaign literature and mailings	PRT print ads	WEB information technology costs (internet, e-mail)

1	2	3	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
Nelson Legal Group, LLC 4950 Professional Blvd. Crescent City, CA 95531	PRO		\$2,000	0	\$200	\$1,800
Tri Cities Bank (Mastercard) 9650 Main Street Crescent City, CA 95531			0	\$1,750	0	\$1,750
Subvendor: Home Depot \$750 750 Industrial Way, Oakmont, CA 95443	CMP					
<b>SUBTOTALS \$</b>			2,000	\$ 1,750	\$ 200	3,550

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

<b>4</b>	<p><b>Schedule F Summary</b></p> <p>1. Total accrued expenses incurred this period. (Include all Schedule F, Column (b) subtotals for accrued expenses of \$100 or more, plus total unitemized accrued expenses under \$100.)..... <b>INCURRED TOTALS \$</b> 1,750</p> <p>2. Total accrued expenses paid this period. (Include all Schedule F, Column (c) subtotals for payments on accrued expenses of \$100 or more, plus total unitemized payments on accrued expenses under \$100.)..... <b>PAID TOTALS \$</b> 200</p> <p>3. Net change this period. (Subtract Line 2 from Line 1. Enter the difference here and on the Summary Page, Column A, Line 9.)..... <b>NET \$</b> 1,550 <small>May be a negative number</small></p>
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**N. Completing the Form 460 Schedule F – Accrued Expenses (Unpaid Bills)**

**1 Name and Address of Creditor**

Itemize each accrued expense of \$100 or more owed to a single creditor. Provide the name, street address, city, state, and zip code of the creditor. Do not use post office box numbers. Continue to list an unpaid bill until it is paid off.

**2 Code or Description of Payment**

When itemizing accrued expenses, provide either a code or a description of the outstanding payment. Expenditure codes are explained in detail in the Form 460, Schedule E instructions. If none of

the codes listed on Schedule F fully explains the outstanding payment, leave the code column blank and provide a brief description of the goods or services.

If several accrued expenses are owed to one vendor during the same reporting period, all of the accrued expenses to the vendor may be reported in a single record. The code that represents the largest share of the accrued expenses should be used, and the description field may be used for other codes or descriptions. Alternatively, each accrued expense may be reported separately by category.

For accrued expenses in connection with nonmonetary contributions or independent expenditures, provide the applicable code (“CTB” or “IND”) and disclose the name of the candidate or committee that received the contribution, or the name of the candidate or ballot measure supported or opposed by the independent expenditure. Also include a brief description of the contribution or independent expenditure. **These expenditures also must be disclosed on Schedule D.**

### **3** Amount Columns

For each itemized accrued expense, report any outstanding balance remaining for the accrued expense from the previous period in column (a), the amount of new accrued expenses incurred this period in column (b), the amount paid this period in column (c), and any outstanding balance at the close of the period in column (d).

When payments on accrued expenses are made, in addition to itemizing payments of \$100 or more on Schedule F, **itemize the payments on Schedule E.** Include unitemized payments on accrued expenses on Line 2 of the summary section of Schedule E.

### Estimating Accrued Expenses

If the exact amount of a debt or obligation is unknown, an estimate may be reported. When the committee is made aware of the exact amount, the committee must 1) amend the statement on which the estimated amount was reported; or 2) make an adjustment on the next campaign statement by showing the difference between the estimated amount and the actual amount in column (b), “Amount Incurred This

Period.” If the actual amount is less than the estimate, the amount listed in column (b) should be a negative number and subtracted from the totals. When reporting estimated amounts or corrections to estimated amounts, note that fact on the campaign statement.

**Ex 9.16** - On its second preelection statement, the committee’s treasurer reported an estimated accrued expense of \$5,000 owed to ABC Printing. An invoice was received during the next reporting period showing the actual amount owed as \$4,500. On Schedule F, column (a) of its next statement, the committee will report an outstanding accrued expense of \$5,000. In column (b), the amount incurred this period will be a negative \$500. The committee paid the entire bill and therefore will report \$4,500 as the amount paid this period in column (c), with a zero balance in column (d).

### Forgiven Accrued Expenses or Third Party Payments

If a creditor reduces or forgives a debt previously reported on Schedule F, or if another person pays a debt for the committee:

- Indicate that the debt was forgiven, reduced, or paid by a third party and enter “see Schedule C” in the “Description of Payment” column. Also report the creditor or payor and the amount as a nonmonetary contribution on Schedule C.
- Report the amount forgiven, reduced, or paid by a third party in the “Amount Paid This Period” column and indicate that it was a forgiveness or third party payment **or** report the amount as a negative number in the “Amount Incurred This Period” column. Do not report the amount on Schedule E.

If the decision to forgive or reduce the debt is based on a bona fide business judgment that all or part of the debt is uncollectible, the creditor may not be making a contribution. Contact the FPPC for assistance.

## 4 Schedule F Summary

Complete the Schedule F Summary by entering the total amount of accrued expenses **incurred** on Line 1 and the total amount of accrued expenses **paid** on Line 2. Subtract Line 2 from Line 1 and enter the



difference (net change this period) on Line 3. The amount on Line 3 will be a negative amount when the accrued expenses paid are more than the amount of new accrued expenses. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Line 9.

### **Outstanding Accrued Expenses (Summary Page, Column B, Line**

Accrued expenses are carried forward on future statements until they are paid off. To determine the amount for Column B, Line 9 of the overall Summary Page, add the amount from Column A, Line 9 of the current statement to the amount of Column B, Line 9 of the previous statement. If the amount in Column A, Line 9 is a negative number, subtract it from the amount in Column B, Line 9 of the previous statement.

### **Answering Your Accrued Expenses Questions**

#### **A. When are unpaid bills reportable as accrued expenses?**

The basic rule is that you must report an accrued expense any time you have received goods or services but have not paid for them by the end of the reporting period.

#### **B. What if our committee has not yet received an invoice from the vendor?**

If you have received the goods or services, you must report the accrued expense on Schedule F even if you have not received an invoice. If you do not know the actual amount, you may report an estimate. Once the committee is made aware of the actual amount, the committee must either amend the statement on which the estimated amount was reported or make an adjustment on the next campaign statement by showing the difference between the estimated amount and the actual amount. When reporting estimated amounts or corrections to estimated amounts, note that fact on Schedule F.

**C. We have a contract to pay our campaign consultant \$1,000 per month. If the closing date of the campaign statement falls during the middle of the month, for example March 17, must we report an accrued expense for the period of March 1 through March 17?**

No. When you have agreed in writing to pay a contractor a set amount at regular intervals, it is not necessary to prorate the amount owed to the contractor if the reporting period closes before the end of the contract period. The payment will be reported on the campaign statement for the period in which the payment is made.

**D. When an accrued expense is owed and there are subvendor payments, when are the subvendors reported? For example, if we report an accrued expense owed on a credit card and list the subvendors, must we reitemize the subvendors again on Schedules E and F when the accrued expense is paid?**

No. It is not necessary to reitemize subvendors when payments are made on accrued expenses, or if an accrued expense is reported on more than one statement. In this example, the subvendors must be reported on the first statement disclosing the accrued expense owed to the credit card company. On subsequent statements, only the credit card company must be itemized.

**E. Prior to attending an FPPC webinar and learning that it was not permitted, I used personal funds to pay for some of my campaign expenses before I opened a campaign bank account. How do I report these expenditures on the Form 460?**

So that the activity is properly disclosed, you should report the amount of personal funds used on Schedule A as a contribution and Schedule E as an expenditure (itemizing subvendors of \$100 or more). If you wish to be reimbursed by the committee, you may report the amount on Schedule F as an accrued expense. If you have already been reimbursed by the committee, you will report the amount on Schedule E as an expenditure itemizing subvendors of \$100 or more. Non-disclosure of the payments is a violation of the Act. All future payments must be made from the campaign bank account; personal funds must be deposited into the account before making expenditures.

## O. General Rules for Reporting Payments Made by an Agent or Independent Contractor on Schedule G

Schedule G is used to report payments made by agents (such as campaign workers) and independent contractors (such as consulting firms or advertising agencies) on behalf of the committee. This schedule may be used in lieu of itemizing these amounts on Schedule E or F. See the general rules for Schedules E and F for additional information.

**QUICK TIP:** When reporting an agent or independent contractor's expenditure to an individual for conducting signature gathering, door-to-door solicitations, or canvassing, a committee is not required to name the individual, nor is the agent or contractor required to name the individual when providing information to the committee. For more information, please see Regulation 18431(e).

Schedule G may be completed by the committee from information provided by the agent or independent contractor or it may be completed by the agent or independent contractor. Agents and independent contractors must provide the committee with the required payment information **no later than three working days prior to the filing deadline** of the campaign statement. If an agent or independent contractor makes an expenditure of \$1,000 or more for a contribution or independent expenditure in the 90 days before an election, including the date of the election, they must provide the committee with the required payment information **within 24 hours**.

**Schedule G**  
**Payments Made by an Agent or Independent Contractor (on Behalf of This Committee)**

Amounts may be rounded to whole dollars.

SCHEDULE G

Statement covers period from <u>7/1/XX</u>	<b>CALIFORNIA FORM 460</b>
through <u>12/31/XX</u>	Page <u>XX</u> of <u>XX</u>

SEE INSTRUCTIONS ON REVERSE  
 NAME OF FILER

I.D. NUMBER  
 12344XX

Manuel Alvarez for Mayor 20XX  
 NAME OF AGENT OR INDEPENDENT CONTRACTOR  
 Lam and Pettit Consultants

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP campaign paraphernalia/misc.	MBR member communications	RAD radio airtime and production costs
CNS campaign consultants	MTG meetings and appearances	RFD returned contributions
CTB contribution (explain nonmonetary)*	OFC office expenses	SAL campaign workers' salaries
CVC civic donations	PET petition circulating	TEL t.v. or cable airtime and production costs
FIL candidate filing/ballot fees	PHO phone banks	TRC candidate travel, lodging, and meals
FND fundraising events	POL polling and survey research	TRS staff/spouse travel, lodging, and meals
IND independent expenditure supporting/opposing others (explain)*	POS postage, delivery and messenger services	TSF transfer between committees of the same candidate/sponsor
LEG legal defense	PRO professional services (legal, accounting)	VOT voter registration
LIT campaign literature and mailings	PRT print ads	WEB information technology costs (internet, e-mail)

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

1 NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	2 CODE	OR	DESCRIPTION OF PAYMENT	3 AMOUNT PAID
KXTL Radio 5656 Westside Way Oakmont, CA 95443	RAD			\$2,000
Good Day Oakmont 2620 H Street Oakmont, CA 95443	TEL			\$7,000
Northwest Airlines 2500 Crosby Circle Chicago, IL 60606	TRC		10/15/XX: Sacramento, Airfare to Attend Meeting (1, Consultant)	\$155
Albino's Italian Eats 1325 Sicily Street Oakmont, CA 95443	MTG		7/10/XX: Committee Staff Meeting (4, Candidate and Treasurer)	\$125

Attach additional information on appropriately labeled continuation sheets.

**TOTAL\* \$** 9,280

**P. Completing Form 460 Schedule G (Payments Made by an Agent or Independent Contractor)**

**1 Name and Address of Payee or Creditor**

Itemize each payment of \$500 or more made by the agent or independent contractor. Provide the name, street address, city, state, and zip code of the payee or creditor. Do not use a post office box number.

**2 Code or Description of Payment**

When itemizing each payment, provide either a code or a description of the payment. If none of the codes listed on Schedule G fully explains the payment, leave the code column blank and provide a brief description of the payment. Payments that are contributions or independent expenditures must also be reported on Schedule D.

### 3 Amount Paid

Enter the total amount paid to the payee during the reporting period.

**Schedule G totals are not transferred to any other schedule or to the Summary Page.**

#### Q. General Rules for Reporting Loans Made to Others on Schedule H

Schedule H is for reporting loans **made** by the committee. Campaign funds may be used to make loans to bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organizations, so long as the loan does not personally benefit the officeholder, candidate, committee treasurer, or any individual with authority to approve the expenditure of campaign funds, or any such person's immediate family member. The loan must be reasonably related to a political, legislative, or governmental purpose.

**QUICK TIP:** Most local committees will not make loans to others. If there is nothing to report on Schedule H, the schedule does not need to be included with the Form 460. Simply enter a zero or the word "none" on Line 7 of the overall Summary Page.

Because a loan is considered a contribution, loans to other candidates and committees are subject to applicable state or local contribution limits. Loans to other candidates and committees must also be reported on Schedule D.

Outstanding loans are reported on each campaign statement until they are paid.

**QUICK TIP:** If a primarily formed committee makes contributions (including loans) to candidates, officeholders, or committees (other than to the candidate for which the committee is primarily formed), it may qualify as a different type of committee with different reporting obligations. Contact the FPPC for assistance.

**Schedule H  
Loans Made to Others\***

Amounts may be rounded to whole dollars.

Statement covers period  
from 7/1/XX  
through 12/31/XX

**CALIFORNIA FORM 460**  
Page XX of XX

SEE INSTRUCTIONS ON REVERSE  
NAME OF FILER

I.D. NUMBER  
12344XX

1	FULL NAME, STREET ADDRESS AND ZIP CODE OF RECIPIENT (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	a	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	b	(b) AMOUNT LOANED THIS PERIOD	c	(c) REPAYMENT OR FORGIVENESS THIS PERIOD*	d	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	e	(e) INTEREST RECEIVED	f	(f) ORIGINAL AMOUNT OF LOAN	g	(g) CUMULATIVE LOANS TO DATE
	Manuel Alvarez for Mayor 20XX  Committee for Bike Lanes in Oakmont, Yes on Measure E (ID 12456XX) 1500 D Street Oakmont, CA 95443		\$ 0		\$ 1,000		<input type="checkbox"/> PAID \$ 0 <input type="checkbox"/> FORGIVEN \$ 0		\$ 1,000  None DATE DUE		5% RATE		\$ 1,000  7/15/XX DATE INCURRED		\$ 1,000  N/A
				<b>SUBTOTALS</b>	\$ 1,000	\$ 0	\$ 1,000	\$ 0							

\*Loans that are contributions to another candidate or committee must also be summarized on Schedule D. Loans forgiven must also be reported on Schedule E.

(Enter (e) on Schedule I, Line 3)

2 Schedule H Summary	
1. Loans made this period..... (Total Column (b) plus unitemized loans of less than \$100.)	\$ 1,000
2. Payments received on loans..... (Total Column (c) plus unitemized payments of less than \$100.)	\$ 0
3. Net change this period. (Subtract Line 2 from Line 1.)..... (Enter the net here and on the Summary Page, Column A, Line 7.)	NET \$ 1,000 (May be a negative number)

\*\*If Required

**R. Completing the Form 460 Schedule H (Loans Made to Others)**

**1 Recipient Information**

For each loan of \$100 or more that was made or outstanding during the reporting period, provide the recipient’s full name and street address, including the zip code. If the recipient is an individual, provide the individual’s occupation and the name of their employer. If the individual is self-employed, provide the name of their business.

**Loan Amounts**

**a Outstanding Balance Beginning This Period**

Enter the outstanding loan balance at the beginning of this reporting period (Column (d) of the last report filed). If the loan was received this period, Column (a) should be left blank.

**b Amount Loaned This Period**

Enter the amount loaned to the recipient during this reporting period. If the loan was made in a previous reporting period, Column (b) should be left blank.

### **c** Repayment or Forgiveness This Period

Enter the amount of any reduction of the loan during this reporting period. Indicate whether the loan was paid or forgiven. If the committee forgives a loan, also report the transaction on Schedule E and, if the recipient of the loan is a candidate or committee, report the forgiveness as a contribution on Schedule D.

### **d** Outstanding Balance at Close of This Period

Enter the outstanding balance of the loan at the close of this reporting period. Enter the due date, if any.

### **e** Interest Received

Enter the interest rate and amount of interest received on the loan during this reporting period. Interest received is reported separately from payments received on the loan principal. Interest received is also transferred to the Schedule I Summary.

### **f** Original Amount of Loan

Enter the original amount of the loan and the date it was made. If this is the first time the loan is being reported, this will be the same amount as reported in Column (b).

### **g** Cumulative Loans to Date

For each loan that is a contribution, enter the cumulative amount of contributions (including loans, loan guarantees, monetary and nonmonetary contributions) made to the recipient during the calendar year covered by the statement. If the recipient is subject to state contribution limits, also enter the total amount contributed in connection with each election and identify the election year. Because loans are contributions, the total amount of contributions made to a state candidate's committee, including loans, may not exceed the applicable limit. (Loans to candidates or other committees must also be reported on Schedule D.)



## 2 Schedule H Summary

Complete the Schedule H Summary by entering the total amount of loans **made** on Line 1 and the total amount of loan payments **received** on Line 2. Subtract Line 2 from Line 1 and enter the difference (net change this period) on Line 3. The amount on Line 3 will be a negative amount when the loan payments received this period are more than the amount of new loans made. The amount on Line 3 is carried forward to the overall Summary Page, Column A, Line 7.

### Outstanding Loans Made (Summary Page – Column B, Line 7)

Loans made are carried forward on future statements until they are paid off. To determine the amount for Column B, Line 7 of the overall Summary Page, add the amount from Column A, Line 7 of this statement to the amount of Column B, Line 7 of the previous statement. If the amount in Column A, Line 7 is a negative number, subtract it from the amount in Column B, Line 7 of the previous statement.

## S. General Rules for Reporting Miscellaneous Increases to Cash on Schedule I

Schedule I is used to report increases to the committee's cash position that are not monetary contributions, loans, or repayments of loans made to others. Examples include:

- Proceeds, up to the fair market value, of items sold at a garage sale or auction.
- Contributions returned to the committee.
- Refunds received on deposits, such as a telephone or room rental deposit or from over-payment of bills.
- Interest received or credited to a checking or savings account or other time deposit.
- Interest payments received on loans made to others.
- Receipts from the sale of committee assets.

- Transfers of funds received by a controlled committee from another committee controlled by the same candidate. There are special rules for transferring funds to a committee for state office. (See Campaign Disclosure Manual 1.)
- Receipt of earmarked funds when acting as an intermediary. (See Chapter 8.)

## Donated Items

When reporting sources who have purchased donated items (e.g., items sold at an auction), report the amount received, up to the fair market value, on Schedule I. Any amount in excess of the fair market value is reported as a contribution on Schedule A.

**Ex 9.17** - A television was donated by Seaside TV Sales for your committee's auction. The television's fair market value was \$1,000. A person paid \$1,500 for the television. Report the purchaser information and report \$1,000 in the amount column of Schedule I. On Schedule A also report the purchaser as a contributor of \$500, the amount over the fair market value. Seaside will be reported as a contributor of \$1,000 on Schedule C for the nonmonetary contribution of the television.

## Uncashed Checks

If the committee writes a check that is never deposited or negotiated, report the amount of the uncashed check on Schedule I.

## Decreases to Cash

All decreases to cash must be reported as expenditures on Schedule E or H.

**Schedule I  
Miscellaneous Increases to Cash**

Amounts may be rounded  
to whole dollars.

SCHEDULE I

Statement covers period		<b>CALIFORNIA FORM 460</b>
from	7/1/XX	
through	12/31/XX	Page XX of XX

SEE INSTRUCTIONS ON REVERSE  
NAME OF FILER

1 Manuel Alvarez for Mayor 20XX		I.D. NUMBER 12344XX	
2 DATE RECEIVED	FULL NAME AND ADDRESS OF SOURCE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	3 DESCRIPTION OF RECEIPT	4 AMOUNT OF INCREASE TO CASH
7/5/XX	Alvarez for City Council 20XX 225 Presley Street Oakmont, CA 95443	Transferred funds (ID 12257XX)	\$3,000

Attach additional information on appropriately labeled continuation sheets.

**SUBTOTAL \$** 3,000

<b>5 Schedule I Summary</b>	
1. Itemized increases to cash this period. ....	\$ 3,000
2. Unitemized increases to cash of under \$100 this period. ....	\$ 0
3. Total of all interest received this period on loans made to others. (Schedule H, Column (e).) ....	\$ 0
4. Total miscellaneous increases to cash this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Line 14.) ....	<b>TOTAL \$ 3,000</b>

**T. Completing the Form 460 Schedule I (Miscellaneous Increases to Cash)**

**1 Date Received**

Report the date the committee received the miscellaneous receipt.

**2 Source Information**

Itemize sources of \$100 or more. Provide the full name, street address, city, state, and zip code of the source. Post office box numbers are not acceptable.

**3 Description of Receipt**

Provide a description of the receipt (e.g., refund on room deposit for fundraiser, interest earned on loans made to others).

**4 Amount of Increase**

Enter the amount of the receipt.

## 5 Schedule I Summary

Complete the Schedule I Summary by entering the total amount of itemized increases to cash of \$100 or more on Line 1 and the total amount of unitemized increases to cash on Line 2. Enter the total of all interest received this period on loans made to others (from Schedule H, Column (e)) on Line 3. Add Lines 1, 2, and 3 to determine the total miscellaneous increases to cash this period and enter the amount on Line 4. The amount on Line 4 is carried forward to the overall Summary Page, Line 14.

## U. Amending the Form 460

To change or provide information missing from a previously filed Form 460, complete a new Cover Page and check the “Amendment” box under “Type of Statement.” Also check the box indicating the type of statement being amended (e.g., semi-annual, preelection) and enter the period covered by the statement being amended. Provide a brief explanation of the reason for the amendment and attach the schedule(s) being amended, including the Summary Page, if applicable. The amendment is filed with each of the filing officers that received the original filing.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

81004	Reports and Statements; Perjury; Verification.
81004.5	Reports and Statements; Amendments.
82013	Committee.
82015	Contribution.
82015.5	Contribution; Aggregation.
82018	Cumulative Amount.
82025	Expenditure.
82025.5	Fair Market Value.
82044	Payment.
82047.6	Principal Officer.
84105	Notification of Contributors.
84203	Late Contribution; Reports.
84211	Contents of Campaign Statement.
84212	Forms; Loans.
84213	Verification.
84216	Loans.
84216.5	Loans Made by a Candidate or Committee.
84302	Contributions by Intermediary or Agent.
84303	Expenditures by Agent or Independent Contractor.
84306	Contributions Received by Agents of Candidates and Committees.
84615	Campaign Reports and Statements – Electronic Filing for Local Agencies.
85201	Campaign Bank Account.
85700	Donor Information Requirements; Return of Contributions.
89511.5	Use of Personal Funds for Incumbent Elected Officers.
89515	Use of Campaign Funds for Donations and Loans.

## Title 2 Regulations

- 18215 Contribution.
- 18216 Enforceable Promise to Make a Payment.
- 18250 Street Address.
- 18401 Required Recordkeeping for Chapters 4 & 5.
- 18402.2 Limited Liability Companies, Responsible Officer.
- 18421 Cash Equivalents.
- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18421.3 Reporting of Contributions and Expenditures Collected by Contract Vendors or Collecting Agents.
- 18421.5 Reporting an Expenditure for Paid Online Communications.
- 18421.6 Reporting Accrued Expenses.
- 18421.7 Reporting an Expenditure for a Gift, a Meal or Travel.
- 18421.9 Reporting Expenditures Charged to a Credit, Debit or Charge Card by a Candidate or Committee.
- 18421.10 Reporting Contributions from Limited Liability Companies.
- 18423 Payments for Personal Services as Contributions and Expenditures.
- 18427 Duties of Treasurers and Candidates with Respect to Campaign Statements.
- 18427.1 Notification to Contributors of Filing Obligations.
- 18428 Reporting of Contributions and Independent Expenditures Required to be Aggregated.
- 18431 Reporting of Expenditures by an Agent or Independent Contractor.
- 18432.5 Intermediary and Earmarked Funds Disclosure.
- 18526 Reimbursement of Expenditures.
- 18533 Contributions from Joint Checking Accounts.
- 18570 Return of Contributions with Insufficient Donor Information.

# WHEN AND WHERE TO FILE THE FORM 460

This chapter reviews when and where committees file the Recipient Committee Campaign Statement (Form 460). The Form 460 is the comprehensive report that discloses all receipts and expenditures of a committee. The Form 460 includes payments previously reported on forms such as the 24-Hour/10-Day Contribution Report (Form 497). All reports and statements filed under the Political Reform Act (Act) are public records available for public inspection.

Candidates and officeholders who do not have an open committee during a calendar year are not required to file the Form 460, but may be required to file the Officeholder/Candidate Campaign Statement—Short Form (Form 470). Review Chapter 1 for information about the Form 470, including when and where to file.

Primarily formed committees that have minimal activity in a reporting period may be eligible to use the Recipient Committee Campaign Statement—Short Form (Form 450) or the Semi-Annual Statement of No Activity (Form 425) instead of the Form 460. These forms are filed at the same time and locations as the Form 460.

## A. General Information

**Filing Schedules:** The FPPC posts on its website filing schedules for specific election dates (e.g., June and November elections). In addition, county elections offices and city clerks often post filing schedules. Local candidates and committees should contact their local filing officer as some local jurisdictions may require filings in addition to what is required by the Act.

**QUICK TIP:** If the FPPC's website does not have a filing schedule for your specific election date, contact your local elections office for information about the filing deadlines.

The committee treasurer is responsible for meeting all applicable filing deadlines. Filing officers are not required to send reminder notices about upcoming deadlines; however, they are required to notify committees that have missed a filing deadline.

**Deadlines:** Except where noted, statements filed on paper must be hand-delivered or postmarked by the due date. Deadlines that fall on a Saturday, Sunday, or official state holiday are extended to the next business day; however, this extension does not apply to the 24-Hour/10-Day Independent Expenditure Reports (Form 496) or to the 24-Hour/10-Day Contribution Reports (Form 497) required the weekend before an election. For example, if a committee receives a \$1,000 contribution on the Saturday before the election, the deadline is not extended to the next business day. The committee must file a Form 497 within 24 hours. There are no other provisions for extending a deadline.

**Late Fines:** A late filing penalty of up to \$10 per day may be assessed for each day the statement is late. The FPPC or a local filing officer cannot extend a filing deadline. A committee may request a waiver of late fines assessed by the local filing officer or the Secretary of State.

**Failure to File:** Filing officers must refer committees to the FPPC or another enforcement agency if a committee fails to file a campaign statement. Administrative penalties of up to \$5,000 per violation may be assessed. (See Government Code Section 83116.) Committees fined by the FPPC Enforcement Division are listed on the FPPC website.

## B. When to File

### Semi-Annual Statements

Most committees file a semi-annual statement for each half of the year, whether or not they receive contributions or make expenditures during the six-month period. An existing committee or a committee newly formed during the first six months of the year must file a semi-annual statement due on or before July 31 for the period covering January 1 through June 30.



**Ex 10.1** - A county supervisor has a controlled committee. The supervisor is not seeking reelection and the committee did not raise or spend any funds during the calendar year. The committee must file a semi-annual statement for the period covering January 1 through June 30, due on or before July 31, and a semi-annual statement for the period July 1 through December 31, due on or before January 31.

**Ex 10.2** - A primarily formed committee is formed in May to support a city council candidate in the November election. The committee must file a semi-annual statement for the period covering January 1 through June 30, due on or before July 31. In October, the committee must file the two required preelection statements (due dates and periods covered are listed on the filing schedule). The committee must continue to file semi-annual statements until it terminates.

Committees must also file a semi-annual statement due on or before January 31 of the following year for the period covering July 1 through December 31. The period covered for a committee newly formed during the last six months of the year will be January 1 through December 31.

### **Exception: Unpaid Elected Officeholders, Judges, and Judicial Candidates**

Unpaid officeholders (defined in the Act as those who receive less than \$200 per month for serving in office) and judges are not required to file semi-annual statements (i.e., Form 460 or Form 470) during any six-month period in which they have not received any contributions or made any expenditures.

To determine whether \$200 has been received, only the elected official's fixed compensation for services (i.e., salary) need be counted. Payments for health benefits, reimbursement of expenses (including travel expenses), or per diem received from the elected official's agency are not counted.

Non-incumbent judicial candidates that will not be listed on a ballot and incumbent judges that will not be listed on a ballot who do not receive any contributions or make any expenditures in a six-month period are not required to file the Form 460 or Form 470.

## Preelection Statements

In addition to semi-annual statements, candidate controlled committees and primarily formed committees must file two preelection statements before the election in which the candidate is listed on the ballot. For specific reporting periods and filing deadlines, refer to the filing schedules on the FPPC's website or contact the local filing officer. The second preelection statement must be filed by personal delivery or guaranteed overnight delivery.

**QUICK TIP:** Candidate controlled and primarily formed committees must file their second preelection statements by personal delivery or guaranteed overnight delivery (or online transmission, if available).

**QUICK TIP:** Some local agencies require additional statements before and after an election. Local committees should contact the county elections office or city clerk to determine if additional statements are required. Local campaign ordinances are also posted on the FPPC website.

## Exception: Candidates Not on a Ballot

A candidate who will not appear on the ballot because they are running unopposed is not required to file preelection statements. In addition, a candidate who withdraws from an election and will not be listed on the ballot is not required to file preelection statements.

## Recall Elections – Quarterly Reports

A committee established by an officeholder who is the subject of a recall election must file campaign statements (Form 460) on a quarterly basis until the semi-annual period in which the recall election is held. The quarterly filing schedule is:

<b>Period Covered</b>	<b>Filing Deadline</b>
January 1 - March 31	April 30
April 1 - June 30	July 31
July 1 - September 30	October 31
October 1 - December 31	January 31

During the semi-annual period in which the recall election is held, the committee must file two preelection statements and a semi-annual statement on the schedule provided by the filing officer.

**Ex 10.3** - The local district attorney is the subject of a recall election being held in September. In March, they formed a separate committee to oppose the recall. The committee must file quarterly statements on April 30 and July 31. During the period covering July 1 through December 31, the committee must file two preelection statements in connection with the election, and a semi-annual statement for the period ending December 31, due on or before January 31 of the following year. After the January 31 filing, the committee will file semi-annual statements until it terminates.

## **Amendments**

Except for amendments required to provide missing contributor information (see Chapter 2), there is no specified deadline for filing amendments to campaign statements. However, amendments should be filed as soon as practicable in the same location(s) as the original.

## **Faxing and Emailing Statements**

Campaign statements that contain 30 pages or less may be faxed or emailed (if the local filing officer will accept an emailed statement) provided that the transmitted copy of the campaign statement is the exact copy of the original version. The original statement (with an original signature) must be sent by first-class mail, guaranteed overnight delivery, or personal delivery within 24 hours of the filing deadline.

## C. Where to File

Candidates, candidate controlled committees, and primarily formed committees file statements based on the office sought by the candidate. The following chart summarizes the locations where campaign statements (i.e., Forms 450, 460, 470) are generally filed. Certain campaign activity may trigger reports that must be filed in another location (see Chapter 10.) An “original” campaign statement is one containing the original signature of the officeholder or candidate and/or the treasurer or assistant treasurer.

Candidate/Officeholder/ Primarily Formed Committee	Where to File	What to File
<b>City Offices</b>	City Clerk	Original and one copy
<b>County Offices</b>	County Elections Offices	Original and one copy
<b>Multi-County Offices</b> Local agencies with jurisdiction in more than one county	County with the largest number of registered voters in the jurisdiction County of Domicile, if different	Original and one copy  One copy
<b>Judges and Judicial Candidates</b>	<b>Electronic Filers</b> Secretary of State  <b>Non-Electronic Filers</b> Secretary of State County of Domicile	Electronically and one paper original*  Original and one copy* One copy

\*Effective, January 1, 2023, filers required to file a report or statement by paper **with the Secretary of State** may instead file the paper report or statement by email. All statements must be signed using a verified digital signature. Please access the Secretary of State's [website](#) for more information on how to file with a digital signature.

## Electronic Filing

Judges and judicial candidates (including Superior Court judges and candidates) that have raised or spent \$25,000 or more must file electronically with the Secretary of State. The Act does not require other local candidates and committees to file electronically with their local jurisdictions. Some local agencies may require that campaign statements be filed electronically pursuant to a local ordinance. In those jurisdictions, paper copies may not be required, but most committees must submit a paper copy with a “wet signature” to the filing officer.

## Multiple Controlled Committees in Same Jurisdiction

In general, a candidate or elected officer may only control one committee and have one bank account per election under the Act’s one bank account rule. (See Chapter 1.) However, if a candidate or elected officer controls more than one committee in the same jurisdiction (i.e., different terms of the same elective office, officeholder account, legal defense fund, or ballot measure committee), each of the committees must file preelection statements on the dates the candidate or elected officer is required to file in connection with their election. (See FPPC Regulation 18405.) This provides the voters with a complete summary of the contributions received and expenditures made by the candidate.

**Note:** A candidate’s election committee is not required to file based on the ballot measure committee schedule if they are not also being voted on in the election.

## Multiple Controlled Committees in Different Jurisdictions

When an individual is simultaneously a candidate for elective state office and elective local office, or for elective office in two different local jurisdictions, they must file campaign statements for all committees they control with both jurisdictions on the dates the candidate is required to file semi-annual and preelection statements. The original statement should be filed with the relevant jurisdiction and a copy with the other jurisdiction. If a local candidate or officeholder also controls a state committee that is required to file electronically, the local committee must file the Form 460 electronically with the Secretary of State each time the Form 460 is due for either committee.

**Ex 10.4** - A school board member has an open committee from the school board election. The school board member opens a committee to run for mayor in their city. As an incumbent school board member and a candidate for mayor, they must file campaign statements for both committees with both the county elections office and the city clerk. Preelection statements and semi-annual statements required to be filed in connection with the mayoral election are filed as follows:

- Mayoral Committee
  - City Clerk – Original and one copy
  - County Elections Office – One copy

**Ex 10.5** - A city council member has an open committee from the city council election. The council member opens a committee to run for State Assembly. Semi-annual and preelection statements required in connection with the State Assembly election are filed as follows:

- Assembly Committee
  - Electronic Filers: Secretary of State only – Electronically and one paper original
  - Non-Electronic Filers: Secretary of State – Original and one copy City Clerk – One copy
- City Council Committee
  - City Clerk – Original and one copy

An officeholder who does not have a controlled committee may file the Form 470 by July 31 for the position held. If the officeholder subsequently opens a committee to run for a different office, they must file the Form 460 for the required preelection and semi-annual statements. Since the Form 470 was filed in connection with a position for which the candidate does not have a committee, a Form 470 Supplement is not required. However, if the officeholder opens a committee prior to June 30 for election to a different office, the Form 460 must be filed by July 31 for both the position held and the office sought. The officeholder may file one Form 460 and list both the position held and the office sought on the Cover Page, Part 5.

## Answering Your Questions

- A. I am currently a city council member without a campaign committee. I intend to run for the board of supervisors in the November election and will open a committee in July for that race. When must I file the first Form 460?**

As a city council member, you must file a semi-annual statement for the period January 1 through June 30 on or before July 31. Since you do not have an open city council committee, you may file the Form 470 instead of the Form 460. By the first preelection deadline for the county election, file the Form 460 with the county elections officer, as well as a copy with the city clerk.

- B. In June, I was elected to the city council. After filing the semi-annual statement due on July 31, I paid off my remaining bills and terminated my committee in August by filing a terminating Form 410 and Form 460. I will not engage in any further campaign activities. Am I required to file another Form 460 by January 31 of the following year as a semi-annual statement?**

As an elected officer, you must file semi-annual statements each year. You may designate the Form 460 you file in August as a terminating statement and a semi-annual statement, covering the period through December 31. However, if you subsequently receive any contributions or make any expenditures through December 31, file an amendment to your statement no later than January 31 of the following year. If you receive \$200 or more in a calendar month for your elected position, you will be required to file the Form 470 by July 31 every year, even though you have terminated your committee.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

- 81004.5 Reports and Statements; Amendments.
- 81005 Reports and Statements; Filing Deadline on Weekend or Holiday.
- 81007 Mailing of Report or Statement.
- 81007.5 Faxing of Report or Statement.
- 81008 Public Records; Inspection; Reproduction; Time; Charges.
- 82027 Filing Officer.
- 83116 Violation of Title.
- 84200 Semi-Annual Statements.
- 84200.5 Preelection Statements.
- 84200.8 Time for Filing Preelection Statements for Elections Not Held in June or November of an Even-Numbered Year.
- 84206 Candidates Who Receive or Spend Less Than \$2,000.
- 84215 Campaign Reports and Statements; Where to File.
- 84605 Who Shall File Online.
- 84615 Electronic Filing for Local Agencies.
- 91013 Late Filing of Statement or Report; Fees.

### Title 2 Regulations

- 18110 Duties of Filing Officers – Campaign Statements.
- 18405 Candidates with Multiple Controlled Committees.
- 18406 Short Form for Candidates or Officeholders Who Receive and Spend Less than \$2,000 in a Calendar Year.
- 18426 Semi-Annual Statement Early Filing.
- 18531.5 Recall Elections.



# ADDITIONAL REPORTS

In addition to the forms associated with starting a campaign (Forms 501 and 410) and the main campaign disclosure form (Form 460), there are several other forms that may be required, depending on the committee's activity. For example, most committees must file the 24-Hour/10-Day Contribution Report (Form 497).

Primarily formed committees making independent expenditures must file the independent expenditure reports discussed below. A candidate's controlled committee for their election will likely not be filing independent expenditure reports because it is making direct campaign expenditures for the candidate's election to office.

This chapter reviews the following special reports that may be required.

- 24-Hour/10-Day Contribution Reports (Form 497)
- 24-Hour/10-Day Independent Expenditure Reports (Form 496)
- Verification of Independent Expenditures (Form 462)
- Special Odd-Year Reports (Form 460)
- Paid Spokesperson Reports (Form 511)
- Reports of Communications Identifying State Candidates (Form E-530)

## FPPC Reporting Forms

Your Committee	File
<b>Receives Contributions:</b>	
Receives contributions totaling \$1,000 or more from a single source during the 90 days before the election or on the date of the election	Form 497
<b>Makes Independent Expenditures:</b>	
Makes independent expenditures totaling \$1,000 or more to support or oppose a single candidate or ballot measure during the 90 days before the candidate or measure's election or on the date of the election	Form 496
Makes independent expenditures totaling \$5,000 or more to support or oppose the <b>qualification</b> of a single local measure	Form 496
Makes independent expenditures totaling \$1,000 or more to support or oppose a single candidate or ballot measure	Form 462
<b>Makes Payments:</b>	
Makes contribution(s) totaling \$10,000 or more to <b>state</b> officeholders during the first or third quarter of an odd-numbered year	Form 460
Makes contributions totaling \$1,000 or more to another candidate or ballot measure committee during the 90 days before the candidate or measure's election or on the date of the election, or to a state or county political party committee during the 90 days before any state election or on the date of the election	Form 497
Makes contributions totaling \$5,000 or more to support or oppose the <b>qualification</b> of a single local measure	Form 497
Makes expenditures for an individual to appear in a ballot measure advertisement	Form 511
Makes payments of \$50,000 or more to "feature" a <b>state</b> candidate within 45 days before the candidate's election	Form E-530

### A. 24-Hour/10-Day Contribution Report (Form 497)

The 24-Hour/10-Day contribution report provides immediate reporting of contributions received or made near or on the election date. The Form 497 must be filed if a candidate controlled committee or a primarily formed committee:

**QUICK TIP:** When aggregating contributions from a single source, monetary contributions, nonmonetary contributions, and loans are included.

- **Receives** contributions that total in the aggregate \$1,000 or more from a single source during the 90 days before the candidate's election, including the date of the election; or
- **Makes** contributions that total in the aggregate \$1,000 or more to a candidate or a committee primarily formed to support a candidate(s) or ballot measure(s) during the 90 days before the candidate's or measure's election, including the date of the election; or
- **Makes** contributions that total in the aggregate \$1,000 or more to a state or county political party committee during the 90 days before any state election, including the date of the election.
- **Makes** contributions that total in the aggregate \$5,000 or more to support or oppose the **qualification** of a single local initiative or referendum ballot measure.

This Form 497 is required to be filed within 10 business days in the place(s) where the committee would be required to file campaign statements as if it were formed or existing primarily to support or oppose the local initiative or referendum ballot measure.

Contributions reported on the Form 497 must also be reported on the committee's next Form 460.

**Ex 11.1** - Thirty days before the candidate's election, the candidate's committee received a \$500 contribution. Four days later, the same person contributed \$600. The candidate's committee must file a Form 497 since \$1,000 or more was received from a single source during the 90-day period before the election. The same person must contribute another \$1,000 or more in order for a subsequent Form 497 to be required.

**QUICK TIP:** If a committee makes a nonmonetary contribution, it must notify the recipient of the contribution's value within 24 hours.

**Ex 11.2** - In June, the candidate's election committee for a November election received a contribution of \$2,000. The Form 497 is not required because it was not received during the 90-day period before the November election. In October, the same person made a contribution of \$600 to the candidate's committee. The Form 497 is not required until that person contributes \$1,000 or more in the 90 days before or on the date of the November election. Contributions received prior to the 90 days before the November election are not aggregated with contributions received during the 90-day period.

**QUICK TIP:** The 90-day, 24-Hour/10-Day reporting period includes the date of the election.

In some local elections, a candidate's name will not appear on a ballot if no other individual runs for that office. Following the determination by the elections official that the candidate's name will not appear on the ballot, the Form 497 is not required to be filed by the candidate even if the candidate's committee receives \$1,000 or more during the 90 days before the election, including the date of the election.

### When and Where to File the Form 497

The Form 497 must be filed **within 24 hours** of **receiving or making** contributions as described above. A contribution is received on the date the candidate, committee, or an agent of the committee obtains possession or control of the check or nonmonetary item that constitutes a contribution. (See Chapter 2.) A contribution is made on the date it is mailed, delivered, or otherwise transmitted. A committee that makes a nonmonetary contribution must notify the recipient of the contribution's value within 24 hours by personal delivery, fax, or guaranteed overnight delivery.

**QUICK TIP:** A candidate who loans or makes contributions to their own campaign, in the aggregate of \$1000 or more, within the 90 days before an election, plus the date of the election, must file a Form 497.

**QUICK TIP:** If a candidate receives a contribution of \$1,000 or more, from a single source, in the 90 days before an election, plus the day of the election, they must file a Form 497, even if they have not been required to open a committee.

**QUICK TIP:** Contributions reported on the Form 497 must also be disclosed on the committee's next regular campaign statement (Form 460 or Form 450).

### Exceptions:

- The Form 497 must be filed **within 48 hours** of **receiving** a nonmonetary contribution.
- The Form 497 must be filed within 10 business days when contributions that total \$5,000 are made to support or oppose the qualification of a single local measure.

Filing deadlines are extended to the next business day when they fall on a Saturday, Sunday, or official state holiday. However, the extension does not apply on the Saturday, Sunday, or an official state holiday immediately prior to an election. For example, a fundraiser held on a Friday evening results in several individuals making contributions of \$1,000 or more. Generally, the committee must file the Form 497 on the following Monday. However, if the fundraiser is held the Friday evening of the week before the election, the “next business day” deadline extension does not apply, so the Form 497 must be filed within 24 hours.

Except for the Form 497 triggered at \$5,000, the Form 497 is filed in the same location the committee files its regular campaign statements (Form 460 or Form 450) and must be filed by fax, guaranteed overnight delivery service, or personal delivery. Regular mail may not be used. Some local agencies may have an electronic filing system or may accept the Form 497 via email.

## Reporting Multiple Nonmonetary Contributions

If a committee anticipates that more than one nonmonetary contribution will be made to another committee or received from a single contributor during the 90 days before the election (including the date of the election), it may, on or before the deadline, file a single Form 497 covering the period in which the nonmonetary contributions will be made or received. The report must disclose the total value of nonmonetary contributions that will be made, or, if the actual value of nonmonetary contributions is not known at the time of filing, a good faith estimate of the value. If an estimated value differs from the reported amount by 20 percent or more, the committee must amend the Form 497 within 24 hours from the time the committee knows that the estimated value is incorrect.

# 497 Contribution Report

Amounts may be rounded to whole dollars.

<b>A</b> NAME OF FILER Manuel Alvarez for Mayor 20XX		<b>B</b> Date of This Filing 11/01/20XX		Date Stamp	<b>CALIFORNIA FORM 497</b> For Official Use Only
AREA CODE/PHONE NUMBER 707-555-6868	I.D. NUMBER (if applicable) 12344XX	Report No. 1	<input type="checkbox"/> Amendment to Report No. _____ (explain below)		
STREET ADDRESS 225 Presley Street		No. of Pages 1			
CITY Oakmont	STATE CA	ZIP CODE 95443			

**1 Contribution(s) Received**

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE*	TYPE OF CONTRIBUTION	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED	TYPE OF ELECTION	CUMULATIVE AMOUNT
10/30/XX	Loretta Stone 28 Hemlock Street Oakmont, CA 95434	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	<input checked="" type="checkbox"/> MONETARY <input type="checkbox"/> NON - MONETARY	Nurse - Oakmont Hospital	\$2,000 <input type="checkbox"/> Check if Loan _____% Provide interest rate	<input checked="" type="checkbox"/> GENERAL <input type="checkbox"/> PRIMARY <input type="checkbox"/> OTHER	\$2,000
10/30/XX	ABC Company 220 R Street Oakmont, CA 95434	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	<input checked="" type="checkbox"/> MONETARY <input type="checkbox"/> NON - MONETARY		\$3,000 <input type="checkbox"/> Check if Loan _____% Provide interest rate	<input checked="" type="checkbox"/> GENERAL <input type="checkbox"/> PRIMARY <input type="checkbox"/> OTHER	\$3,000

## Completing the Form 497

### **A** Filer Information

Provide the committee's full name, telephone number, street address, city, state, zip code, and committee ID number.

### **B** Date, Report Number, Number of Pages

Indicate the date the report is being filed; assign a unique number to each Form 497, such as 1, 2, 3, PR-1, PR-2, PR-3, etc.; and, indicate the number of pages included in the report.

## 1 Contributions Received

For contributions received, provide:

- The date received.
- The contributor's full name, street address, and zip code; for contributions of \$100 or more from a limited liability company (LLC) that has qualified as an independent expenditure committee or major donor, include the name of the LLC and the full legal name of the LLC's responsible officer as defined in Regulation 18402.2. If the contributor is an LLC that has qualified as a recipient committee, include the name of the committee and its principal officer as defined in Section 82047.6, for contributions of \$100 or more. For an LLC that has not qualified as a committee, include the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution.
- The contributor code. For each itemized contributor, check the box indicating whether the contributor is an individual, a committee, "other" (such as a business entity), a political party, or a small contributor committee.
- If the contributor is an individual, their occupation and employer must be provided. If the individual is self-employed, the name of the business must be provided.
- The amount of the contribution. Check the box if it was a loan.

## Contributions Made

For contributions made, provide:

- The date made.
- The recipient's full name, street address, and zip code.
- The office sought or held (if the contribution is made to a candidate).
- The ballot measure number or letter and jurisdiction (if the contribution is made to a ballot measure committee).



- The amount of the contribution.
- The date of election.

## Amending the Form 497

To amend a previously filed Form 497, file another Form 497 with the corrected or missing information, assign a new unique identifying number as the Report Number, check the “Amendment” box, and enter the identifying number of the report being amended. Describe the reason for the amendment in the space provided at the bottom of the form. There is no specified deadline for filing amendments; however, amendments should be filed as soon as practicable. Amendments are filed in the same location as the original.

## Answering Your Form 497 Questions

**A. Must a candidate file a Form 497 if, during the 90 days before the election, or on the date of the election, they loan their campaign committee \$1,000?**

Yes. A candidate’s personal funds that are loaned to or contributed to the committee trigger the Form 497 requirement.

**B. Must a candidate file a Form 497 if, during the 90 days before the election (or on the date of the election), they transfer campaign funds totaling \$1,000 or more from a campaign committee established for a prior office to the campaign committee established for the office they are currently seeking election to?**

No. Transfers among a candidate’s own local campaign election committees are reported as miscellaneous increases to cash, not as contributions.

**C. A committee will receive nonmonetary contributions from a single source during the 90 days before the election, including the date of the election. The contributions involve several days of telephone banking by paid individuals. Rather than filing several reports, may the committee file one Form 497 with an estimated value of the nonmonetary contributions anticipated to be received from this source during the 90 days before the election?**

Yes. The committee may make a good faith estimate of the value that will be received during the period. The Form 497 must be filed within 48 hours of receiving the first \$1,000 in nonmonetary contributions. If the actual value differs from the estimated amount by 20 percent or more, the estimated report must be amended within 24 hours of determining the correct amount.

**D. Must a committee file a Form 497 when a contributor forgives a loan of \$1,000 or more during the 90 days before the election, including the date of the election?**

Yes. A loan forgiveness is reported as a contribution and triggers the Form 497 requirement.

**E. A candidate has one open committee for a past election and one for the current election. If the committee for the past election receives \$1,000 or more from a single source in the 90-day, 24-Hour/10-Day reporting period for the current committee, must the committee for the past election file a Form 497?**

Yes. When a candidate is in a 90-day reporting period, contributions totaling \$1,000 or more to any of the candidate's committees trigger the Form 497 requirement.

**Ex 11.3** - City council candidate Martinez’s controlled committee for election to office does not file independent expenditure reports when it pays for mailers for the candidate’s election, because these payments are direct campaign expenditures made by the candidate. An independent group sending mailers attacking council candidate Martinez’s opponent, without the cooperation, knowledge or consent of council candidate Martinez, will file independent expenditure reports.

## B. Independent Expenditure Reporting

As described in Chapter 6, a payment for a communication that expressly advocates support of or opposition to a candidate or ballot measure, which is not made at the behest of the candidate or measure committee, is an “independent expenditure.” Chapter 6 defines in detail “expressly advocates” and “made at the behest of” and provides examples to assist committees in determining whether a payment made for a communication is considered an independent expenditure.

The Act requires committees making independent expenditures to file several forms so that voters are fully informed about who is paying for the communications that urge voters to support or oppose a particular candidate or ballot measure. Because the affected candidate or measure committee will not report the expenditures, the committee making the independent expenditures must file certain forms at the same time the candidate is required to file. In addition, a verification form that identifies an individual who is responsible for ensuring that the campaign committee’s independent expenditures were not coordinated with the listed candidate or ballot measure (or the opponent) must be filed.

A committee that makes an independent expenditure of \$1,000 or more must also file the forms 496 (24-Hour/10-Day Independent Expenditure Report) listed below.

- Form 496 (24-Hour/10-Day Independent Expenditure Report)
- Form 462 (Verification of Independent Expenditures)

## **What is the Date an Independent Expenditure is Made?**

A payment made in connection with the development, production, or dissemination of a communication that is an independent expenditure must be reported no later than the date the communication is mailed, broadcast, or otherwise disseminated to the public. If the communication is never disseminated to the public, it need not be reported.

## **Candidate Controlled Election Committees**

Communications paid for by a candidate's controlled committee to support their own election, or to oppose their opponent, are direct campaign expenditures, not contributions or independent expenditures.

If a candidate pays for a communication supporting their own candidacy that also supports or opposes a ballot measure, the payment is not considered a contribution or independent expenditure made in connection with the ballot measure.

If a candidate pays for a communication that supports another candidate, and the payment is not made at the behest of the endorsed candidate, the payment is not considered to be an independent expenditure if: (1) the candidate paying for the communication also is included in the communication; (2) the non-paying candidate is listed on the same ballot as the paying candidate; and (3) the communication is targeted only to the potential voters in the paying candidate's district.

## **Primarily Formed Committees**

A committee that is primarily formed to support or oppose a candidate is not associated with the candidate. Therefore, payments made for communications that expressly advocate support or opposition of the candidate are considered to be independent expenditures because they are not made at the behest of the candidate.

**Ex 11.4** - A committee is primarily formed to support a mayoral candidate. The committee must act totally independent of the mayoral candidate's campaign. Seven days before the election, the committee paid \$5,000 for an advertisement in a local newspaper urging voters to support the candidate. The primarily formed committee must file the Form 496.

### Filing Deadlines for Independent Expenditure Forms

This chart summarizes the deadlines and filing locations for each of the independent expenditure forms. Each of the forms is discussed in detail below.

Deadline	Form	Filing Location
Within 24 hours	496	Filing officer where election is held
10 days after first independent expenditure	462	FPPC

**Ex 11.5** - Ten days before an election, a committee spent \$1,700 on a mailing that equally advocated support of two candidates. The mailing was done completely independent of the candidates. Since the value to each candidate was only \$850 (less than \$1,000), the committee is not required to file the Form 496 for either candidate.

Three days before the election, the committee independently spent \$400 for lawn signs advocating support of one of the candidates included in the earlier mailing. Because the total spent on behalf of this candidate is now \$1,000 or more in the 90 days before the election including the date of the election, the committee must file the Form 496 in connection with this candidate.

## 24-Hour/10-Day Independent Expenditure Report (Form 496)

The 24-Hour/10-Day Independent Expenditure Report provides immediate disclosure of independent expenditures made near or on the election date. The Form 496 must be filed if a committee makes independent expenditures totaling \$1,000 or more to support or oppose a single candidate or a single ballot measure during the 90 days before the candidate's or measure's election, including the date of the election.

**Note:** The Sacramento Superior Court ruled in *Charles R. "Chuck" Reed v. Fair Political Practices Commission* that San Jose Mayor Reed was not subject to independent expenditure restrictions. For more information, contact the FPPC's Legal Division.

Expenditures reported on the Form 496 must also be reported on the committee's next regular campaign statement (Form 460). The Form 462 (Verification of Independent Expenditures) must also be filed.

### When and Where to File the Form 496

The Form 496 must be filed **within 24 hours** of making an independent expenditure of \$1,000 or more **during the 90 days** preceding the election, including the date of the election, in which the candidate or measure will be voted on. An independent expenditure is made when the communication is disseminated to the public. There is no deadline extension for filing the Form 496. It must be filed within 24 hours regardless of the day of the week. A separate Form 496 must be filed for each candidate or ballot measure supported or opposed.

The Form 496 is filed with the filing officer that receives the campaign statements for the candidate or measure supported or opposed. (See the chart below.) This allows voters in the affected jurisdiction to have access to reports disclosing who is spending funds attempting to influence them.

**Local Elections:** The Form 496 must be filed by fax, guaranteed overnight delivery, personal delivery, or email, if available. Regular mail may not be used. A local ordinance may require that the form be filed electronically. Contact the local filing officer to determine if electronic filing or email is available.

### Location of Filing Form 496

**State Elections:** The Form 496 must be filed electronically with the Secretary of State's office when it is filed in connection with a state candidate or measure. No paper copies are accepted. If the Form 496 is filed in connection with a CalPERS or CalSTRS election, a copy must also be filed with the relevant board's office.

**Ex 11.6** - A city councilmember's election committee made an independent expenditure of \$8,000 to support a county ballot measure. The Form 496 must be filed with the county elections office.

### 10-day Independent Expenditure Report (Form 496)

Additionally, a Form 496 is required to be filed within 10 business days when a committee makes independent expenditures that total in the aggregate \$5,000 or more to support or oppose the **qualification** of a single local initiative or referendum ballot measure.

**Ex 11.7** - A county supervisor's election committee made an independent expenditure of \$10,000 to support a state ballot measure. The Form 496 must be filed electronically with the Secretary of State's office.

# 496 Independent Expenditure Report

Amounts may be rounded to whole dollars.

<b>A</b> NAME OF FILER Friends Supporting Alvarez for Mayor 20XX AREA CODE/PHONE NUMBER 707-111-2222 I.D. NUMBER (if applicable) 12399XX STREET ADDRESS 10 Main Street CITY STATE ZIP CODE Oakmont CA 95443	<b>B</b> Date of This Filing 11/1/20XX Report No. 2 <input type="checkbox"/> Amendment to Report No. _____ (explain below) No. of Pages _____	Date Stamp  	<b>CALIFORNIA FORM 496</b> For Official Use Only
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**1 List Only One Candidate or Ballot Measure**

NAME OF CANDIDATE SUPPORTED OR OPPOSED Manuel Alvarez				NAME OF BALLOT MEASURE SUPPORTED OR OPPOSED			
OFFICE SOUGHT OR HELD Mayor	DISTRICT NO.	SUPPORT X	OPPOSE	BALLOT NO./LETTER	JURISDICTION	SUPPORT	OPPOSE

**2 Independent Expenditures Made** Attach additional information on appropriately labeled continuation sheets.

DATE	DESCRIPTION OF EXPENDITURE	AMOUNT
10/31/20XX	Newspaper Advertisement (cumulative total: \$6,000)	\$2,000

**3 Contributions of \$100 or More Received\***

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE **	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED	INTEREST RATES
10/28/20XX	Joe Brown 1800 Second Street Oakmont, CA 95443	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Retired	\$200	If loan, enter interest rate, if any _____%

Jurisdiction of Candidate or Measure Supported/Opposed	
Statewide	Secretary of State – Electronically only
Senate or Assembly District	Secretary of State – Electronically only
CalPERS/CalSTRS	Secretary of State – Electronically only  Also file a copy at CalPERS/CalSTRS board office
Multi-County	County with the largest number of registered voters in the jurisdiction
County	County in which the candidate or measure will appear on the ballot.  LAFCO proposals: County where measure likely to appear on the ballot and the LAFCO.
City	City in which the candidate or measure will appear on the ballot



## Completing the Form 496

### **A** Filer Information

Provide the committee's name, street address, city, state, zip code, telephone number, and committee ID number.

### **B** Date, Report Number, Number of Pages

Indicate the date the report is being filed; assign a unique number to each Form 496, such as 1, 2, 3, PR-1, PR-2, PR-3, etc.; and, indicate the number of pages included in the report.

**QUICK TIP:** Generally, the “cumulative amount” means the amount of independent expenditures made in the current calendar year.

### **1** Name of Candidate or Ballot Measure Supported or Opposed

Provide the name of the candidate supported or opposed and the office sought or held (and district, if applicable). Or, provide the name of the ballot measure supported or opposed, the jurisdiction in which the measure is being voted upon, and its number or letter if it has been assigned. Indicate whether the independent expenditure supported or opposed the candidate or ballot measure.

### **2** Independent Expenditures Made

Provide the date the committee made the independent expenditure. In the “Description of Expenditure” field, include a description of the independent expenditure (e.g., radio advertisement, billboard, mailing) and the cumulative-to-date total for independent expenditures relating to each candidate or measure. List the amount of the specific expenditure in the “Amount” column.

### **3** Contributions of \$100 or More Received

Disclose contributions of \$100 or more received since the closing date of the last campaign statement filed through the date of the independent expenditure. If no previous campaign statement has been filed, disclose contributions of \$100 or more received since January 1 of the current calendar year.

Disclose the name and street address of the contributor and, if the contributor is an individual, their occupation and the name of their employer. If the individual is self-employed, disclose the name of the business. Also disclose the date and amount of the contribution, the contributor code, and type of contribution. If the contribution is a loan, enter the interest rate. Once you have disclosed a contribution on the Form 496, it is not necessary to report that contribution on any additional Form 496 filings; however, it must be reported on the committee's next regular campaign statement (Form 460 or Form 450).

For contributions of \$100 or more received from a limited liability company (LLC) that has qualified as an independent expenditure committee or major donor, include the name of the LLC and the full legal name of the LLC's responsible officer as defined in Regulation 18402.2. For contributions of \$100 or more received from an LLC that has qualified as a recipient committee, include the name of the committee and its principal officer as defined in Section 82047.6. For an LLC that has not qualified as a committee, include the name of the LLC and the full legal name of the individual primarily responsible for approving the contribution. If more than one individual shares in the primary responsibility of approving a contribution, at least one such individual must be identified.

### **Amending the Form 496**

To amend a previously filed Form 496, file another Form 496 with the corrected or missing information, assign a new unique identifying number as the Report Number, check the "Amendment" box, and enter the identifying number of the report being amended. Describe the reason for the amendment in the space provided at the bottom of the form. There is no specified deadline for filing amendments; however, amendments should be filed as soon as practicable. Amendments are filed in the same location as the original.

**Ex 11.8** - A committee primarily formed to oppose a candidate made independent expenditures of \$20,000 to oppose the candidate in the primary election. A Form 462 is required for the primary election. If the committee makes independent expenditures of \$1,000 or more to oppose the candidate in the general election, another Form 462 must be filed.

### Verification of Independent Expenditures (Form 462)

The Form 462 must be filed if the committee makes an independent expenditure of \$1,000 or more in a calendar year to support or oppose a single candidate or a single ballot measure. The purpose of the Form 462 is for officers of the committee making the independent expenditure to verify that the committee's expenditures are indeed independent and have not been coordinated with the affected candidate or ballot measure committee (or the opponent). The form also verifies that the committee has not received any unreported contributions or reimbursements to make the independent expenditures.

**Ex 11.9** - A committee primarily formed to support a candidate on a November ballot made its first independent expenditure of \$1,000 or more in September and filed the Form 462 listing the candidate. In October, the committee made several more independent expenditures to support the candidate. No additional Form 462s are required for that candidate for the November election.

### When and Where to File the Form 462

The Form 462 must be filed within 10 days from the date of the committee's first independent expenditure of \$1,000 or more to support or oppose a candidate or measure in a calendar year. An independent expenditure is made when the communication is disseminated to the public. A candidate or measure is listed only once for each election. Primary, general, and runoff elections are considered separate elections.

The Form 462 must be filed via email with the FPPC ([form462@fppc.ca.gov](mailto:form462@fppc.ca.gov)). The originally signed form must be maintained with the committee's campaign records for four years.

**Form 462**  
**Verification of Independent Expenditures**

**CALIFORNIA**  
**FORM 462**

This verification form identifies the individual responsible for ensuring that a campaign committee's independent expenditures were not coordinated with the listed candidate (or the opponent) or measure committee and that the committee will report all contributions and reimbursements as required by law. An independent expenditure is not subject to state or local contribution limits.

Amendment (Explain)

**1. Name of Committee:**

NAME OF RECIPIENT COMMITTEE, ENTITY OR INDIVIDUAL		COMMITTEE ID #	
Friends Supporting Alvarez for Mayor 20XX		12399XX	
STREET ADDRESS		CITY	
10 Main Street		Oakmont	
STATE	ZIP CODE	E-MAIL	TELEPHONE NUMBER
CA	95443	kluuci@hotmail.com	( 707 ) 111-2222

**2. Candidate or Measures:**

This committee has reported an independent expenditure(s) to support or oppose the candidate(s) or measure(s) listed on a ballot for the election date identified below. (Note: The reporting of an independent expenditure may occur after this form is filed if an independent expenditure is made before the 90 day, 24-hour reporting period of Government Code Sections 84204 and 85500.)

NAME OF CANDIDATE (First/Last) OR BALLOT MEASURE	SUPPORT	OPPOSE	OFFICE SOUGHT OR HELD/ BALLOT NO./LETTER	JURISDICTION AND DISTRICT, IF ANY	ELECTION DATE
Manuel Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mayor	Oakmont	11/4/20XX
NAME OF CANDIDATE (First/Last) OR BALLOT MEASURE	<input type="checkbox"/>	<input type="checkbox"/>	OFFICE SOUGHT OR HELD/ BALLOT NO./LETTER	JURISDICTION AND DISTRICT, IF ANY	ELECTION DATE
NAME OF CANDIDATE (First/Last) OR BALLOT MEASURE	<input type="checkbox"/>	<input type="checkbox"/>	OFFICE SOUGHT OR HELD/ BALLOT NO./LETTER	JURISDICTION AND DISTRICT, IF ANY	ELECTION DATE
NAME OF CANDIDATE (First/Last) OR BALLOT MEASURE	<input type="checkbox"/>	<input type="checkbox"/>	OFFICE SOUGHT OR HELD/ BALLOT NO./LETTER	JURISDICTION AND DISTRICT, IF ANY	ELECTION DATE

**3. Verification:**

I have not received any unreported contributions or reimbursements to make these independent expenditures. I have not coordinated any expenditure made during this reporting period with the candidate or the opponent of the candidate who is the subject of the expenditure, with the proponent or the opponent of the state measure that is the subject of the expenditure, or with the agents of the candidate or the opponent of the candidate or the state measure proponent or opponent. I certify under penalty of perjury under the laws of the State of California that the following is true and correct.

Signature \_\_\_\_\_ [Signature Required] Printed Name Karen Lucci Signed on \_\_\_\_\_ [Date Required]  
(month, day, year)

(Check One):  Principal Officer  Candidate/Officeholder  State Ballot Measure Proponent

FPPC Form 462 (Aug/2016)

**Completing the Form 462**

**1 Name of Committee**

Enter the name and street address of the committee that is making the independent expenditure(s). The address should be the same as the address listed on the committee's Statement of Organization (Form 410). Provide the committee's assigned committee ID number.

**2 Candidates or Measures**

List the name of the candidate(s) or ballot measure(s) and mark the applicable support or oppose box. For candidates, list the office sought or held. The candidate's or measure's jurisdiction (and district if applicable) and the date of the election must also be listed.

### **3 Verification**

The form must be reviewed and signed by the committee's principal officer. A principal officer is an individual primarily responsible for approving the political activity of the committee. (See Chapter 1.) If the committee has more than one principal officer, only one individual must sign the Form 462. The individual must be listed on the committee's Statement of Organization (Form 410). The same individual is not required to sign each Form 462. In the case of a controlled committee, the candidate or officeholder must sign the form.

#### **Amending the Form 462**

To amend a previously filed Form 462, file another Form 462 with the corrected or missing information, check the "Amendment" box, and describe the reason for the amendment in the space provided. Amendments to the Form 462 must be filed within 10 days of the change. Like the original, the amendment must be signed and dated and filed via email with the FPPC ([form462@fppc.ca.gov](mailto:form462@fppc.ca.gov)).

#### **Answering Your Independent Expenditure Questions**

##### **A. How frequently must the Form 462 be filed?**

The Form 462 is required to identify the candidate or measure supported or opposed only once for each election. Once a candidate or measure is listed on the Form 462, no further filings are required for that candidate or measure for that election. If a committee makes independent expenditures related to a candidate in the primary election and later makes independent expenditures related to the same candidate in the runoff election, two Form 462s must be filed as they are separate elections.

**B. Is an independent expenditure reportable by the committee for the candidate or the ballot measure named in the communication?**

No. Because the communication is not made at the behest of the candidate or ballot measure committee, the expenditure for the communication is not reported by the affected candidate or measure committee. The person making the independent expenditure has the reporting obligations.

**C. Is a candidate's controlled committee making an independent expenditure when it pays for a communication that supports the controlling candidate and supports or opposes a ballot measure listed on the same ballot?**

No. This type of expenditure considered to be a direct campaign expenditure to promote one's own election.

**D. May a committee pro-rate the value of a communication that contains both an independent expenditure and a non-political message?**

Yes. The committee should value the independent expenditure as the portion of the costs directly associated with sending the message that expressly advocates support or opposition of a candidate or ballot measure.

## C. Special Odd-Year Report (Form 460 or 450)

The odd-year report is designed to timely show if a committee is making large contributions to a number of state legislators or elected state officers during an off-election year when important issues such as the state budget or controversial legislation is being considered. The odd-year report must be filed, if during any odd-numbered year, the committee makes contributions totaling \$10,000 or more to **elected state officers**, their controlled committees, or committees primarily formed to support or oppose any elected state officer during the first and third quarters of the year.

**Ex 11.10** - Between July 1 and September 30 of an odd-numbered year, a local candidate's election committee contributes \$6,000 to the Governor's ballot measure committee and \$6,000 to the Secretary of State's election committee. The local committee must file a special odd-year report covering the period July 1 through September 30, by October 31.

The special odd-year report is completed in the same manner as a regular preelection or semi-annual statement (see Chapter 8) and includes all of the committee's activity during the reporting period, not just contributions to elected state officers.

### When and Where to File the Special Odd-Year Report

The special odd-year report is filed where the committee files its regular campaign statements and is filed on the committee's regular campaign disclosure statement (Form 460 or Form 450).

<b>Period Covered</b>	<b>Filing Deadline</b>
January 1 through March 31	April 30
July 1 through September 30	October 31

## D. Advertisement Reports

### Paid Spokesperson Report (Form 511)

Promoting “truth in advertising,” the Act requires that when a teacher, firefighter, doctor, or other person is in a ballot measure advertisement giving their expert views for or against the measure, the advertisement must disclose if the person has been paid. The Form 511 must be filed if a committee pays an individual for their appearance in a ballot measure advertisement in the following situations:

**Ex 11.11** - In support of a local ballot measure, a committee hires a public relations firm to produce a television advertisement. A local celebrity is paid \$5,000 or more to appear in the ad. The committee must include the ad disclosure described in Chapter 7 and must file the Form 511.

**Payments of \$5,000 or More:** The committee makes expenditures totaling \$5,000 or more to an individual for their appearance in an advertisement to support or oppose the qualification, passage, or defeat of a state or local ballot measure.

**Ex 11.12** - A committee pays \$200 for a doctor to appear in a television advertisement supporting a local ballot measure. The ad will clearly identify the individual as a doctor. The committee is not required to include an ad disclosure, but it must file the Form 511.

**Payments of Any Amount:** The committee makes expenditures of any amount to an individual for their appearance in an advertisement to support or oppose the qualification, passage, or defeat of a state or local ballot measure and the advertisement states or suggests that the individual is a member of an occupation that requires licensure or certification or other specialized documented training as a prerequisite to engage in that occupation (nurse, doctor, firefighter, scientist, engineer, lawyer, etc.).



**QUICK TIP:** Chapter 7 contains the requirements for advertisement disclosures, including the specific disclosures that may be required if a committee pays a spokesperson to appear in a ballot measure advertisement.

Committees that pay a spokesperson to appear in a ballot measure advertisement may be required to include specific disclosures on the advertisements. (See Chapter 7.)

### **When and Where to File the Form 511**

The Form 511 must be filed within 10 days of making an expenditure identified above. An expenditure is made on the date the payment is made or the date the services are received, whichever is earlier.

The Form 511 is filed in the same location the committee files its regular campaign statements (Form 460 or Form 450). Instructions for completing the Form 511 are provided on the FPPC's website.

### **Communications Identifying State Candidates (Form E-530)**

The Act requires reporting of electioneering communications for state candidates, such as billboards on Interstate 5 saying "Thank you Senator Kim for your support of Central Valley Agriculture" placed right before the election. The Form E-530 must be filed if a committee makes a payment or a promise of a payment totaling \$50,000 or more for a communication disseminated within 45 days of an election that clearly identifies a candidate for elective state office, but does not expressly advocate the election or defeat of the candidate.

The report must disclose the amount and date of the payment(s), and the name of and office sought by the candidate(s) identified in the communication. In addition, if \$5,000 or more was received or promised from a single source to pay for the communication, the report must include the name and address of the contributor, as well as the date and amount received or promised. If the contributor is an individual, the individual's occupation and employer must also be included.

The report must be verified by a written “electronic filing declaration” signed, dated, and verified on the same date the report is transmitted to the Secretary of State. This declaration must be retained in the committee’s records for five years following the date that the campaign report to which it relates is filed. The statement must include the following language:

“I have used all reasonable diligence in preparing this report and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.”

### **When and Where to File the Form E-530**

The Form E-530 must be filed electronically with the Secretary of State **within 48 hours** of making or promising to make a payment of \$50,000 or more. There is no paper version of the Form E-530. To access the online form, go to the Secretary of State’s website ([www.sos.ca.gov](http://www.sos.ca.gov)). If the committee has not previously filed electronically with the Secretary of State, the committee will need to request a filer ID and password. The request form (Electronic Filing Password Request) is located on the Secretary of State’s website under Campaign Finance.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

81004.5	Reports and Statements; Amendments.
81005	Reports and Statements; Filing Deadline on Weekend or Holiday.
82025	Expenditure.
82031	Independent Expenditure.
82036	Late Contribution.
82036.5	Late Independent Expenditure.
82044	Payment.
82047.6	Principal Officer.
84200.6	Special Campaign Statements and Reports.
84202.7	Time for Filing by Committees of Odd-Numbered Year Reports.
84203	Late Contribution; Reports.
84203.3	Late In-Kind Contributions.
84204	Late Independent Expenditures; Reports.
84204.5	Ballot Measure Contributions and Expenditures; Reports.
84213	Verification.
84511	Ballot Measure Ads; Paid Spokesperson Disclosure.
85310	Communications Identifying State Candidates.
85501	Prohibition on Independent Expenditures by Candidate Controlled Committees.

## Title 2 Regulations

- 18250 Street Address.
- 18402.2 Limited Liability Companies, Responsible Officer.
- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18421.10 Reporting Contributions from Limited Liability Companies.
- 18425 24-Hour Contribution Reports.
- 18428 Reporting of Contributions and Independent Expenditures Required to be Aggregated.
- 18450.11 Spokesperson Disclosure.
- 18531.10 Communications Identifying State Candidates.
- 18539.2 Reporting Payments Pursuant to Government Code Section 85310.
- 18550 24-Hour Independent Expenditure Reports.

# FILING OBLIGATIONS AFTER THE ELECTION AND TERMINATING THE COMMITTEE

After the election, a candidate's future filing obligations are determined by whether they were elected to office or not. Generally, a committee primarily formed to support or oppose a candidate will terminate after the election. The Political Reform Act (Act) does not require any local candidate or primarily formed committee to terminate; however, campaign statements must continue to be filed as long as the committee remains open. In addition, the \$50 annual fee must be paid to the Secretary of State.

This chapter addresses the reporting requirements for successful candidates, defeated candidates, primarily formed committees, and the guidelines for terminating a campaign committee.

## A. Successful Candidates

The requirements discussed below apply to candidates/officeholders immediately following the election and for subsequent non-election years. An officeholder retains their status as a "candidate" under the Act and must continue to file campaign reports – either the full Form 460 or the short Form 470 – until they have left elective office and terminated their committee. See "Candidates Using Campaign Funds for a Future Election" below to determine the requirements for a candidate/officeholder running for reelection or running for election to a different office.

### Officeholders Who Filed Form 470 During Campaign

After the election, a candidate who filed the Form 470 (Officeholder and Candidate Campaign Statement – Short Form) in connection with the election has no additional filing obligations that calendar year provided \$2,000 or more is not raised or spent during that calendar year. So long as a candidate/officeholder does not have an open committee, a Form 470 must be filed by July 31 of each subsequent non-election year.

## Officeholders Who Filed Form 460 During Campaign

After the election, a successful candidate who filed the Form 460 (Recipient Committee Campaign Statement) in connection with the election must continue to file the Form 460 semi-annually as long as the committee remains open. In addition, other special reports may be required. The candidate/officeholder has the option of maintaining their committee and campaign bank account or terminating the campaign committee and closing the bank account. An officeholder who maintains a committee may:

- Continue to receive contributions;
- Use campaign funds to offset officeholder expenses; or
- Use funds for a future election. (See “Candidates Using Campaign Funds for a Future Election” below.)

Once an officeholder terminates the committee, they may be required to file the Form 470 the following year. However, if a candidate/officeholder has an open committee at any time during a calendar year, the Form 470 (short form) may not be filed instead of the Form 460.

### Exception: Judges and Unpaid Officeholders

Unpaid officeholders (defined in the Act as those who receive less than \$200 per month for serving in office) and judges are not required to file Form 460 or Form 470 for any semi-annual period in which they are not listed on a ballot and do not receive any contributions or make any expenditures. This exception applies even if a judge or unpaid officeholder has a controlled committee so long as the committee has not received any contributions or made any expenditures (excluding bank fees and interest).

To determine whether \$200 has been received, only the elected officeholder’s fixed compensation (i.e., salary) is counted. Payments for health benefits, reimbursement for expenses (including travel expenses), or per diem received from the officeholder’s agency need not be counted toward the \$200.

Judges and unpaid officeholders who are listed on a ballot must file the Form 470.

### **Behested Payment Reports (Form 803)**

An elected officer who fundraises for worthy causes (such as for a local school, to build a new community center or restore a historic building) may have to file a “behested payments” report. Behested payments are payments made to a “payee,” such as a charity or a government agency, by a third party “payor” at the request or suggestion of an elected officer for a legislative, governmental or charitable purpose. These behested payments do not include payments made principally for personal purposes (i.e., gifts) or campaign purposes (i.e., contributions).

A common example is when an elected officer co-sponsors a charitable, governmental, or legislative event, such as a job fair or a conference on public policy issues, with outside sources. Payments made by outside sources in connection with these events generally are considered behested payments.

#### **Form 803 Filing Procedures:**

- File the Form 803 when a person donates \$5,000 or more in a calendar year to charitable organizations or events at the request of an elected officer.
- Once a source has made a behested payment(s) of \$5,000 or more during the calendar year, subsequent payments of any amount from that source during the calendar year must be reported.
- An elected officer must disclose a relationship to a nonprofit organization recipient of a behested payment and any proceeding before their agency at the time of payment or within 12 months prior to the reported payment in which the payor is involved in the proceeding. See Regulation 18424 for additional information.
- File the Form 803 with the elected officer’s agency within 30 days following the date of the payment.

- The elected officer’s agency must forward the Form 803 to the filing officer who receives the elected officer’s campaign statements within 30 days of receiving the form. The Form 803 is a public record. See the Form 803 example below.

**QUICK TIP:** Although behested payments are not considered gifts or contributions to the elected official, meals, lodging, and travel payments received by an official in connection with a co-sponsored event may be reportable gifts.

**Ex 12.1** - At the mayor’s request, a catering company donated refreshments valued at \$5,000 for a city sponsored job fair. The mayor must file a Form 803 with the city clerk to report the behested payment.

### **Form 803 Exceptions:**

- A Form 803 is not required of a non-elected officer.
- A payment is not subject to behested payment reporting if the elected officer makes a request for a payment from a local, state, or federal government agency.

### **Form 803 Reporting: Charitable Fundraising Solicitations Involving an Elected Officer**

A payment is subject to behested payment reporting if the payment is made in response to a fundraising solicitation from a charitable organization where the solicitation meets the following:

- It was sent with the cooperation, control, or consent or at the suggestion or direction of the elected officer; and
- It “features” the elected officer.



A solicitation “features” an elected officer when it includes the officer’s photograph or signature, or singles out the elected officer **in the manner of display**. An elected officer is also featured in a solicitation if the roster or letterhead listing the governing body contains a majority of elected officers. See Regulation 18424.2 for additional information.

**Behested Payment Report**  
A Public Document

Type or Print in Ink.

<b>Amendment of Filing</b> <input type="checkbox"/> Check box if an Amendment _____ (Month, Day, Year) # _____ Confirmation Number	Date Stamp (Agency)	<b>CALIFORNIA FORM 803</b>

**1. Elected Officer or CPUC Member** (Last name, First name)

ELECTED OFFICER OR CPUC MEMBER: <b>Alvarez, Manuel</b>	AGENCY NAME: <b>City of Oakmont</b>	AGENCY STREET ADDRESS: <b>225 Presley Street, Oakmont, CA 95443</b>
DESIGNATED CONTACT PERSON (NAME AND TITLE): <b>Madeline Richards</b>	AREA CODE/PHONE NUMBER: <b>707-555-6868</b>	E-MAIL: <b>mrichards@oakmontmail.com</b>

**2. Payor Information** (For additional payors, include an attachment with the names, addresses, and proceeding information)

NAME: <b>Wildwood Insurance Company</b>	ADDRESS: <b>1022 Main Street</b>	CITY: <b>Oakmont</b>	STATE: <b>CA</b>	ZIP CODE: <b>95443</b>
<input type="checkbox"/> Donor Advised Fund (DAF) (see instructions)	DAF NAME:	DONOR(S) AND DONOR'S ADVISOR: (SEE INSTRUCTIONS.)		
<input type="checkbox"/> Payor is a named party or the subject of a proceeding before my agency.		BRIEF DESCRIPTION OF PROCEEDINGS:		

**3. Payee Information** (For additional payees, include an attachment with the names, addresses and relationship information)

NAME: <b>Boys and Girls Club of America</b>	ADDRESS: <b>555 10th Street</b>	CITY: <b>Sacramento</b>	STATE: <b>CA</b>	ZIP CODE: <b>95814</b>
For a nonprofit organization payee, provide a brief description of any relationship to the official, official's immediate family member or staff member in the role of founder, salaried employee, decision-making capacity (board member or executive officer) or position on an honorary or advisory board.				
NAME AND TITLE:	ROLE WITH THE NONPROFIT ORGANIZATION:	BRIEF DESCRIPTION:		

**4. Payment Information** (Complete all information. For estimated payment information check the box below.)

DATE (MONTH/DAY/YEAR)	AMOUNT	PAYMENT TYPE	BRIEF DESCRIPTION OF IN-KIND PAYMENT	PURPOSE	DESCRIBE THE LEGISLATIVE, GOVERNMENTAL, CHARITABLE PURPOSE, OR EVENT:
<b>6/24/xx</b>	<b>\$5,000</b>	<input checked="" type="checkbox"/> MONETARY DONATION <input type="checkbox"/> IN-KIND GOODS OR SERVICES		<input type="checkbox"/> LEGISLATIVE <input type="checkbox"/> GOVERNMENTAL <input checked="" type="checkbox"/> CHARITABLE	<b>Charitable fundraiser to support the Boys and Girls Club,</b>
		<input type="checkbox"/> MONETARY DONATION <input type="checkbox"/> IN-KIND GOODS OR SERVICES		<input type="checkbox"/> LEGISLATIVE <input type="checkbox"/> GOVERNMENTAL <input type="checkbox"/> CHARITABLE	

The \_\_\_\_\_ (DATE/AMOUNT) is an estimate and reflects my best efforts at obtaining the accurate information. REASON FOR ESTIMATE:

**5. Amendment Description and/or Comments** (Provide date of original filing or confirmation number in Part 1.)

**6. Verification**

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 6/30/20xx DATE By Manuel Alvarez SIGNATURE

FPPC Form 803 (February/2022)  
advice@fppc.ca.gov

## Legal Defense Committees

The Act permits a local candidate or elected officer to establish a legal defense fund, if the candidate or officer is subject to civil, criminal or administrative proceedings arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officer's governmental duties. Contributions raised for legal defense must be held in a separate account, they may be subject to contribution limits if provided by local ordinance, and they must be fully reported. Any funds raised may only be spent to defray attorneys fees and other related legal costs, as defined in the Act. (See Regulation 18530.45 for additional information.)

A candidate or officeholder may not use any funds to pay or be reimbursed for a penalty, judgement or settlement related to a claim of sexual assault, sexual abuse or sexual harassment filed against the candidate or officeholder in any civil, criminal or administrative proceeding.

A candidate or officeholder may use legal defense committee funds for *other* legal costs and expenses related to claims of sexual assault, sexual abuse or sexual harassment, but if the candidate or officeholder is held liable, the candidate or elected officer must reimburse the legal defense fund for all funds used in connection with those other legal costs and expenses.

“Sexual assault” and “sexual abuse” have the same meaning as provided in Penal Code Section 11165.1. “Sexual Harassment” has the same meaning as found in Government Code Section 12940(j).

## Recall Elections

Under state law, an officeholder who is the subject of a recall may use an existing committee (set up for the office they currently hold) to receive contributions and make expenditures to oppose the qualification of the recall measure, and if the recall petition qualifies, the recall election.

An alternative option is to form a separate recall committee. A recall committee may be established once the officeholder receives a notice of intent to recall under Elections Code Section 11201. The committee must set up a separate bank account at a financial institution in California, file a Statement of Organization (Form 410), and, in addition to the officeholder's name, must include the word "recall" in the name of the committee. See Campaign Disclosure Manual 3 as a recall committee is considered a ballot measure committee. (FPPC Regulation 18531.5 contains specific guidance on recall elections.)

## **B. Defeated Candidates**

### **Form 470 Filers**

Following the election, a defeated candidate who filed the Form 470 (Officeholder and Candidate Campaign Statement – Short Form) has no further reporting obligations so long as less than \$2,000 was raised or spent during the calendar year.

### **Form 460 Filers**

Following the election, a defeated candidate must continue to file the Form 460 on a semi-annual basis and pay the annual committee fee as long as the committee remains open. In addition, other special reports may be required.

There is no deadline for terminating the committee or disposing of leftover funds; however, if there are leftover funds and the candidate wants to use the funds for a future election, the funds must be redesignated or transferred as discussed below. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit should check with the local jurisdiction to determine if there is a local ordinance that imposes additional provisions regarding terminating the committee.)

A defeated candidate in a city or county that has not enacted contribution limits, with no net debts outstanding must terminate their candidate controlled committee no later than 24 months after the candidate is defeated.

## C. Candidates Using Leftover Campaign Funds for a Future Election

A local candidate or officeholder may use leftover campaign funds for a future election so long as the funds are not considered “surplus funds” and the requirements below are met. **Campaign funds become surplus on the 90th day after the closing date for the postelection reporting period or upon the 90th day after the date of leaving office, whichever occurs last.** Surplus campaign funds are subject to restrictions, as described in Chapter 5, and may not be used for a future election.

**Ex 12.2** - John Davis lost the city council election in November. John has \$3,500 remaining in the campaign bank account and is considering seeking another city council position in two years. In order to use the remaining \$3,500 for the future election, John must file a new Form 501 (Candidate Intention Statement) and redesignate the bank account to a future election by amending the Form 410 (Statement of Organization) to indicate the new office sought and year of election. This must be done within 90 days after the end of the postelection reporting period for the November election.

**QUICK TIP:** Candidates should also check with the city or county to determine if there are local restrictions for redesignating or transferring campaign funds.

### Running for the Same Office

To use money remaining in the campaign bank account for a future election to the **same office** before the funds become surplus, a local candidate **not subject to AB 571** may redesignate their committee and campaign bank account by:

- Filing a **new Form 501 (Candidate Intention Statement)** for the specific future election; and,
- Filing an **amended Form 410 (Statement of Organization)** to reflect the redesignation for the future election.

**QUICK TIP:** Candidates should check with the local jurisdiction to determine if there is a local ordinance with separate redesignation requirements.

## Running for a Different Office

To use money remaining in the campaign bank account for a future election to a different office before the funds become surplus, a local candidate must:

- File a **new Form 501 (Candidate Intention Statement)** for the specific future election;
- File a **new Form 410 (Statement of Organization)**; and,
- Open a **new bank account**. So long as the funds are not surplus and there are no local restrictions, the campaign funds from the other account may be transferred to the new bank account.

**Ex 12.3** - Jayna Chacon is a city council member who plans to run for county supervisor in the next election. Jayna would like to use the remaining funds in the city council committee bank account for the county election. Jayna must file a new Form 501 before soliciting or receiving contributions for the county supervisor election. Jayna must also file a new Form 410 and open a new bank account. The city council committee campaign funds must be transferred to the county supervisor campaign bank account within 90 days after the date Jayna leaves the city council position.

## D. Primarily Formed Committees

Generally, a committee established primarily to support or oppose a particular candidate(s) will terminate after the election, but the committee may remain open to:

- Raise funds to pay debts.
- Support or oppose other candidates or measures. The committee will need to amend its Statement of Organization (Form 410) to reflect the change.

A primarily formed committee must continue to file semi-annual campaign statements (i.e., Form 460 or Form 450) and pay the annual committee fee as long as the committee remains open.

**Ex 12.4** - After the election, the committee primarily formed to support candidate Jones decides to support candidate Lopez in the next election. In order to do so, the committee must file an amended Form 410 (Statement of Organization) and will continue to file campaign statements.

## E. Terminating the Committee

There is no deadline for terminating a committee controlled by a local candidate or officeholder in a city or county that has enacted contribution limits unless the controlling candidate/officeholder becomes a state officeholder. In that case, the candidate should refer to Campaign Disclosure Manual 1 for State Candidates for the termination requirements. (Note: Candidates for a city or county office in a jurisdiction that has enacted a local contribution limit should check with the local jurisdiction to determine if there is a local ordinance that imposes additional provisions regarding terminating the committee.)

However, a candidate in a city or county that has not enacted contribution limits must terminate their candidate controlled committee no later than 24 months after the earliest:

- The date the candidate is defeated;
- Leaves office;
- The term of office for which the committee was formed ends; or
- For withdrawn candidates, no later than 24 months after the election from which the candidate withdrew.

**Ex 12.5** - Blake Thomas is currently a city councilmember (elected in 2019) in a jurisdiction subject to AB 571. Blake runs and is reelected to that seat on November 7, 2023. Blake must terminate the candidate controlled city council committee from 2019 by no later than the term of office for which the committee was formed ends in 2023.

A primarily formed committee also does not have a deadline to terminate. However, the committee, by its nature, may need to change its committee status if it remains open after the election. A committee that remains open must continue to file semi-annual campaign statements (i.e., Form 460 or Form 450) and pay the annual fee, as described in Chapter 1, until it terminates. There are specific requirements that must be met in order for a committee to terminate.

**A committee may terminate only if the committee:**

- Has ceased receiving contributions or making expenditures and does not anticipate receiving contributions or making expenditures in the future;
- Has no remaining campaign funds;
- Has filed all required campaign statements, disclosing all reportable transactions, including the disposition of leftover funds; and
- Has eliminated all debts, or has no intention or ability to discharge debts.

A committee must file a Form 410 and a final Form 460 or Form 450. On the Form 410, the “Termination” box must be checked. List the committee’s identification number and the date of termination; the date of termination generally is the date all funds have been expended. Complete Section 1 and the treasurer or assistant treasurer must sign the verification. For candidate controlled committees, the controlling officeholder(s)/candidate(s) also must sign the verification.

**Ex 12.6** - At the end of November, after winning the election, Arlene decides to terminate the committee. To do so, Arlene must file a Form 410 termination and a Form 460 termination showing that the committee has no remaining cash. On the Form 460 Cover Page, Type of Statement section, Arlene will mark both the termination and semi-annual boxes and enter December 31 as the closing date of the statement. Unless there is additional activity, Arlene is not required to file a semi-annual statement on January 31, and may file Form 470 by July 31 of the next year.

Form 450 or 460 also must be filed showing that all funds have been expended and the committee has no cash on hand. Check the “Termination” box on the cover page.

File the original Form 410 with the Secretary of State and a copy with the committee’s local filing officer who receives the committee’s original campaign statements. File the Form 450 or 460 in the committee’s regular filing locations.



## F. Receiving a Refund After the Committee Has Terminated

Generally, once a committee has terminated, no transactions may be made by the committee. However, a candidate controlled committee that has terminated may accept a refund from a governmental entity (such as an overpayment of filing fees) without reopening. A committee may also accept a refund from a vendor or other person without reopening if the committee did not know of its entitlement to the refund prior to termination and the refund or refunds total no more than \$10,000.

To report this type of refund, the terminated committee must file a Form 460 for the period in which the refund was received and report the refund as a miscellaneous increase to cash on Schedule I of the Form 460 and as an expenditure on Schedule E when the funds are spent. See Chapter 5 for the permissible uses of campaign funds. For the rules related to transferring the refund to another committee, see Regulation 18404.1.

**Ex 12.7** - A candidate was defeated in a November election and closed their campaign committee in December. In February of the following year, they received a \$1,500 refund from the county elections office for an overpayment of their filing fees. The candidate must disclose receipt of the refund on Schedule I of the Form 460. The refund must be used for a permissible expenditure as described in Chapter 5, such as to pay outstanding debts or to make a donation to a charity, and disclosed on Schedule E. If the candidate used personal funds to pay the filing fee, they may keep the refund without disclosing it on the Form 460.

## Answering Your Questions

### **A. Must I file the Form 470 even if I waive my \$200 per month salary as a school board member?**

Yes. The exception for unpaid officeholders (less than \$200 per month) does not apply when an officeholder waives their salary.

### **B. May I terminate my committee even if I have outstanding debt?**

Yes. When you file your termination statement showing outstanding debt, you are declaring that you do not have the ability to discharge debts, loans, or other obligations. However, if you plan to raise additional funds, or pay the outstanding debt with personal funds, you may not terminate.

### **C. After terminating my committee, I received a refund from the city clerk for an overpayment of my filing fees. How do I report this?**

If you used campaign funds to pay for the filing fees, you must file a Form 460 to report the refund as a miscellaneous increase to cash (on Schedule I). You must also report the expenditure of the funds on Schedule E. See Chapter 5 for the permissible uses of campaign funds.

If you used personal funds to pay for the filing fees, you may keep the refund and you are not required to report it on a campaign statement.

**D. A nonprofit group paid for a survey they conducted and published. The group is claiming that my committee owes them for part of the costs of the survey, but my position is that, since they conducted the survey without my authorization, my committee does not owe them for the survey. The group has indicated that it may seek a small claims court judgment. I would like to close my committee, but should the committee remain open until the issue is resolved?**

One of the requirements that must be met in order for a committee to terminate is for the treasurer to state, under penalty of perjury, that the committee has eliminated all debts or has declared that it has no intention or ability to discharge all of its debts, loans received, and other obligations.

If your treasurer does not want to declare that the committee has no intention or ability to discharge all of its debts, loans received, and other obligations, we recommend that the committee remain open until the issue is resolved.

**E. Assemblymember Higuera's photo, name and office appears in a Paws & Claws charitable fundraising event invitation, but neither the official nor their staff consented to the use of their photo or otherwise cooperated in the event invitation. Must Assemblymember Higuera file a Form 803 for resulting payments?**

No. Where the solicitation is sent without the official or the official's agent cooperation or consent, or any other actions (coordination, direction, suggestion, etc.) that satisfy "making a behest," there is no duty for the official to report the payments on Form 803 related to their appearance in the event invitation.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the information in this chapter:

### Government Code Sections

82004.5	Behested Payment.
82041.3	Made at the Behest of.
82015	Contribution.
84103	Statement of Organization; Amendment.
84200	Semi-Annual Statements.
84206	Candidates Who Receive or Spend Less than \$2,000.
84214	Termination.
84224	Behested Payment Disclosure.
85200	Statement of Intention to be a Candidate.
85201	Campaign Bank Account.
85304.5	Legal Defense Fund; Local Candidates and Elected Officeholders.
89519	Use of Surplus Campaign Funds.

### Title 2 Regulations

18215	Contribution.
18402	Committee Names.
18404	Termination of Candidate's and Committees' Filing Requirements.
18404.1	Termination and Reopening of Committees.
18406	Short Form for Candidates or Officeholders Who Receive and Spend Less than \$2,000 in a Calendar Year.
18424	Behested Payment Reporting. Additional Information.
18424.1	Behested Payment Reporting. Good Faith Estimate.
18424.2	Behested Payment Reporting. Charitable Organization Fundraising Solicitations.
18424.3	Behested Payment Reporting. Payments from Donor Advised Funds.
18426	Semi-Annual Statement Early Filing.
18530.45	Legal Defense Funds – Local Candidates and Officers.
18531.5	Recall Elections.
18951	Surplus Funds.

# APPENDIX – ABOUT THE POLITICAL REFORM ACT/ HOW TO GET HELP

## The Political Reform Act of 1974

The Political Reform Act (the “Act”) was a voter-approved initiative on the 1974 primary election ballot. One of the major provisions of the Act requires the truthful and accurate disclosure of campaign contributions and expenditures during elections.

## The Fair Political Practices Commission

The Fair Political Practices Commission (FPPC) is the independent, nonpartisan state agency authorized to implement, interpret, and enforce the provisions of the Act. The Commission is comprised of a full-time chair appointed by the Governor, and four part-time commissioners, one each appointed by the Controller, the Attorney General, the Secretary of State, and the Governor. Each member serves a four-year term and no more than three members may be from the same political party. FPPC staff is comprised of four divisions: Executive, Administration and Technology, Enforcement, and Legal.

## Governing Statutes

The Political Reform Act is contained in Government Code Sections 81000 – 91014.

## Regulations

Regulations interpreting the Political Reform Act are located at Title 2, Division 6 of the California Code of Regulations, beginning at Section 18110.

## Opinions and Advice Letters

The FPPC periodically issues opinions interpreting provisions of the Political Reform Act. The opinions are adopted at a public meeting, with opportunity for input from interested persons.

In addition, FPPC staff issues written advice letters as to the applicability of the Political Reform Act and regulations to a particular factual situation. Refer to the information on requesting written advice from the FPPC available on the FPPC website.

## Contact Information for the FPPC

Fair Political Practices Commission  
1102 Q Street, Suite 3050  
Sacramento, CA 95811

(916) 322-5660  
(866) 275-3772 – Toll-free  
[www.fppc.ca.gov](http://www.fppc.ca.gov)

Twitter: @CA\_FPPC

Facebook: CA FPPC

## FPPC Website

Visit the FPPC website ([www.fppc.ca.gov](http://www.fppc.ca.gov)) to get copies of specific advice letters, sign up for RSS feeds, or to be put on mailing lists. The Commission's website also contains a wealth of helpful information, including:

- The Political Reform Act and its corresponding regulations
- Commission opinions
- Notices of Commission meeting dates, agendas, supporting documentation for agenda items, and meeting summaries
- Forms required by the Act (also available at the FPPC's offices, the Secretary of State's offices, and many local clerks' offices)
- Manuals, fact sheets, and useful summaries of the law
- Schedules of upcoming training opportunities.

## Additional Campaign Manuals

Additional copies of this manual, and manuals for other types of campaign committees are available from the FPPC, the Secretary of State, and many city clerks and county elections offices. Manuals are available for:

- State candidates and officeholders, and committees primarily formed to support/oppose state candidates
- General purpose recipient committees (including PACs, sponsored committees, political party committees, and county central committees)
- Ballot measure committees
- Major donor and independent expenditure committees
- Slate mailer organizations

## Obtaining Information Elsewhere

A subscription for regulations is available from:

Barclay's Law Publishing  
P.O. Box 3066  
South San Francisco, CA 94083  
(800) 888-3600

Opinions and advice letters are available from these subscription services:

Westlaw (800) 328-9352  
Database: "CA-ETH"  
(Advice letters from 1986 to present)

Lexis-Nexis (800) 227-9597  
Database: "CA Fair Political Practices Commission"  
(Advice letters from 1990 to present)

## Other Resources

The Secretary of State, city clerks, and county clerks or registrars of voters are the filing officers for campaign disclosure statements. Committee statements will be filed with the Secretary of State or the local elections office, depending on whether the filer is a state or local candidate or committee.

### Secretary of State

The Secretary of State is also responsible for issuing campaign committee identification numbers.

(916) 653-6224  
[www.sos.ca.gov](http://www.sos.ca.gov)

### Federal Election Commission

The Federal Election Commission answers questions regarding federal elections and contributions to all candidates from national banks, national corporations, and foreign nationals.

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
(800) 424-9530  
[www.fec.gov](http://www.fec.gov)

### Franchise Tax Board

The California Franchise Tax Board is responsible for responding to questions regarding tax status, tax-deductibility of political contributions, 501(c)(3) groups, audits, or any tax-related questions.

(800) 852-5711 or (800) 338-0505  
[www.ftb.ca.gov](http://www.ftb.ca.gov)



## **Internal Revenue Service**

The Internal Revenue Service provides assistance regarding federal tax laws and obtaining a taxpayer identification number.

(877) 829-5500 (located in Washington, D.C.)

(800) 829-3676 (taxpayer ID number)

[www.irs.gov](http://www.irs.gov)

## **Federal Communications Commission**

The Federal Communications Commission answers questions regarding rates for purchasing broadcast time and equal access to broadcast media.

(888) 225-5322 (located in Washington, D.C.)

[www.fcc.gov](http://www.fcc.gov)

Email: [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov)

## **Local Campaign Ordinances**

A city or county officeholder, candidate, or committee may be subject to additional reporting or other requirements under a local campaign ordinance. Common examples include the requirement to file campaign statements electronically, local contribution limits, lower itemization thresholds, or the requirement to file an additional preelection statement. A city or county campaign ordinance may never preempt state law.

## **Privacy Information Notice**

Information required on all FPPC forms is used by the FPPC to administer and enforce the Political Reform Act (Government Code sections 81000 – 91014 and California Code of Regulations sections 18110 – 18997). All information required by these forms is mandated by the Political Reform Act. Failure to provide all of the information required by the Act is a violation subject to administrative, criminal or civil prosecution. All reports and statements provided are public records open for public inspection and reproduction.

If you have any questions regarding this Privacy Notice, please contact the FPPC at:

General Counsel  
1102 Q Street, Suite 3050  
Sacramento, CA 95811  
(916) 322-5660

Campaign statements are filed with the Secretary of State and city and county filing officers, depending upon the type of committee. (See Chapter 9.)

## **Enforcement**

The Fair Political Practices Commission, the Attorney General, county district attorneys, and elected city attorneys of charter cities have enforcement authority under the Act. Failure to provide all or any part of the information required by the Political Reform Act is a violation subject to:

- An administrative enforcement proceeding before the Fair Political Practices Commission;
- A criminal misdemeanor proceeding;
- A civil action; and
- Levying of late penalties by filing officers.

Penalties of up to \$5,000 per violation of the Political Reform Act may be imposed.

# FPPC FORMS

**Form 410** - Statement of Organization

**Form 460** - Recipient Committee  
Campaign Statement

**Form 470** - Officeholder/Candidate  
Campaign Statement

**Form 501** - Candidate Intention Statement

Visit [www.fppc.ca.gov](http://www.fppc.ca.gov) for fillable forms

## Fair Political Practices Commission

### Filing Schedule for State Candidates and their Controlled Committees Listed on the November 5, 2024 Ballot

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>July 31, 2024</b> <i>Semi-Annual</i>	* – 6/30/24	<a href="#">460</a> or <a href="#">470</a>	<ul style="list-style-type: none"> <li>Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
<b>Within 10 Business Days</b> <i>\$5,000 Report</i>	<b>Ongoing –</b> <i>File anytime other than the 90-day election cycle</i>	<a href="#">497</a>	<p><b>Only E-filers file this report:</b></p> <ul style="list-style-type: none"> <li>File if a contribution of \$5,000 or more is received from a single source.</li> <li>No paper copy is required.</li> <li>File within 10 business days of receipt of contribution.</li> </ul>
<b>Within 24 Hours</b> <i>Election Cycle Reports</i>	<b>8/7/24 – 11/5/24</b>	<a href="#">497</a>	<ul style="list-style-type: none"> <li>File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1,000 or more in the aggregate is made to or in connection with a candidate or ballot measure listed on the November 5, 2024, ballot, or made to a political party committee.</li> <li>The recipient of a non-monetary contribution of \$1,000 or more in the aggregate must file a Form 497 within 48 hours from the time the non-monetary contribution is received.</li> <li>E-file only. No paper copy is required.</li> </ul>
<b>Sep 26, 2024</b> <i>1<sup>st</sup> Pre-Election</i>	<b>7/1/24 – 9/21/24</b>	<a href="#">460</a> or <a href="#">470</a>	<ul style="list-style-type: none"> <li>Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
<b>Oct 24, 2024</b> <i>2<sup>nd</sup> Pre-Election</i>	<b>9/22/24 – 10/19/24</b>	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this statement.</li> <li>Paper copies must be filed by personal delivery, guaranteed overnight service, or by email with a verified digital signature.</li> </ul>
<b>Jan 31, 2025</b> <i>Semi-Annual</i>	<b>10/20/24 – 12/31/24</b>	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file Form 460 unless the committee files termination Forms 410 and 460 before December 31, 2024.</li> </ul>

**See next pages for additional reporting information.**

# Fair Political Practices Commission

## Additional Reports

Depending on committee activity, one or more of the following statements may also be required:

- **Payments Related to a State Ballot Measure (E-filers Only):** File Form 496 (24-Hour/10-Day Independent Expenditure Report) or Form 497 (24-Hour/10-Day Contribution Report) within 10 business days of making payments totaling \$5,000 or more in connection with a single state ballot measure.
- **Form 511:** File within 10 days of making either of the following expenditures related to an advertisement to support or oppose a ballot measure: 1) a payment totaling \$5,000 or more to an individual to appear in an advertisement, or 2) a payment of any amount to an individual portraying a member of a licensed occupation (e.g., nurse, doctor, firefighter). **E-filers must also file a paper copy.**\*\*
- **Form E-530:** File within 48 hours of making a payment, or a promise of a payment, of \$50,000 or more during the 45 days prior to an election for a communication that identifies a state candidate listed on the ballot but does not expressly advocate the election or defeat of the candidate. No paper copy is required.

### Additional Notes:

- **\*Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **\*\*Paper Filings:** All paper filings *may* be filed by first-class mail or by email with a verified digital signature unless otherwise noted. Persons required to file a report or statement by paper with the Secretary of State's Office *may* instead file by email ([digitalfiling@sos.ca.gov](mailto:digitalfiling@sos.ca.gov)) with a verified digital signature or other digital means as prescribed by the Secretary of State's Office. Please visit the Secretary of State's [website](#) for more information on how to file with a digital signature. Refer to the [filing with a digital signature fact sheet](#) for assistance in creating your digital ID.
- **Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 24-Hour/10-Day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-Hour/10-Day Independent Expenditure Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.
- **Where to File:** State committees that are e-filers, file reports with the Secretary of State. Candidate controlled committees that are not e-filers file paper copies with the elections' official at the candidate's county of domicile.
- **Form 501:** All state candidates must file Form 501 before soliciting or receiving any contributions or before making expenditures from personal funds. A candidate may, until the deadline for filing nomination papers set forth in Section 8020 of the Elections Code, amend Form 501 to change his/her statement of acceptance or rejection of voluntary expenditure limits provides he or she has not exceeded the limits.
- **E-filer:** A state committees that has received contributions or made expenditures totaling \$25,000 or more.
- **Form 460:** All state committees, including e-filers, must also file paper statements.\*\*
- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2024 and do not have an open committee may file Form 470 on or before September 26, 2024. If the candidate raises or spends \$2,000 or more later during the calendar year, a campaign committee must be opened, and a Form 470 Supplement and a Form 410 must be filed.
- **Forms 496 and 497:** All reports filed online only.

# California Fair Political Practices Commission

## Committee Naming Requirements

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### Introduction

The Political Reform Act (the “Act”) has various naming requirements for committees based upon a variety of factors, including whether there is a controlling candidate/officeholder, whether the committee is general purpose or primarily formed, and whether the committee is sponsored. **A committee type can change over time depending upon the activity of the committee, which may require a committee to update its name accordingly.** This fact sheet provides a brief description of relevant committee types and a broad overview of the rules applicable to committee names, as well as examples of each.

### Committee Types

**Controlled.** A “controlled committee” is one controlled directly or indirectly by a candidate or officeholder.<sup>1</sup> Controlled committees must include the candidate’s last name and other information depending upon the type of committee as addressed in the examples below.

**General Purpose and Primarily Formed.** A general purpose committee<sup>2</sup> raises funds and makes expenditures to support a variety of candidates or measures; while a primarily formed committee<sup>3</sup> exists to primarily support or oppose one candidate, measure, or groups of candidates or measures being voted on at the same election. Committees must periodically review their activity in order to determine whether they qualify as general purpose or primarily formed.<sup>4</sup>

**Sponsored.** A committee that is operated by, or that receives all or most of its funding from, a single source may qualify as a sponsored committee.<sup>5</sup> Names of sponsored committees must include a reference to the sponsor, or sponsors, in the name of the committee.<sup>6</sup>

**Major Donor.** A person or entity that does not receive contributions, but makes contributions totaling \$10,000 or more in a calendar year qualifies as a major donor committee.<sup>7</sup>

**Independent Expenditure.** A person or entity that does not receive contributions, but makes independent expenditures totaling \$1,000 or more in a calendar year qualifies as an independent expenditure committee.<sup>8</sup>

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**Note: Most political advertisements require disclosure of the name of the committee paying for the communication. In addition to the name of the committee, some committees must also identify major funders on an advertisement. Please reference the [Political Advertisement Disclosures](#) Fact Sheet for and [Advertisement Disclosure Charts](#) for further guidance.**

## Naming Requirements

### Controlled Committees

Candidate Campaign Committee – Include the candidate’s last name, office sought, and year of election.<sup>9</sup>

*Example:* Greer for Senate 2022<sup>10</sup>

State Candidate Controlled Ballot Measure Committee – A candidate controlled general purpose ballot measure committee must include last name of candidate and expressly indicate it is a ballot measure committee. A primarily formed committee must include the last name of the candidate and reference to the measure or proposition supported or opposed.<sup>11</sup>

*Examples:*

- *General Purpose:* Education Performance, a ballot measure committee controlled by Senator White
- *Primarily Formed:* Assembly Member Chiu’s Ballot Measure Committee to Support Proposition 115<sup>12</sup>

Local Candidate Controlled Ballot Measure Committee – Include the last name of the candidate. Check local code for any additional local requirements.

Legal Defense Funds<sup>13</sup> – A committee controlled by a candidate that raises funds to help defray costs from specified legal proceedings must include the candidate’s last name and the words “Legal Defense Fund”<sup>14</sup>

*Example:*<sup>15</sup> Jones Legal Defense Fund

Officeholder Committee – A controlled committee established to pay for expenses associated with holding the office to which the officeholder was elected.

- State Officeholder<sup>16</sup> – Include the state officeholder’s last name, the office held, the year the officeholder was elected to the current term of office, and the words “Officeholder Account.”<sup>17</sup>

*Example:* Anderson Assembly 2020 Officeholder Account

- Local Officeholder – Include the last name of the officeholder. Check local code for any additional local requirements.

Recall Committee – Include the name of the officeholder subject to the recall and the word “recall.”<sup>18</sup>

*Example:* Brown Recall Committee

## **Ballot Measure Committees**

Primarily Formed Committee – Include the numerical or letter designation and whether the committee is in support or opposition.<sup>19</sup>

*Examples:*<sup>20</sup>

- No on Proposition 8
- Committee in Support of Measures A and B

Sponsored Committees – Include the full name of the sponsor in the name of the committee. If the committee has more than one sponsor and the sponsors are members of an industry or other identifiable group, include a term identifying that industry or group.<sup>21</sup>

*Examples:*<sup>22</sup>

- A Committee in Support of Measure A, Sponsored by the Pasadena Firefighters, Local 1210
- Citizens against Proposition 10, Sponsored by California Health Insurers

Recall Committees<sup>23</sup> – Recall committees are considered ballot measure committees and must include the name of the elected officer who is the target of the recall and whether the committee is in support or opposition.<sup>24</sup>

*Example:* Citizens Opposed to the Brown Recall

## **Primarily Formed Committees**

Primarily Formed Committee Supporting or Opposing a Candidate or Candidates – A committee whose primary purpose is to support or oppose a candidate or group of candidates must include the last name or names of the candidates, the office sought, year of election, and whether in support or opposition.

*Examples:*

- Committee to Support Doe for Senate 2022
- Friends of Abe, Bee and Castro for Rancho School Board 2024

Sponsored Committees - Include the full name of the sponsor in the name of the committee. If the committee has more than one sponsor and the sponsors are members of an industry or other identifiable group, include a term identifying that industry or group.

*Examples:*

- Committee to Support Doe for Senate 2022, sponsored by Almond Growers and Processors
- Friends of Abe, Bee and Castro for Rancho School Board 2024, Sponsored by ABC, Corp.



Primarily Formed Committee Supporting or Opposing a Ballot Measure – See naming requirements for *Ballot Measure Committees* above.

### **Major Donor and Independent Expenditure Committees**

Include the legal name of the individual or entity qualifying as a major donor or independent expenditure committee. If the person is commonly known to the public by another name, that name may be used. When a person directs and controls the making of contributions and/or independent expenditures by a related entity (e.g., a subsidiary or a majority shareholder of a corporation) that must be aggregated and reported, include the name of the individual or entity that directs and controls the making of the contributions, and indicate the contributions or independent expenditures of other entities. If the name of the committee listed on a previous report filed for the current calendar year changes during the year, list both names.<sup>25</sup>

*Examples:*<sup>26</sup>

- New Ventures, Inc.
- Feather River Tribal Council/Bear Mountain Casino
- ABC Corporation, including aggregated contributions/independent expenditures
- Tim Lewis, formerly identified as Lewis Construction

\*A summary of committee naming requirements can also be found on page 3 of the [Instructions for Statement of Organization, Form 410](#); and page 4 of the [Instructions for Major Donor and Independent Expenditure Committee Campaign Statement, Form 461](#).

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<sup>1</sup> Section [82016](#).

<sup>2</sup> Section [82027.5](#).

<sup>3</sup> Section. [82047.5](#).

<sup>4</sup> Regulations [18227.5](#); [18247.5](#).

<sup>5</sup> See Section [82048.7](#) for the complete definition of “sponsored committee.”

<sup>6</sup> Section [82048.7](#); Regulation [18419](#).

<sup>7</sup> Section [82013\(c\)](#).

<sup>8</sup> Section [82013\(b\)](#).

<sup>9</sup> Regulation [18402\(c\)](#).

<sup>10</sup> See [Manual 1](#) – State Candidates (pg. 2.8); and [Manual 2](#) – Local Candidates (pg. 1.25).

<sup>11</sup> Regulation [18521.5](#).

<sup>12</sup> See [Manual 3](#) – Ballot Measures (pgs. 1.11 – 1.14).

<sup>13</sup> Sections [85304](#); [85304.5](#).

<sup>14</sup> Regulations [18530.4\(b\)](#); [18530.45\(c\)](#).

<sup>15</sup> See [Manual 4](#) – General Purpose Committees (pg. 5.11).

<sup>16</sup> Section [85316](#).

<sup>17</sup> Regulation [18531.62\(c\)\(2\)](#).

<sup>18</sup> Regulation [18531.5\(c\)\(1\)](#); see also [Manual 1](#) – State Candidates (pgs. 1.16, 1.17); and [Manual 2](#) – Local Candidates (pgs. 1.25, 1.29).

<sup>19</sup> Section [84107](#).

<sup>20</sup> See [Manual 3](#) – Ballot Measure Committees (pgs. 1.11 – 1.14).

<sup>21</sup> Section [84102\(a\)](#); Regulation [18419](#).

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<sup>22</sup> See [Manual 3](#) – Ballot Measure Committees (Pgs. 1.11 – 1.14).

<sup>23</sup> Non-candidate controlled recall committees are considered primarily formed ballot measure committees. ([Manual 3](#), pgs. 1.2, 1.11, 1.12, 1.19).

<sup>24</sup> Regulation [18531.5\(c\)\(3\)](#).

<sup>25</sup> See [Manual 5](#) – Major Donor Committees (pgs. 1.3, 1.4, 2.4, 4.13, 4.16); and [Manual 6](#) – Independent Expenditure Committees (pg. 3.11).

<sup>26</sup> See [Manual 5](#) – Major Donor Committees (pgs. Intro – 3, 4.13); and [Manual 6](#) – Independent Expenditure Committees (pg. 3.11).

## Fair Political Practices Commission

- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
  - **Form 496:** This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.
  - **Form 462:** This verification form must be e-mailed to the FPPC within 10 days.
- **Multiple Committees:** All committees controlled by a state candidate listed on the June ballot must file statements on the pre-election filing deadlines, in addition to the committee formed for this election. For example, a candidate for Senate listed on the November 5, 2024, ballot who maintains an Assembly officeholder committee must file pre-election statements for both committees even if the Assembly committee has not received or made payments.
- **State Contribution Limits:** Refer to the [contribution limits chart](#) on the FPPC website.
- **Penalties:** Late statements and reports are subject to a fine of \$10 per day on both the paper and the e-filed version (i.e., \$20 per day for a late Form 460). Failure to file a statement or report could result in an enforcement penalty of \$5,000 per violation.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 1](#) for additional information.
- **Public Documents:** All statements and reports are public documents.
- **Resources:** Campaign manuals and other instructional materials are available on the [Campaign Rules](#) page. Or, visit [www.fppc.ca.gov](http://www.fppc.ca.gov) > Learn > Campaign Rules.

**The Form 460 is for use by all recipient committees, including:**

**Candidates, Officeholders and Their Controlled Committees**

- A candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend \$2,000 or more during a calendar year in connection with election to office or holding office. The Form 460 is also required if \$2,000 or more will be raised or spent during the calendar year at the behest of the officeholder or candidate.

**Primarily Formed Ballot Measure Committees**

- A person, entity, or organization that receives contributions totaling \$2,000 or more during a calendar year for the primary purpose of supporting or opposing the qualification, passage, or defeat of a single ballot measure or two or more measures being voted on in the same city, county, multi-county or state election.

**Primarily Formed Candidate/Officeholder Committees**

- A person, entity, or organization that receives contributions totaling \$2,000 or more during a calendar year to support or oppose a single candidate or officeholder, or two or more candidates or officeholders who are being voted upon in the same city, county, or multi-county election. This type of committee is not controlled by the candidate(s) or officeholder(s).

**General Purpose Committees**

- A person, entity, or organization that receives contributions totaling \$2,000 or more during a calendar year to support or oppose various candidates and measures (e.g., political parties, political action committees).

Non-controlled committees that do not receive contributions, loans, or miscellaneous receipts totaling \$100 or more from a single source during a calendar year may use Form 450 – Recipient Committee Campaign Statement – Short Form.

**Note:** Refer to the Statement of Organization, Form 410, for guidance to determine the type of committee.

**Use the Form 460 to file any of the following:**

- Preelection Statement
- Semi-annual Statement
- Quarterly Statement
- Special Odd-Year Report
- Termination Statement
- Amendment to a previously filed statement

**Note:** Mark the preelection statement box if a committee files a monthly report in connection with a LAFCO proposal.

See reverse for general guidance on where to file this form.

**Contribution Limits:** Candidates for elective state office are subject to state contribution limits. Contributions received by committees for the purpose of making contributions to candidates for elective state office are also subject to limits. A chart identifying the limits is located at [www.fppc.ca.gov](http://www.fppc.ca.gov). In addition, local candidates may be subject to contribution limits imposed by local ordinance. Questions concerning local limits should be addressed to election officials in the local jurisdiction.

This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements and the Information Practices Act of 1977, see the FPPC Campaign Disclosure Manual for your type of committee (available from your filing officer or the FPPC). Campaign filing deadlines, forms, and other informational materials are available on the FPPC website ([www.fppc.ca.gov](http://www.fppc.ca.gov)).

# Instructions for Recipient Committee Campaign Statement

## Where to File:

In general, state committees file with the Secretary of State and local committees file with the filing officer of the local jurisdiction.

### State Committees:

State committees include state candidates and officeholders, all judicial candidates and judges, committees that support or oppose state candidates and ballot measures (e.g. PACs, political parties), committees that support or oppose candidates and ballot measure in more than one county and candidates and committees formed for CalPERS or CalSTRS elections.

#### Secretary of State

Political Reform Division  
1500 11th Street, Room 495  
Sacramento, CA 95814  
Phone (916) 653-6224  
Fax (916) 653-5045  
[www.sos.ca.gov](http://www.sos.ca.gov)

### Additional Copies:

- A copy of this form must also be filed with a state candidate's county of domicile's filing officer, if the state candidate committee does not file Form 460 electronically with the Secretary of State.
- A copy of this form must also be filed with a local filing officer if the committee is controlled by a candidate for state elective office and the committee is formed for a local election.
- A copy of this form must also be filed with the relevant CalPERS or CalSTRS office if the committee is a candidate controlled or a primarily formed committee for a CalPERS or CalSTRS election. A candidate seeking a

CalPERS or CalSTRS election is not required to file a copy of the statement with the candidate's county of domicile.

### Local Committees:

- Elected officers and candidates for local agencies that have jurisdiction in two or more counties and committees that support or oppose candidates or local measures being voted on in one of these jurisdictions, file an original and one copy with the election official for the county with the largest number of registered voters in the district and one copy with their county of domicile.
- Elected county officeholders and candidates for county offices, and committees that support or oppose candidates or ballot measures being voted on within a single county, file an original and one copy with the election official for that county.
- Elected city officeholders and candidates for city offices, and committees that support or oppose candidates and ballot measures in a single city, file an original and one copy with the city clerk.

### Fast Facts:

**Paper Copies:** Most committees must file the original and one copy in paper format with the designated filing officer. Most state committees must also file an electronic version. Some local jurisdictions also require electronic submissions.

**Electronic Filing:** State committees must file electronic reports with the Secretary of State if the committee receives contributions or makes expenditures totaling \$25,000 or more.

**General Purpose Committees:** FPPC regulation 18227.5 sets out the procedures for determining whether a committee should file with the state, county or city elections office. In general, such committees file with the Secretary of State unless the committee makes more than 70% of its contributions and expenditures in connection with a city election or county election. The regulation sets out review timelines and exceptions. A committee cannot knowingly file in an incorrect jurisdiction with the intention of avoiding the appropriate legal disclosure to the public. Committees that change jurisdictions file in both jurisdictions until the end of the calendar year.

**LAFCO Proposals:** Committees primarily formed to support or oppose a LAFCO proposal file this form with the county elections office in the county that the proposal may be voted upon. Once a proposal is listed on a ballot, a committee will file as a multi-county, county or city committee.

**Statement of Organization:** A committee must make certain that its Statement of Organization, Form 410, is current and correct. This form includes information such as a candidate's year of election and the name of the committee's principal officers as well as other important information regarding the committee's formation. Information listed on a Form 460 must be the same as that disclosed on the Form 410.

# Recipient Committee Campaign Statement Cover Page

Date Stamp	<b>CALIFORNIA FORM 460</b>
	Page _____ of _____
	For Official Use Only

<b>Statement covers period</b> from _____  through _____	<b>Date of election if applicable:</b> (Month, Day, Year)  _____
---	---

SEE INSTRUCTIONS ON REVERSE

### 1. Type of Recipient Committee: All Committees – Complete Parts 1, 2, 3, and 4.

- |   |  |
|---|--|
| Officeholder, Candidate Controlled Committee<br>State Candidate Election Committee<br>Recall<br><i>(Also Complete Part 5)</i><br><br>General Purpose Committee<br>Sponsored<br>Small Contributor Committee<br>Political Party/Central Committee | Primarily Formed Ballot Measure<br>Committee<br>Controlled<br>Sponsored<br><i>(Also Complete Part 6)</i><br><br>Primarily Formed Candidate/<br>Officeholder Committee<br><i>(Also Complete Part 7)</i> |
|---|--|

### 2. Type of Statement:

- |  |  |
|--|--|
| Preelection Statement<br>Semi-annual Statement<br>Termination Statement<br>(Also file a Form 410 Termination)<br>Amendment (Explain below)<br><br>_____<br>_____ | Quarterly Statement<br>Special Odd-Year Report |
|--|--|

### 3. Committee Information

I.D. NUMBER

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

### Treasurer(s)

NAME OF TREASURER

MAILING ADDRESS

CITY STATE ZIP CODE AREA CODE/PHONE

NAME OF ASSISTANT TREASURER, IF ANY

MAILING ADDRESS

CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

### 4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on \_\_\_\_\_  
Date

By \_\_\_\_\_  
Signature of Treasurer or Assistant Treasurer

Executed on \_\_\_\_\_  
Date

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor

Executed on \_\_\_\_\_  
Date

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent

Executed on \_\_\_\_\_  
Date

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent

# Instructions for Recipient Committee Campaign Statement – Cover Page

CALIFORNIA  
FORM **460**

## Period Covered by a Statement:

The “period covered” by a campaign statement begins the day after the closing date of the last campaign statement filed. For example, if the closing date of the last statement was September 30, the beginning date of the next statement will be October 1.

If this is the committee’s first campaign statement, begin with January 1 of the current calendar year.

The closing date of the statement depends on the type of statement you are filing.

## Date of Election:

If you are filing this statement as a preelection statement in connection with an election, enter the date of the election.

## Type of Recipient Committee:

Check one box to indicate the type of committee filing the statement. General descriptions are provided on the cover sheet to this form, or contact your filing officer or the FPPC for assistance. Following are some additional guidelines:

### Controlled Committee

- A controlled committee is one that is controlled by a candidate, officeholder or, in the case of a state ballot measure committee, by the proponent of the measure. A committee is “controlled” if the candidate, officeholder, or proponent, his or her agent, or any other committee he or she controls, has a significant influence on the actions or decisions of the committee.

## Sponsored Committees

- A sponsored committee is one that has a sponsor—a business entity, organization, union, or other entity—that meets certain criteria. Sponsored ballot measure committees and general purpose committees must include the name of the sponsor in the name of the committee.

## Small Contributor Committees

- This term is significant only if the committee makes contributions to candidates running for elective state office.

## Type of Statement:

Check the appropriate box(es) to indicate the type of statement you are filing (or amending).

**Amendments:** If you are filing an amendment to a previously filed statement, give a brief explanation of the amendment and list the schedules being amended. Include an amended summary page, if applicable. Be sure to enter the period covered of the statement you are amending.

**Termination:** A committee must continue filing campaign statements each year until it is eligible to terminate and files a Form 410 Termination.

Most officeholders must continue filing campaign statements until they have terminated all controlled committees and have left office.

## Committee I.D. Number:

If the committee has not yet received an identification number from the Secretary of State, enter “Not Yet Received.” File Form 410 to obtain an I.D. Number.

## Verification:

The statement must be signed by the committee treasurer or the assistant treasurer named on the committee’s Statement of Organization (Form 410). An officeholder, candidate, or state measure proponent who controls the committee must also sign the statement. If two or three officeholders, candidates, or proponents control the committee, each must sign the statement. If more than three control the committee, one may sign on behalf of the others.

Under certain circumstances, the responsible officer of a sponsoring organization must sign the statement.

## Additional Important Information:

Refer to the FPPC Campaign Disclosure Manual for your type of committee for information about:

- When, where, and what type of statements the committee is required to file.
- Closing date of campaign statements.
- Sponsored committee criteria.
- Termination criteria.
- Recordkeeping requirements and prohibitions.

**Recipient Committee  
Campaign Statement  
Cover Page — Part 2**

**5. Officeholder or Candidate Controlled Committee**

NAME OF OFFICEHOLDER OR CANDIDATE

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)

RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP

**Related Committees Not Included in this Statement:** *List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.*

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? YES NO

COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)  
CITY STATE ZIP CODE AREA CODE/PHONE

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? YES NO

COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)  
CITY STATE ZIP CODE AREA CODE/PHONE

**6. Primarily Formed Ballot Measure Committee**

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	SUPPORT OPPOSE
----------------------	--------------	-------------------

**Identify the controlling officeholder, candidate, or state measure proponent, if any.**

NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT

OFFICE SOUGHT OR HELD	DISTRICT NO. IF ANY
-----------------------	---------------------

**7. Primarily Formed Candidate/Officeholder Committee** *List names of officeholder(s) or candidate(s) for which this committee is primarily formed.*

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	SUPPORT OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	SUPPORT OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	SUPPORT OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	SUPPORT OPPOSE

*Attach continuation sheets if necessary*



# Instructions for Recipient Committee Campaign Statement – Cover Page

CALIFORNIA  
FORM **460**

## Officeholder or Candidate Controlled Committee:

Candidates must have a separate bank account and committee to run for different elective offices. A candidate who is required to file campaign statements in connection with more than one elective office but is only receiving contributions and making expenditures for one of the offices, may include both offices on one Form 460. In Part 5 of the cover page, enter the candidate's name and under "Office Sought or Held," identify each office, and state whether the candidate is seeking or holding the office. The Form 460 must be filed with the appropriate filing officer(s) for each office.

For example, a city councilmember is raising funds to run for the county board of supervisors. She has no committee and is not raising or spending funds in connection with the city office, and has formed a controlled committee for the county office. To comply with the requirements to file campaign statements for both her city office and her county candidacy, she may complete one Form 460 each campaign reporting period, which she will file with the city clerk and the county elections department. In Part 5 of the Form 460 Cover Page, under "Office Sought or Held," she will state that she is holding the office of city councilmember (including the name of the city) and that she is seeking a seat on the board of supervisors (including the name of the county).

## Ballot Measure Committee:

Part 6 of the Form 460 Cover Page must be completed by committees that are primarily formed to support or oppose the qualification or passage of a single ballot measure or two or more measures being voted on in the same city, county, multicounty, or state election. A "general purpose" ballot measure committee (one that supports or opposes a variety of state and/or local ballot measures) is not required to complete Part 6.

# Campaign Disclosure Statement Summary Page

Amounts may be rounded  
to whole dollars.

SUMMARY PAGE

Statement covers period from _____  through _____	<b>CALIFORNIA FORM 460</b>
	Page _____ of _____
I.D. NUMBER _____	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER \_\_\_\_\_

## Contributions Received

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions..... <i>Schedule A, Line 3</i>	\$ _____	\$ _____
2. Loans Received..... <i>Schedule B, Line 3</i>	_____	_____
3. SUBTOTAL CASH CONTRIBUTIONS..... <i>Add Lines 1 + 2</i>	\$ _____	\$ _____
4. Nonmonetary Contributions..... <i>Schedule C, Line 3</i>	_____	_____
5. TOTAL CONTRIBUTIONS RECEIVED..... <i>Add Lines 3 + 4</i>	\$ _____	\$ _____

## Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

	1/1 through 6/30	7/1 to Date
20. Contributions Received	\$ _____	\$ _____
21. Expenditures Made	\$ _____	\$ _____

## Expenditures Made

6. Payments Made..... <i>Schedule E, Line 4</i>	\$ _____	\$ _____
7. Loans Made..... <i>Schedule H, Line 3</i>	_____	_____
8. SUBTOTAL CASH PAYMENTS..... <i>Add Lines 6 + 7</i>	\$ _____	\$ _____
9. Accrued Expenses (Unpaid Bills)..... <i>Schedule F, Line 3</i>	_____	_____
10. Nonmonetary Adjustment..... <i>Schedule C, Line 3</i>	_____	_____
11. TOTAL EXPENDITURES MADE..... <i>Add Lines 8 + 9 + 10</i>	\$ _____	\$ _____

## Expenditure Limit Summary for State Candidates

**22. Cumulative Expenditures Made\***  
(If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy)	Total to Date
____/____/____	\$ _____
____/____/____	\$ _____

## Current Cash Statement

12. Beginning Cash Balance..... <i>Previous Summary Page, Line 16</i>	\$ _____
13. Cash Receipts..... <i>Column A, Line 3 above</i>	_____
14. Miscellaneous Increases to Cash..... <i>Schedule I, Line 4</i>	_____
15. Cash Payments..... <i>Column A, Line 8 above</i>	_____
16. ENDING CASH BALANCE..... <i>Add Lines 12 + 13 + 14, then subtract Line 15</i>	\$ _____

*If this is a termination statement, Line 16 must be zero.*

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

\*Amounts in this section may be different from amounts reported in Column B.

17. LOAN GUARANTEES RECEIVED..... <i>Schedule B, Part 2</i>	\$ _____
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## Cash Equivalents and Outstanding Debts

18. Cash Equivalents..... <i>See instructions on reverse</i>	\$ _____
19. Outstanding Debts..... <i>Add Line 2 + Line 9 in Column B above</i>	\$ _____

# Instructions for Summary Page Campaign Disclosure Statement

The Summary Page provides an overview of the committee's financial activities and is completed for each filing.

**Column A** reflects activities during the current reporting period as reported on Schedules A through H. It is not necessary to attach a blank schedule if there has been no reportable activity during the period, but it is necessary to enter a zero or the word "none" on the appropriate line in Column A of the Summary Page.

**Column B** figures should reflect the cumulative total since January 1 of the current calendar year.\* Add the totals from Column B of the committee's last campaign statement (if any) to the corresponding amounts in Column A. If this is the first report being filed for a calendar year, only carry forward the amounts reported on Lines 2, 7, and 9 of Column B (if any) from the committee's last statement. (Note: The amounts reported on Lines 2, 7, and 9 of Column B should be the same as the total outstanding amounts disclosed in column (d) of Schedules B, F, and H, respectively, of the current report.)

When loans (Schedules B and H) and accrued expenses (Schedule F) are paid, the figures to be carried from the schedules to Lines 2, 7, and 9 of Column A may be negative numbers. In this case, be sure to show them as negative figures on the Summary Page (e.g., with a minus sign (-) or in parentheses), and subtract them when totaling Columns A and B.

\*There are exceptions to the calendar year "cumulation period" for candidate elections and ballot measure elections held in January and early February, and for ballot measure qualification activities. Consult the FPPC Campaign Disclosure Manual for your type of committee for additional information.

## Current Cash Statement:

Lines 12-16 of the Summary Page should accurately reflect your current cash position. Beginning and ending cash balances should include the total amount of funds in your campaign checking and savings accounts, plus any investments that can be readily converted to cash, such as certificates of deposit, money market accounts, stocks and bonds, etc. (Officeholders and candidates are subject to bank account restrictions, and all committees should read the FPPC Campaign Disclosure Manual regarding appropriate uses of campaign funds.)

Line 12 (Beginning Cash Balance) must be the same as the ending cash balance reported on Line 16 of your previous statement's Summary Page. If this is your first campaign statement, enter zero on Line 12.

Line 16 (Ending Cash Balance) is the total of Lines 12, 13, and 14, **minus** Line 15.

**If you are filing a termination statement, Line 16 must be zero.**

## Cash Equivalents:

"Cash equivalents" include investments that cannot be readily converted to cash, as well as the balance due on all outstanding loans the committee has made to others (from Line 7 of Column B of the Summary Page). Investments that can be readily converted to cash, such as certificates of deposit or money market funds, should be included in the cash on hand figures on Lines 12 and 16 of the Summary Page.

## Summary for Primary and General Elections (Lines 20 and 21):

This section is only for committees that are:

- Controlled by a candidate who is being voted on in both the state primary and general elections (does not apply to controlled ballot measure committees); or
- Primarily formed to support or oppose candidates being voted on in both the state primary and general elections.

Complete this summary on the preelection and semi-annual statements for the general election, covering periods during the last six months of the year (July 1 – December 31).

## Expenditure Ceiling Summary for State Candidates (Line 22):

Candidates for elective state office who have accepted the voluntary expenditure ceiling for a particular election must disclose the total amount of expenditures made through the end of the reporting period that are subject to the expenditure ceiling for the election. Report the date of the election and total amount expended for that election. Report totals for the primary and general elections separately. This information is no longer required if the expenditure ceiling has been lifted. (See FPPC Campaign Disclosure Manual 1.)

# Schedule A Monetary Contributions Received

Amounts may be rounded  
to whole dollars.

SCHEDULE A

Statement covers period		<b>CALIFORNIA FORM 460</b>
from _____	through _____	
Page _____ of _____		I.D. NUMBER

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER \_\_\_\_\_

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
		IND COM OTH PTY SCC				
		IND COM OTH PTY SCC				
		IND COM OTH PTY SCC				
		IND COM OTH PTY SCC				
		IND COM OTH PTY SCC				

**SUBTOTAL \$** \_\_\_\_\_

## Schedule A Summary

- Amount received this period – itemized monetary contributions.  
(Include all Schedule A subtotals.) .....\$ \_\_\_\_\_
- Amount received this period – unitemized monetary contributions of less than \$100 .....\$ \_\_\_\_\_
- Total monetary contributions received this period.  
(Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.).....**TOTAL \$** \_\_\_\_\_

\*Contributor Codes  
 IND – Individual  
 COM – Recipient Committee  
       (other than PTY or SCC)  
 OTH – Other (e.g., business entity)  
 PTY – Political Party  
 SCC – Small Contributor Committee

# Instructions for Schedule A Monetary Contributions Received

Report monetary contributions (except loans) received during the reporting period on Schedule A. Also report on Schedule A if a contributor forgives a loan for your committee or a third party pays a loan for your committee. Loans received during the period are reported on Schedule B. Certain transfers between a state candidate's controlled committees are also disclosed on Schedule A. (See FPPC Campaign Disclosure Manual 1.)

If a total of \$100 or more is received from a single contributor during a calendar year, report the name, street address, city, state and zip code of the contributor, the amount contributed this period, and the cumulative amount received from the contributor since January 1 of the current calendar year.\* Include monetary and nonmonetary contributions and loans when reporting the cumulative amount.

Contributions totaling less than \$100 received from a single contributor during a calendar year are reported as a lump sum on Line 2 of the Schedule A Summary.

\*There are exceptions to the calendar year "cumulation period" for candidate elections and ballot measure elections held in January and early February, and for ballot measure qualification activities. (See the FPPC Campaign Disclosure Manuals for candidates and ballot measure committees.)

## Date Received:

A monetary contribution has been received when the candidate or committee, or an agent of the candidate or committee, receives or obtains control of the check or other negotiable instrument. There are special rules for reporting the date contributions are received by a committee that collects contributions through employee payroll deductions

or membership dues and contributions received electronically (e.g., credit card, text).

## Contributor Codes:

For each itemized contributor, check the applicable contributor code:

IND – contributions from any individual's personal funds.

COM – contributions from other committees that receive contributions. These committees will have an identification number assigned by the Secretary of State. Examples: political action committees, other candidates' committees. (State committees should use PTY or SCC when appropriate.)

OTH – business entities and other contributors.

PTY – contributions from political parties (including state and county central committees).

SCC – contributions from small contributor committees (applicable only to state candidates and committees).

## Contributions from Individuals:

When itemizing a contribution from an individual, also disclose the contributor's occupation and the name of his or her employer. If the contributor is self-employed, provide the name of his or her business. If the contributor is not employed, enter "none."

It is not necessary to enter occupation and employer information for other types of contributors (such as business entities).

**Missing Contributor Information:** A contribution of \$100 or more must be returned to the contributor within 60 days if the recipient does not obtain the contributor's address, occupation and employer.

## Contributions from Committees:

When itemizing a contribution from another recipient committee, disclose the identification number assigned to that committee by the Secretary of State in addition to its name and address. If no ID number has been assigned, provide the name and address of that committee's treasurer.

## Intermediaries:

If you receive a contribution through an intermediary (i.e., you have received a contribution check from a person other than the true source of the funds), disclose all of the required information for both the intermediary and the actual contributor.

## Per Election to Date:

Candidates subject to state contribution limits (or if required by local ordinance) must disclose the cumulative amount received from each contributor during the limitation cycle in addition to the calendar year cumulative amount. (Candidates for elective state office should refer to FPPC Campaign Disclosure Manual 1.)

## Additional Important Information:

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about aggregating monetary and nonmonetary contributions, recordkeeping, prohibitions on cash contributions, returning contributions, and more.

**Schedule A (Continuation Sheet)  
Monetary Contributions Received**

Amounts may be rounded  
to whole dollars.

SCHEDULE A (CONT.)

Statement covers period		<b>CALIFORNIA FORM 460</b>
from _____	through _____	
Page _____ of _____		I.D. NUMBER

NAME OF FILER \_\_\_\_\_

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME) OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
		IND COM OTH PTY SCC				
		IND COM OTH PTY SCC				
		IND COM OTH PTY SCC				
		IND COM OTH PTY SCC				
		IND COM OTH PTY SCC				
<b>SUBTOTAL \$</b>						

\*Contributor Codes  
 IND – Individual  
 COM – Recipient Committee  
       (other than PTY or SCC)  
 OTH – Other (e.g., business entity)  
 PTY – Political Party  
 SCC – Small Contributor Committee

# Schedule B – Part 1 Loans Received

Amounts may be rounded  
to whole dollars.

Statement covers period	<b>CALIFORNIA FORM 460</b>
from _____	
through _____	Page _____ of _____

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER \_\_\_\_\_

I.D. NUMBER \_\_\_\_\_

FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	(b) AMOUNT RECEIVED THIS PERIOD	(c) AMOUNT PAID OR FORGIVEN THIS PERIOD*		(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	(e) INTEREST PAID THIS PERIOD	(f) ORIGINAL AMOUNT OF LOAN	(g) CUMULATIVE CONTRIBUTIONS TO DATE
				PAID	FORGIVEN				
† IND COM OTH PTY SCC		\$ _____	\$ _____	\$ _____	\$ _____	DATE DUE _____	_____% RATE	\$ _____	CALENDAR YEAR _____ \$ _____ PER ELECTION** \$ _____
† IND COM OTH PTY SCC		\$ _____	\$ _____	\$ _____	\$ _____	DATE DUE _____	_____% RATE	\$ _____	CALENDAR YEAR _____ \$ _____ PER ELECTION** \$ _____
† IND COM OTH PTY SCC		\$ _____	\$ _____	\$ _____	\$ _____	DATE DUE _____	_____% RATE	\$ _____	CALENDAR YEAR _____ \$ _____ PER ELECTION** \$ _____
<b>SUBTOTALS \$</b>								<b>\$</b>	<b>\$</b>

(Enter (e) on Schedule E, Line 3)

## Schedule B Summary

- Loans received this period ..... \$ \_\_\_\_\_  
(Total Column (b) plus unitemized loans of less than \$100.)
- Loans paid or forgiven this period ..... \$ \_\_\_\_\_  
(Total Column (c) plus loans under \$100 paid or forgiven.)  
(Include loans paid by a third party that are also itemized on Schedule A.)
- Net change this period. (**Subtract** Line 2 from Line 1.) ..... NET \$ \_\_\_\_\_  
Enter the net here and on the Summary Page, Column A, Line 2.

†Contributor Codes  
IND – Individual  
COM – Recipient Committee  
(other than PTY or SCC)  
OTH – Other (e.g., business entity)  
PTY – Political Party  
SCC – Small Contributor Committee

(May be a negative number)

\*Amounts forgiven or paid by another party also must be reported on Schedule A.

\*\* If required.

# Instructions for Schedule B – Part 1 Loans Received

All loans received or outstanding are reported on Schedule B. Loans include monetary loans and amounts drawn on lines of credit.

Report loan guarantors on Schedule B – Part 2. A “guarantor” is a third party that co-signs, endorses, or provides security for a loan, or establishes or provides security for a line of credit. A guarantor is also making a contribution.

When a state candidate guarantees a loan from a commercial lending institution in connection with his or her election, both the lending institution and the candidate are required to be disclosed as the lender.

For each loan of \$100 or more that was received or was outstanding during the reporting period, disclose the lender’s name and address. Report the original source of all loans received. E.g., for a loan from a commercial lending institution for which a candidate is personally liable, report the lending institution as the lender.

Column (a) – Enter the outstanding loan balance at the beginning of this period (Column (d) of last report). If the loan was received this period, this column will be blank.

Column (b) – Enter the amount received from the lender during this reporting period. If this loan was received in a previous reporting period, leave blank.

Column (c) – Enter the amount of any reduction of the loan during this reporting period. Check whether the loan was paid or forgiven. When the lender forgives a loan or a third party makes a payment on a loan, also report the lender or third party on Schedule A.

Column (d) – Enter the outstanding balance of the loan at the close of this reporting period. Enter the due date, if any.

Column (e) – Enter the interest rate and the amount of interest paid on the loan(s) during this reporting period. Interest paid is reported separately from payments made on the loan principal. Interest payments are also transferred to the Schedule E Summary.

Column (f) – Enter the original amount of the loan and date received. If this is the first time you are reporting the loan, this will be the same amount reported in Column (b).

Column (g) – Enter the cumulative amount of contributions (loans, monetary and nonmonetary contributions) received from the lender during the calendar year covered by this statement. Candidates subject to state contribution limits (or if required by local ordinance) must disclose the cumulative amount received from each contributor during the limitation cycle in addition to the calendar year cumulative amount. (Candidates for elective state office should refer to FPPC Campaign Disclosure Manual 1.)

## Schedule B Summary:

The Schedule B Summary reflects the “net change” in your loan activity. That is, loan payments made during the period are subtracted from new loans received. When the loan payments number is larger than the amount of new loans received, Line 3 will be a negative figure. For example, if \$200 is paid during the period and only \$100 is received in new loans, report the net change on Line 3 as

“-\$100” or “(\$100).” Be sure to carry this figure to the Summary Page as a negative figure to be subtracted from Summary Page totals.

## Additional Important Information:

Refer to the Instructions for Schedule A for important information about:

- Contributor codes
- Contributions from individuals
- Contributions from committees
- Intermediaries

A loan received from a commercial lending institution in the normal course of business is reportable on Schedule B but is not considered a contribution. Contributor codes and cumulative amounts (Column (g)) are required only for loans that are contributions.

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about recordkeeping, prohibitions on cash contributions, returning contributions, and more.



**Schedule B – Part 2  
Loan Guarantors**

Amounts may be rounded  
to whole dollars.

Statement covers period  
from \_\_\_\_\_  
through \_\_\_\_\_

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE*	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	LOAN	AMOUNT GUARANTEED THIS PERIOD	CUMULATIVE TO DATE	BALANCE OUTSTANDING TO DATE
	IND COM OTH PTY SCC		LENDER  DATE		CALENDAR YEAR \$ PER ELECTION (IF REQUIRED) \$	
	IND COM OTH PTY SCC		LENDER  DATE		CALENDAR YEAR \$ PER ELECTION (IF REQUIRED) \$	
	IND COM OTH PTY SCC		LENDER  DATE		CALENDAR YEAR \$ PER ELECTION (IF REQUIRED) \$	
	IND COM OTH PTY SCC		LENDER  DATE		CALENDAR YEAR \$ PER ELECTION (IF REQUIRED) \$	

**SUBTOTAL \$**

Enter on  
Summary Page,  
Line 17 only.

**Instructions for  
Schedule B – Part 2  
Loan Guarantors**

Guarantors of loans received or outstanding during the reporting period are reported on Schedule B – Part 2. A “guarantor” is a third party that co-signs, endorses, or provides security for a loan, or establishes or provides security for a line of credit. A guarantor is also making a contribution.

For each guarantor of \$100 or more, enter the name and address of the guarantor and, if the guarantor is an individual, his/her occupation and employer or, if self employed, the name of his/her business.

Enter the name of the lender or the entity at which a line of credit was established and the date of the loan or the date the line of credit was established.

Enter the amount guaranteed this period, if applicable. For lines of credit, enter the full amount established or secured by the guarantor during the period. (Report amounts **drawn** on a line of credit on Schedule B – Part 1.)

Enter the cumulative amount guaranteed during the calendar year covered by the statement. Candidates subject to state contribution limits (or if required by local ordinance) must disclose the cumulative amount received from each contributor during the limitation cycle in addition to the calendar year cumulative amount. (Candidates for elective state office should refer to FPPC Campaign Disclosure Manual 1.)

Report the outstanding balance for which the guarantor is liable at the close of this reporting period.

Loan guarantees are not included in the Schedule B Summary, but are carried forward in a lump sum to Line 17 of the Summary Page.

# Schedule C Nonmonetary Contributions Received

Amounts may be rounded  
to whole dollars.

SCHEDULE C

Statement covers period from _____  through _____	<b>CALIFORNIA FORM 460</b>
Page _____ of _____	I.D. NUMBER

SEE INSTRUCTIONS ON REVERSE  
NAME OF FILER

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	DESCRIPTION OF GOODS OR SERVICES	AMOUNT/ FAIR MARKET VALUE	CUMULATIVE TO DATE CALENDAR YEAR (JAN 1 - DEC 31)	PER ELECTION TO DATE (IF REQUIRED)
		IND COM OTH PTY SCC					
		IND COM OTH PTY SCC					
		IND COM OTH PTY SCC					
		IND COM OTH PTY SCC					
<i>Attach additional information on appropriately labeled continuation sheets.</i>					<b>SUBTOTAL \$</b>		

## Schedule C Summary

- Amount received this period – itemized nonmonetary contributions.  
(Include all Schedule C subtotals.).....\$ \_\_\_\_\_
- Amount received this period – unitemized nonmonetary contributions of less than \$100 .....\$ \_\_\_\_\_
- Total nonmonetary contributions received this period.  
(Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Lines 4 and 10.).....**TOTAL \$** \_\_\_\_\_

\*Contributor Codes  
IND – Individual  
COM – Recipient Committee  
(other than PTY or SCC)  
OTH – Other (e.g., business entity)  
PTY – Political Party  
SCC – Small Contributor Committee

# Instructions for Schedule C Nonmonetary Contributions Received

Report the receipt of nonmonetary contributions on Schedule C.

Nonmonetary contributions include:

- Goods and services for which you have not paid the fair market value, including items donated for auctions or garage sales, such as artwork or furniture.
- A discount that is not available to the public generally.
- Salary payments made by an employer for an employee who spends 10% or more of his or her compensated time in a calendar month working for your committee.

Volunteer personal services and payments voluntarily made by a person for his or her own campaign-related travel expenses are not reportable. The occupant of a home or office can host a fundraiser without making a nonmonetary contribution as long as the total cost of the fundraiser is \$500 or less.

If a total of \$100 or more is received from a single contributor during a calendar year, report the name, street address, city, state and zip code of the contributor, the amount contributed this period, and the cumulative amount received from the contributor since January 1 of the current calendar year. Include monetary and nonmonetary contributions and loans when reporting the cumulative amount.

Contributions totaling less than \$100 received from a single contributor during a calendar year are reported as a lump sum on Line 2 of the Schedule C Summary.

## Date Received:

A nonmonetary contribution has been received on the earlier of the following: 1) the date the contributor made an expenditure for goods or services at your behest (in consultation or coordination with you, or at your request or suggestion); or 2) the date you or your agent obtained possession or control of the goods or services.

## Per Election to Date:

Candidates subject to state contribution limits (or if required by local ordinance) must disclose the cumulative amount received from each contributor during the limitation cycle in addition to the calendar year cumulative amount. (Candidates for elective state office should refer to FPPC Campaign Disclosure Manual 1.)

## Fair Market Value:

The fair market value of a nonmonetary contribution is the amount it would cost to purchase the goods or services on the open market. The fair market value can be more than the amount it cost the contributor to provide the goods or services to you.

If you do not know the value of a nonmonetary contribution, you may request the contributor to provide you with a written statement of the value. If you make a request in writing and the value of the contribution is \$100 or more, the contributor is

required by law to provide the information.

## Administrative Services:

Administrative overhead and start-up expenses paid by a sponsoring organization for its sponsored committee are not contributions to the committee but must be reported on Schedule C. Report the value of the services in the "Description of Goods or Services" column and a zero in the "Amount" and "Cumulative to Date" columns.

## Nonmonetary Contributions as Expenditures:

The total of nonmonetary contributions is reported on the Summary Page as both contributions received and expenditures made. Enter the total on Line 3 of the Schedule C Summary on both Lines 4 and 10 of the Summary Page. (State Candidates: Most nonmonetary contributions also count for purposes of the voluntary expenditure limits.)

## Additional Important Information:

Refer to the Instructions for Schedule A for important information about:

- Contributor codes
- Contributions from individuals
- Contributions from committees
- Intermediaries

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about aggregating monetary and nonmonetary contributions, recordkeeping, and more.

**Schedule D  
Summary of Expenditures  
Supporting/Opposing Other  
Candidates, Measures and Committees**

Amounts may be rounded  
to whole dollars.

SCHEDULE D

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
Page _____ of _____	I.D. NUMBER

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

DATE	NAME OF CANDIDATE, OFFICE, AND DISTRICT, OR MEASURE NUMBER OR LETTER AND JURISDICTION, OR COMMITTEE	TYPE OF PAYMENT	DESCRIPTION (IF REQUIRED)	AMOUNT THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
		Monetary Contribution Nonmonetary Contribution Independent Expenditure				
	Support      Oppose					
		Monetary Contribution Nonmonetary Contribution Independent Expenditure				
	Support      Oppose					
		Monetary Contribution Nonmonetary Contribution Independent Expenditure				
	Support      Oppose					
<b>SUBTOTAL \$</b>						

**Schedule D Summary**

1. Itemized contributions and independent expenditures made this period. (Include all Schedule D subtotals.)..... \$ \_\_\_\_\_
2. Unitemized contributions and independent expenditures made this period of under \$100..... \$ \_\_\_\_\_
3. Total contributions and independent expenditures made this period. (Add Lines 1 and 2. Do not enter on the Summary Page.)..... TOTAL .. \$ \_\_\_\_\_

**Instructions for  
Schedule D  
Summary of Expenditures Supporting/Opposing Other  
Candidates, Measures, and Committees**

Schedule D is a summary of payments reported on Schedules E, F, and H that are contributions or independent expenditures to support or oppose candidates and committees. These include:

- A direct monetary contribution or loan made to another candidate or committee.
- A payment made to a vendor for goods or services for a candidate or committee (a nonmonetary contribution).
- A donation to a candidate or committee of goods on hand, or the payment of salary or expenses for a campaign employee who spends 10% or more of his or her compensated time working for another candidate or committee.
- A payment made for a communication (e.g., a mailing, billboard, radio ad) that expressly advocates the election, passage or defeat of a clearly identified candidate or ballot measure, but the payment is not made to—or at the behest of—the candidate or a ballot measure committee. These payments are “independent expenditures” and may trigger additional reports for your committee.

If a total of \$100 or more is contributed or expended during a calendar year to support or oppose a single candidate, ballot measure, or a general purpose committee (e.g., a political party), disclose the name of the candidate and the office sought or held and the candidate’s district, if any, the number or letter and jurisdiction of the ballot measure, or the name of the general purpose committee. For each candidate or measure listed, indicate whether the payment was made to support or oppose the candidate or measure. For example,

if you made a contribution to the Committee Against Measure A, check the “Oppose” box.

Disclose the date(s) and amount(s) of contributions or independent expenditures made this period relative to each candidate, measure, or committee, and the cumulative amount contributed or paid to date relative to the candidate, measure, or committee since January 1 of the current calendar year. Cumulate contributions and independent expenditures separately.

Contributions and expenditures of less than \$100 to support or oppose a single candidate or measure during a calendar year are totaled and reported as a lump sum on Line 2 of the Schedule D Summary.

**Per Election to Date:**

If a contribution is made to a candidate that is subject to state contribution limits (or if required by local ordinance), disclose the total amount contributed to the committee in connection with each limitation cycle and identify the election year. The primary and general elections are separate elections. For example, a \$4,200 contribution to a candidate for the primary election in 2016 would be disclosed as “\$4,200 P-16.”

“Per Election to Date” Column	
Limitation Cycle	Year of Election
Primary P	2016 16
General G	2017 17
Special S	2018 18
Runoff R	2019 19

**Description:**

If you contributed goods on hand to another candidate or committee (e.g., office supplies), describe the goods or services in the “Description” column and disclose the fair market value of the contribution. The fair market value is the amount it would cost the recipient to purchase the goods or services. Because payments must be described when they are reported on Schedules E and F, you need not provide a description on Schedule D for payments reported on Schedules E or F that are nonmonetary contributions or independent expenditures.

**Date of Contribution or Expenditure:**

A monetary contribution is made on the date it is mailed, delivered, or otherwise transmitted it to the candidate or committee. A nonmonetary contribution is made on the earlier of the following: 1) the date you made an expenditure for goods or services at the behest of the candidate or committee; or 2) the date the candidate or committee obtained possession or control of the goods or services.

**Additional Important Information:**

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about recordkeeping, prohibitions on cash payments, restrictions on the use of campaign funds, and more.

**Schedule D  
(Continuation Sheet)  
Summary of Expenditures  
Supporting/Opposing Other  
Candidates, Measures and Committees**

Amounts may be rounded  
to whole dollars.

SCHEDULE D (CONT.)

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	Page _____ of _____
I.D. NUMBER	

NAME OF FILER \_\_\_\_\_

DATE	NAME OF CANDIDATE, OFFICE, AND DISTRICT, OR MEASURE NUMBER OR LETTER AND JURISDICTION, OR COMMITTEE	TYPE OF PAYMENT	DESCRIPTION (IF REQUIRED)	AMOUNT THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
		Monetary Contribution Nonmonetary Contribution Independent Expenditure				
	Support      Oppose					
		Monetary Contribution Nonmonetary Contribution Independent Expenditure				
	Support      Oppose					
		Monetary Contribution Nonmonetary Contribution Independent Expenditure				
	Support      Oppose					
		Monetary Contribution Nonmonetary Contribution Independent Expenditure				
	Support      Oppose					
<b>SUBTOTAL \$</b>						

# Schedule E Payments Made

Amounts may be rounded  
to whole dollars.

Statement covers period		<b>CALIFORNIA FORM 460</b>
from _____	through _____	
Page _____ of _____		I.D. NUMBER

SEE INSTRUCTIONS ON REVERSE  
NAME OF FILER

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, e-mail)           |

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

## Schedule E Summary

- Itemized payments made this period. (Include all Schedule E subtotals.)..... \$ \_\_\_\_\_
- Unitemized payments made this period of under \$100..... \$ \_\_\_\_\_
- Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).)..... \$ \_\_\_\_\_
- Total payments made this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_



# Instructions for Schedule E Payments Made

Report payments on Schedule E (other than loans).

For each payment of \$100 or more made during the period, report the name and street address, city, state, and zip code of the payee or creditor, and the amount paid during the period. Payments of less than \$100 during the period are reported as a lump sum on Line 2 of the Schedule E Summary. However, if two or more payments under \$100 were made for a single product or service and the total paid during the period was \$100 or more, itemize the total amount paid during the period.

**Report payments made on accrued expenses. Also report the required information on Schedule F.**

## **Code or Description of Payment:**

If one of the codes listed on Schedule E fully describes the payment, enter the code. A full description of each code is provided on the back of the Schedule E-Continuation Sheet. If none of the codes fully explains the payment, leave the "Code" column blank and enter a brief description of the goods or services purchased in the "Description of Payment" column.

## **Credit Card Payments:**

Disclose the name, address, and amount paid to the credit card company during the period. Also disclose the name, address, amount paid, and code or description of payment for each vendor paid \$100 or more. You may disclose the vendor payments on Schedule E or Schedule G.

## **Payments by Agents and Independent Contractors:**

When an agent or independent contractor (e.g., campaign worker, advertising agency, campaign management firm) makes payments on your behalf ("subvendor payments"), disclose the name, address, amount paid, and code or description of payment for each vendor paid \$500 or more. Disclose payments to the agent or independent contractor on Schedule E. You may disclose the subvendor payments on Schedule E or Schedule G.

## **Loans:**

Report interest paid on loans received on Line 3 of the Schedule E Summary (from Schedule B, Part 1, Column (e)).

Report payments made on loans received on Schedule B and loans made to others on Schedule H. Do not report on Schedule E.

## **Savings Accounts/Certificates of Deposit/Money Market Accounts:**

Do not report transfers of campaign funds into savings accounts, certificates of deposit, money market accounts, or the purchase of any other asset that can readily be converted to cash on Schedule E. Continue reporting these amounts as part of your cash on hand on the Summary Page.

## **Candidates:**

- Candidates must briefly describe the political, legislative, or governmental purpose of an itemized expenditure for gifts, meals, and travel payments. FPPC Regulation 18421.7 sets out the requirements.
- Candidate controlled ballot measure committee funds may only be used to make payments related to a state or local measure or potential measure (including qualification activities) anticipated by the committee. See FPPC regulation 18521.5.

## **Ballot Measure Committees**

A ballot measure committee that makes a payment to any business entity (1) which is owned 50 percent or more by any of the individuals listed below, or (2) in which any of the individuals listed below is an officer, partner, consultant or employee, must report that individual's name, relationship to the committee, and a description of the ownership interest or position with the business entity. Individuals covered by (1) and (2) above include:

- A candidate or person controlling the committee; or
- An officer or employee of the committee; or
- The spouse of any of the above.

**Schedule E  
(Continuation Sheet)  
Payments Made**

Amounts may be rounded  
to whole dollars.

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	Page _____ of _____
	I.D. NUMBER

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, e-mail)           |

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

# Instructions for Schedule E (Continued) Payments Made

## Codes:

**CMP: Campaign paraphernalia/misc.** Lawn signs, buttons, bumper stickers, T-shirts, potholders, etc. Includes costs of election night event.

**CNS: Campaign consultants.** Fees and commissions paid to professional campaign management or consulting firms.

**CTB: Contributions.** Contributions made to other candidates and committees. Use "CTB" for direct monetary contributions. For nonmonetary (in-kind) contributions, use "CTB" and, if one of the other codes accurately describes the expenditure, you may enter that code also. Otherwise, describe the payment. Also provide the name of the candidate or committee that received the nonmonetary contribution in the "Description of Payment" column.\*

**CVC: Civic donations.** Donations to civic, nonprofit or education organizations; payments for community events.

**FIL: Candidate Filing/Ballot Fees.** Payments to election officials for candidate filing fees and fees charged for publication of a ballot statement.

**FND: Fundraising events.** Expenditures associated with holding a fundraising event, including payments for event space to hotels or halls, payments for food and beverages to restaurants, caterers and other vendors, and payments for speakers, entertainment, and decorations. Includes costs of house parties. (Use "LIT" for costs of invitations, brochures, and solicitations associated with fundraising events.)

**IND: Independent expenditures.** Payments for communications that support/oppose other candidates or measures that are not made in consultation or coordination with the candidates or a ballot measure committee. Use "IND" and, if one of the other codes accurately describes

the independent expenditure, you may enter that code also. Otherwise, describe the payment. Also provide the name of the candidate or ballot measure supported or opposed by the expenditure.\*

**LEG: Legal Defense.** Attorney or other fees paid for legal defense.

**LIT: Campaign literature and mailings.** Preparation, production, and distribution of campaign literature, direct mail pieces, fundraising solicitations, and door hangers. Includes costs of mailing lists, design/graphics, copy and layout, printing and photocopying. Includes payments to be on a slate mailer, and for absentee ballot mailers.

**MBR: Member Communications.** Payments for communications to members, employees, or shareholders of an organization, or their family members, for the purpose of supporting or opposing a candidate or ballot measure.

**MTG: Meetings and appearances.** Costs associated with meetings, press conferences, town halls, constituent meetings, etc.

**OFC: Office expenses.** Expenditures for office rent; utilities (including cellular phone service); purchase or rental of office equipment (computer, fax, photocopier, etc.) and furniture; office supplies, etc.

**PET: Petition circulating.** Includes payments for printing petitions and payments to signature gathering firms for ballot measure qualification drives.

**PHO: Phone banks.** Costs of phone banks.

**POL: Polling and survey research.** Costs of designing and conducting polls, reports on election trends, voter surveys, etc.

**POS: Postage, delivery and messenger services.** Includes U.S. Postal Service, Federal Express, United Parcel Service, and other delivery and courier services.

**PRO: Professional services.** Includes legal, accounting, and bookkeeping services.

**PRT: Print space and production costs.** Includes advertising space in newspapers, magazines and other publications, and billboard ads.

**RAD: Radio airtime and production costs.**

**RFD: Returned contributions.**

**SAL: Campaign workers salaries.** Includes state and federal payroll taxes.

**TEL: Television or cable airtime and video production costs.**

**TRC: Candidate travel.** Payments or reimbursements for travel, lodging, and meals of a candidate.

**TRS: Staff/spouse travel.** Payments or reimbursements for travel, lodging, and meals of a candidate's representative (staff), or member of the candidate's household.

**TSF: Transfers.** Only use this code to report the transfer of funds to another authorized committee of the same candidate or sponsoring organization. Report funds this committee gives to other committees on Schedule E, as contributions ("CTB") to those committees, not as transfers.

**VOT: Voter registration costs.**

**WEB: Information technology costs.** Includes payments for website design, e-mail, internet access, production of website and e-mail advertising.

**\*Payments that are contributions or independent expenditures to support or oppose other candidates, measures, and committees must also be summarized on Schedule D.**

# Schedule F Accrued Expenses (Unpaid Bills)

Amounts may be rounded to whole dollars.

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	Page _____ of _____
I.D. NUMBER _____	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER \_\_\_\_\_

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, e-mail)           |

NAME AND ADDRESS OF CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR DESCRIPTION OF PAYMENT	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTALS \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_**

## Schedule F Summary

- Total accrued expenses incurred this period. (Include all Schedule F, Column (b) subtotals for accrued expenses of \$100 or more, plus total unitemized accrued expenses under \$100.) ..... **INCURRED TOTALS \$ \_\_\_\_\_**
- Total accrued expenses paid this period. (Include all Schedule F, Column (c) subtotals for payments on accrued expenses of \$100 or more, plus total unitemized payments on accrued expenses under \$100.) ..... **PAID TOTALS \$ \_\_\_\_\_**
- Net change this period. (**Subtract** Line 2 from Line 1. Enter the difference here and on the Summary Page, Column A, Line 9.) ..... **NET \$ \_\_\_\_\_**

# Instructions for Schedule F Accrued Expenses (Unpaid Bills)

Report unpaid bills for goods or services on Schedule F.

If the amount owed to a single vendor is \$100 or more at the end of the reporting period, you must disclose the name and street address, city, state, and zip code of the payee or creditor and the amount incurred during the period that is outstanding at the end of the period (Column (b)). Continue reporting the accrued expense on each subsequent campaign statement until it is paid.

You are not required to report on Schedule F regular administrative overhead expenses, such as rent, utilities, phones, or employee salaries if you have not received a bill in the normal course of business or if the due date for the payment is after the closing date of the statement.

If you do not know the exact amount of a debt or obligation, provide an estimate. Once the exact amount is known, amend the estimated amount or note the correct amount on the next campaign statement.

Unpaid bills of less than \$100 at the end of the reporting period are added together and included in the total reported on Line 1 of the Schedule F Summary.

When accrued expenses are paid, the payments are reported on Schedule E. Also report the payment on Schedule F, Column (c).

### **Code or Description of Payment:**

If one of the expenditure codes listed on Schedule F fully describes the payment, enter the code. A full description of each code is provided on the back of the Schedule E Continuation Sheet. If none of the codes fully explains the expenditure, enter a brief description of the goods or services instead.

There are special instructions on the back of the Schedule E Continuation Sheet for coding and describing nonmonetary contributions and independent expenditures to support/oppose other candidates, committees, and ballot measures.

Accrued expenses that are nonmonetary contributions and independent expenditures must also be summarized on Schedule D when incurred.

### **Credit Card Payments:**

Disclose the name, address, and amount owed or paid to the credit card company during the period. Also disclose the name, address, amount paid, and code or description of payment for each vendor paid \$100 or more. You may disclose the vendor payments on Schedule F or Schedule G.

### **Payments by Agents and Independent Contractors:**

When an agent or independent contractor (e.g., campaign worker, advertising agency, campaign management firm) makes payments on your behalf ("subvendor payments"), disclose the name, address, amount paid, and code or description of payment for each vendor paid \$500 or more. Disclose amounts owed to the agent or independent contractor on Schedule F. You may disclose the subvendor payments on Schedule F or Schedule G.

Note: It is not necessary to reitemize credit card vendors or agent subvendors on Schedule F or G when payments are made on accrued expenses, or if an accrued expense is itemized on more than one statement.

Forgiveness or Third Party Payment of an Accrued Expense:

If a creditor forgives or reduces an outstanding debt, or a third party pays a debt for you, report the transaction as follows:

- In the "Description of Payment" column, state that the debt was forgiven, reduced, or paid by a third party.
- Report the amount forgiven, reduced, or paid by a third party as a negative figure in the "Amount Incurred This Period" column (Column (b)).
- Report a nonmonetary contribution from the creditor or third party on Schedule C.

Do not report the forgiveness, reduction, or third party payment on Schedule E. Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about recordkeeping, cash expenditures, permissible uses of campaign funds, and more.

**Schedule F  
(Continuation Sheet)  
Accrued Expenses (Unpaid Bills)**

Amounts may be rounded  
to whole dollars.

Statement covers period	<b>CALIFORNIA FORM 460</b>
from _____	
through _____	Page _____ of _____
NAME OF FILER	
I.D. NUMBER	

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, e-mail)           |

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

NAME AND ADDRESS OF CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR DESCRIPTION OF PAYMENT	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
<b>SUBTOTALS \$</b>			<b>\$</b>	<b>\$</b>	<b>\$</b>

**Schedule G  
Payments Made by an Agent or Independent  
Contractor (on Behalf of This Committee)**

Amounts may be rounded  
to whole dollars.

Statement covers period  
from \_\_\_\_\_  
through \_\_\_\_\_

**CALIFORNIA FORM 460**  
Page \_\_\_\_\_ of \_\_\_\_\_  
I.D. NUMBER

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

NAME OF AGENT OR INDEPENDENT CONTRACTOR

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, e-mail)           |

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID

Attach additional information on appropriately labeled continuation sheets.

**TOTAL\* \$**

\* Do not transfer to any other schedule or to the Summary Page. This total may not equal the amount paid to the agent or independent contractor as reported on Schedule E.

**Instructions for  
Schedule G  
Payments Made by an Agent or  
Independent Contractor**

Report payments made on your behalf during the reporting period by an agent or independent contractor (such as a campaign management firm or an advertising agency) on Schedule G.

Schedule G may be completed by the agent or independent contractor and provided to you or Schedule G may be completed by you from information provided by the agent or independent contractor.

Report expenditures of \$500 or more (other than expenditures for the agent's or independent contractor's overhead and normal operating expenses) made on your behalf during the reporting period.

Once a subvendor payment has been itemized on Schedule E, F, or G, it does not need to be itemized again. For example, if a subvendor payment is reported on Schedule F or G as part of an accrued expense, the subvendor information does not need to be reported again on subsequent reports.

**Code or Description of Payment:**

If one of the expenditure codes listed on Schedule G fully describes the payment, enter the code. A full description of each code is provided on the back of the Schedule E Continuation Sheet. If none of the codes fully explains the expenditure, enter a brief description of the payment instead.

**Important: Officeholders and candidates** may reimburse an agent or independent contractor for expenditures made on their behalf only if all of the following criteria are met:

- There is a written contract between the officeholder or candidate and the agent or independent contractor that provides for the reimbursement;
- The treasurer is provided with a dated receipt and written description of each expenditure prior to reimbursement; and
- Reimbursement is paid within 45 calendar days after the agent or independent contractor makes the expenditures.

Generally, if reimbursement is not paid within 45 calendar days, report the expenditure as a nonmonetary contribution on Schedule C.

Refer to the FPPC Campaign Disclosure Manual for your type of committee for additional instructions.



# Schedule H Loans Made to Others\*

Amounts may be rounded  
to whole dollars.

Statement covers period from _____  through _____	<b>CALIFORNIA FORM 460</b>  Page _____ of _____
I.D. NUMBER _____	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER \_\_\_\_\_

FULL NAME, STREET ADDRESS AND ZIP CODE OF RECIPIENT <small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small>	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER <small>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</small>	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	(b) AMOUNT LOANED THIS PERIOD	(c) REPAYMENT OR FORGIVENESS THIS PERIOD*	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	(e) INTEREST RECEIVED	(f) ORIGINAL AMOUNT OF LOAN	(g) CUMULATIVE LOANS TO DATE
		\$ _____	\$ _____	PAID \$ _____  FORGIVEN \$ _____	\$ _____  _____ DATE DUE	_____% RATE  \$ _____	\$ _____  _____ DATE INCURRED	CALENDAR YEAR \$ _____  PER ELECTION** \$ _____
		\$ _____	\$ _____	PAID \$ _____  FORGIVEN \$ _____	\$ _____  _____ DATE DUE	_____% RATE  \$ _____	\$ _____  _____ DATE INCURRED	CALENDAR YEAR \$ _____  PER ELECTION** \$ _____
		<b>SUBTOTALS</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		

\*Loans that are contributions to another candidate or committee must also be summarized on Schedule D. Loans forgiven must also be reported on Schedule E.

(Enter (e) on  
Schedule I, Line 3)

## Schedule H Summary

1. Loans made this period.....\$ \_\_\_\_\_  
(Total Column (b) plus unitemized loans of less than \$100.)
2. Payments received on loans.....\$ \_\_\_\_\_  
(Total Column (c) plus unitemized payments of less than \$100.)
3. Net change this period. (Subtract Line 2 from Line 1.).....NET \$ \_\_\_\_\_  
(Enter the net here and on the Summary Page, Column A, Line 7.)

\*\*If Required

(May be a negative number)

# Instructions for Schedule H Loans Made to Others

All loans made or outstanding are reported on Schedule H.

Generally, campaign funds may be used to make loans to other candidates, officeholders, or committees (unless otherwise prohibited) and to bona fide charitable, educational, civic, religious, or similar tax-exempt nonprofit organizations. There are restrictions on loans to any other person, including a candidate who controls the committee, or to a nonprofit organization that is affiliated with a candidate, the treasurer, or other committee officials.

For each loan of \$100 or more that was made or was outstanding during the reporting period, disclose the recipient's name and address and, if an individual, his/her occupation and employer or, if self employed, the name of the business.

Column (a) – Enter the outstanding loan balance at the beginning of this period (column (d) of last report.) If the loan was made this period, this column will be blank.

Column (b) – Enter the amount loaned to the recipient during this reporting period. If this loan was made in a previous reporting period, leave blank.

Column (c) – Enter the amount of any reduction of the loan during this reporting period. Check whether the loan was paid or forgiven. If the committee forgives a loan, also report the transaction on Schedule E.

Column (d) – Enter the outstanding balance of the loan(s) at the close of this reporting period. Enter the due date, if any.

Column (e) – Enter the interest rate and amount of interest received on the loan(s) during this reporting period. Interest received is reported separately from payments received on the loan principal. Interest payments are also transferred to the Schedule I Summary.

Column (f) – Enter the original amount of the loan and date made. If this is the first time you are reporting the loan, this will be the same amount reported in Column (b).

Column (g) – For each loan made during this reporting period that is a contribution,\* enter the cumulative amount of contributions (loans, monetary and nonmonetary contributions) made to the recipient during the calendar year covered by the statement. If the recipient is a candidate subject to state contribution limits, or the information is required by local ordinance, also enter the total amount contributed to the candidate in connection with each limitation cycle and identify the election year. (For contributions to state candidates, see the Schedule D instructions.)

## Schedule H Summary:

The Schedule H Summary reflects the “net change” in the committee’s loan activity. That is, repayments received are subtracted from new loans made. When the repayment number is larger than the amount of the new loans made, Line 3 will be a negative figure. For example, if \$200 is received by the committee during the period and only \$100 is made in new loans, report the net change on Line 3 as “-\$100” or “(\$100).” Be sure to carry this figure to the Summary Page as a negative figure to be subtracted from Summary Page totals.

Refer to the FPPC Campaign Disclosure Manual for your type of committee for important information about recordkeeping, prohibitions on cash contributions, loan restrictions, and more.

\*Loans that are contributions to candidates or other committees must also be reported on Schedule D.

**Schedule I  
Miscellaneous Increases to Cash**

Amounts may be rounded  
to whole dollars.

SCHEDULE I

Statement covers period  
from \_\_\_\_\_  
through \_\_\_\_\_

**CALIFORNIA  
FORM 460**  
Page \_\_\_\_\_ of \_\_\_\_\_

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

I.D. NUMBER

DATE RECEIVED	FULL NAME AND ADDRESS OF SOURCE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	DESCRIPTION OF RECEIPT	AMOUNT OF INCREASE TO CASH

Attach additional information on appropriately labeled continuation sheets.

**SUBTOTAL \$**

**Schedule I Summary**

- Itemized increases to cash this period. .... \$ \_\_\_\_\_
- Unitemized increases to cash of under \$100 this period. .... \$ \_\_\_\_\_
- Total of all interest received this period on loans made to others. (Schedule H, Column (e).) ..... \$ \_\_\_\_\_
- Total miscellaneous increases to cash this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Line 14.) ..... **TOTAL \$** \_\_\_\_\_

**Instructions for  
Schedule I  
Miscellaneous Increases to Cash**

Report any transaction that increases the cash position of the officeholder, candidate, or committee, but is not a monetary contribution, loan, or loan repayment, on Schedule I.

Itemize the sources of \$100 or more received during the reporting period.

Examples include:

- Interest received or credited to checking or savings accounts or other time deposits.
- Proceeds from the sale of property, such as paintings, furniture, or other items sold at garage sales or auctions, etc., when the amount received is the “fair market value” of the item. Amounts received over the fair market value are reported on Schedule A. (Report donated items as nonmonetary contributions on Schedule C.)
- Proceeds from the sale of campaign property, such as office furniture or equipment.
- Refunds received on deposits, such as telephone deposits.
- Refunds received from overpayment of bills.

- Transfers received from another authorized committee of the same candidate. (Candidates for elective state office should refer to FPPC Campaign Disclosure Manual 1 for information about reporting transferred funds that must be attributed to specific contributors of the committee making the transfer.)

Report on Line 3 of the Schedule I Summary the lump sum of interest payments received on loans made to others. Do not itemize. This amount is transferred from Schedule H, Column (g).

# Statement of Organization Recipient Committee

## Who Files

**Recipient Committees:** Persons (including an officeholder or candidate), organizations, groups, or other entities that raise contributions from others totaling \$2,000 or more in a calendar year to spend on California elections. They must register with the Secretary of State and report all receipts and expenditures. “Contributions” include monetary payments, loans and non-monetary goods and services received or made for a political purpose.

**Candidates:** The personal funds of a candidate or officeholder used to seek or hold elective office are contributions and count toward qualifying as a recipient committee. However, personal funds used to pay a candidate filing fee or a fee for the statement of qualifications to appear in the ballot pamphlet do not count toward the \$2,000 threshold.

**Multipurpose Organizations:** A nonprofit organization, federal or out-of-state PAC, or other multipurpose organization that makes contributions or expenditures in California elections may also be required to register as a recipient committee with the Secretary of State. See the Fact Sheet on Multipurpose Organizations Reporting Political Spending and the Supplemental Form 410 Instructions.

## When to File

File this form within 10 days of receiving \$2,000 in contributions. Include a \$50 payment made payable to the Secretary of State. Thereafter, the \$50 fee is due annually no later than January 15. In addition to the \$50 fee, a penalty of \$150 may be assessed if payment is late.

For early submissions, mark the “not yet qualified” box. The \$50 fee is requested at this time but is not legally required until the committee qualification threshold has been met.

## Where to File

**All Committees:** Form 410 with original ink signature(s)  
Secretary of State  
Political Reform Division  
1500 11th Street, Rm 495  
Sacramento, CA 95814

Form 410 with digital signature(s)  
Secretary of State  
Via email at: [digitalfiling@sos.ca.gov](mailto:digitalfiling@sos.ca.gov)  
As a PDF attachment  
Must contain a verified digital signature on the Signature Line.

Please access the Secretary of State’s [website](#) for detailed instructions on how to submit the Form 410 with a digital signature.

## County & City

**Committees:** Also file a copy with the local filing officer who will receive the original campaign statements.

Read instructions carefully as a Form 410 will be rejected if all applicable sections are not completed.

## Committee ID Number

The committee’s ID number will be posted at [cal-access.sos.ca.gov](http://cal-access.sos.ca.gov). To receive an official, stamped copy of your approved Form 410, send a request, the original form, two copies of the form, and a self-addressed, stamped envelope, to the Secretary of State.

## Amendments

When information contained in the committee’s Statement of Organization changes, file an amendment within 10 days of the change with the Secretary of State and local filing officer (if applicable). During the period 16 days before an election, file an amendment within 24 hours as described below.

## 24-Hour Reporting

In addition to the 10-day rule to file an original.

## Form 410:

- A recipient committee that qualifies during the 16 days prior to an election in which it must file pre-election statements must file a Form 410 within 24 hours of qualification with the filing officer who will receive the committee’s original disclosure statements.
- A recipient committee that qualifies during the 90 days prior to an election or on the date of the election in which the committee makes independent expenditures of \$1,000 or more to support or oppose a candidate in that election must file the Form 410 within 24 hours of qualification with the filing officer who will receive the committee’s original disclosure statements and with the filing officer(s) for the candidate(s) supported or opposed by the independent expenditure.
- If, during the 16 days prior to an election when a committee is required to file pre-election statements, a change occurs in the name of the committee, the treasurer or other principal officers, or the controlling candidate, an amendment must be filed with the filing officer receiving the committee’s original campaign statements within 24 hours of the change.

These filings must be made by fax, email with a verified digital signature, guaranteed overnight delivery, personal delivery or online (if online filing is available).

This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements, see the FPPC Campaign Disclosure Manual for your type of committee.

**Statement of Organization  
Recipient Committee**

Statement Type

<b>Initial</b> Not yet qualified or Date qualification threshold met  ____/____/____	<b>Amendment</b> Date qualification threshold met  ____/____/____	<b>Termination – See Part 5</b>  Date of termination  ____/____/____
---	--	--

Date Stamp

**CALIFORNIA  
FORM 410**

For Official Use Only

1. Committee Information		I.D. Number <i>(if applicable)</i>		2. Treasurer and Other Principal Officers				
NAME OF COMMITTEE				NAME OF TREASURER				
STREET ADDRESS (NO P.O. BOX)				STREET ADDRESS (NO P.O. BOX)		CITY	STATE	ZIP CODE
CITY		STATE	ZIP CODE	AREA CODE/PHONE	EMAIL ADDRESS OF TREASURER (REQUIRED)			AREA CODE/PHONE
FULL MAILING ADDRESS (IF DIFFERENT)				NAME OF ASSISTANT TREASURER, IF ANY				
E-MAIL ADDRESS OF COMMITTEE (REQUIRED) / FAX (OPTIONAL)				STREET ADDRESS (NO P.O. BOX)		CITY	STATE	ZIP CODE
COUNTY OF DOMICILE	JURISDICTION WHERE COMMITTEE IS ACTIVE			EMAIL ADDRESS OF ASSISTANT TREASURER (REQUIRED)				AREA CODE/PHONE
Attach additional information on appropriately labeled continuation sheets.				NAME OF PRINCIPAL OFFICER(S)				
				STREET ADDRESS (NO P.O. BOX)		CITY	STATE	ZIP CODE
				EMAIL ADDRESS OF PRINCIPAL OFFICER(S) (REQUIRED)				AREA CODE/PHONE

**3. Verification**

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on \_\_\_\_\_ By \_\_\_\_\_  
DATE SIGNATURE OF TREASURER OR ASSISTANT TREASURER

Executed on \_\_\_\_\_ By \_\_\_\_\_  
DATE SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on \_\_\_\_\_ By \_\_\_\_\_  
DATE SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on \_\_\_\_\_ By \_\_\_\_\_  
DATE SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

# Instructions for Statement of Organization

## Statement Type:

### Initial

Mark the “Initial” box and enter the date the committee qualification threshold was met.

If the committee has not met the qualification threshold, mark the “Initial” and “Not Yet Qualified” boxes.

### Qualification Threshold

The “date qualification threshold met” is the date the committee received contributions totaling \$2,000 or more during a calendar year.

### Amendment

If any of the information reported on an initial statement of organization changes:

- Mark the amendment box;
- Include the committee’s ID number and name;
- Provide the changed information; and
- Complete the verification.

**Candidates:** Under certain circumstances, a candidate for local office may amend the Form 410 to indicate that the candidate is seeking re-election to the same office. A candidate for state office must open a separate committee for each term of office and may not amend the Form 410 to redesignate an election committee.

### Termination

List the committee’s name, identification number and indicate the date of termination, including completing the verification.

### 1. Committee Information:

Provide the full name of the committee. A committee may use only one name.

The committee’s street address, email address, and telephone number must be reported. A post office box is not acceptable. The committee’s mailing address must also be reported if it is different from the street address. A post office box is acceptable for the mailing address. A committee’s “domicile” is its address as listed on the Form 410. Los Angeles is the county of domicile for committees located outside California.

**Identify the jurisdiction where the committee is active.**  
For example, a city committee lists the name of the city.

### Committee Name Requirements

The following committee name rules apply to the Form 410, the committee’s campaign statements and to any other references to the committee required by law. See the instructions for Part 4 for committee definitions.

**Candidate Controlled Committees:** Any committee that is controlled by a state or local candidate or officeholder must include the last name of the candidate in the name of the committee. In addition, the following rules apply:

- An **election committee** controlled by one or more state or local candidates must also include the office the candidate(s) is seeking and the year of the election (e.g., Friends of Smith for Assembly 20XX, Jones for Council 20XX).
- An **officeholder committee** set up by a state officeholder must also include the office held, the year the officeholder was elected to the current term of office, and the words “Officeholder Account,” as part of the committee name (e.g., Anderson Assembly 20XX Officeholder Account).
- A **legal defense fund** set up by a state or local candidate or officeholder must also include the words “Legal Defense Fund” as part of the committee name (e.g., Senator Smith Legal Defense Fund).
- A **ballot measure committee** controlled by one or more state candidates must also state that it is a ballot measure committee (e.g., Senator Lee’s Ballot Measure Committee) prior to the designation of the ballot measure number. See additional requirements for primarily formed committees.

**Sponsored Committees:** A sponsored committee (including most political action committees) must include the full name of its sponsor in the name of the committee. If the committee has more than one sponsor and the sponsors are members of an industry or other identifiable group, include a term identifying that industry or group.

## Primarily Formed Committees

**Ballot Measures:** The name of each committee primarily formed to support or oppose a ballot measure must include:

- A statement identifying the ballot measure(s) number or letter and whether it supports or opposes the measure(s) (e.g., Committee For Proposition/Measure \_\_\_ or Committee Against Proposition/Measure \_\_\_).

**Recalls:** Each committee established for a recall election must include the name of the officeholder subject to the recall. If the committee is not controlled by the officeholder, the committee must state its support or opposition (e.g., Committee Opposing the Recall of Council Member Doe).

**Supporting or Opposing a Candidate:** The name of each committee primarily formed to support or oppose a state or local candidate(s) being voted on in a single election, other than a recall election, must include the last name of each candidate, the office sought, the year of the election and must state whether the committee supports or opposes the candidate(s) (e.g., Committee to Support Doe for Senate 20XX).

**Statement of Organization  
Recipient Committee**

INSTRUCTIONS ON REVERSE

Page 2

COMMITTEE NAME	I.D. NUMBER
----------------	-------------

• All committees must list the financial institution where the campaign bank account is located and the person(s) authorized to obtain bank records.

NAME OF FINANCIAL INSTITUTION AND PERSON(S) AUTHORIZED TO OBTAIN BANK RECORDS	AREA CODE/PHONE	BANK ACCOUNT NUMBER	
ADDRESS OF FINANCIAL INSTITUTION	CITY	STATE	ZIP CODE

**4. Type of Committee** Complete the applicable sections.

**Controlled Committee**

- List the name of each controlling officeholder, candidate, or state measure proponent. If candidate or officeholder controlled, also list the elective office sought or held, and district number, if any, and the year of the election.
- List the political party with which each officeholder or candidate is affiliated or check "nonpartisan." Stating "No party preference" is acceptable.
- If this committee acts jointly with another controlled committee, list the name and identification number of the other controlled committee.

NAME OF CANDIDATE/OFFICEHOLDER/STATE MEASURE PROPONENT	ELECTIVE OFFICE SOUGHT OR HELD (INCLUDE DISTRICT NUMBER IF APPLICABLE)	YEAR OF ELECTION	PARTY CHECK ONE		
			Nonpartisan	Partisan	(list political party below)
			Nonpartisan	Partisan	(list political party below)

**Primarily Formed Committee**

Primarily formed to support or oppose specific candidates or measures in a single election. List below:

CANDIDATE(S) NAME OR MEASURE(S) FULL TITLE (INCLUDE BALLOT NO. OR LETTER) IF A RECALL, STATE "RECALL" IN FRONT OF THE OFFICEHOLDER'S NAME.	CANDIDATE(S) OFFICE SOUGHT OR HELD OR MEASURE(S) JURISDICTION (INCLUDE DISTRICT NO., CITY OR COUNTY, AS APPLICABLE)	CHECK ONE	
		SUPPORT	OPPOSE
		SUPPORT	OPPOSE



# Instructions for Statement of Organization

## 2. Treasurer and Other Principal Officers:

A committee may have only one treasurer and one assistant treasurer. A candidate may be their own treasurer or assistant treasurer. A committee may not accept a contribution or make an expenditure without a treasurer.

A committee that is not controlled by a candidate or officeholder must disclose the name, street address, and telephone number of the committee's principal officer(s). The principal officer(s) of a committee are the individual(s) primarily responsible for approving the political activity of the committee, including authorizing the content of communications, authorizing contributions and other expenditures, and determining strategy. If more than three individuals qualify as principal officers of the committee, identify no fewer than three.

If no individual other than the committee treasurer qualifies as a principal officer, identify that individual as both the treasurer and the principal officer. An attachment may be necessary.

Provide the email address of the committee treasurer, assistant treasurer, and any other principal officer(s). A committee with three or fewer principal officers must identify all principal officers. If the committee has more than three principal officers, it must identify at least three principal officers.

## 3. Verification/Original Signature(s):

The Form 410 filed with the Secretary of State by paper must contain an original ink signature(s). The Form 410 filed with the Secretary of State by email must contain a verified digital signature(s). The committee treasurer or assistant treasurer must sign the Form 410. Also, each controlling officeholder, candidate or state ballot measure proponent must sign the Form 410. If more than three control the committee, one of them may sign on behalf of all controlling individuals. If a candidate will serve as their own treasurer, they must sign as the candidate and again as the treasurer.

## Bank Account Information

- Qualified committees must list the name and address of the financial institution where the campaign bank account is located and the bank account number.

- Qualified committees must also list the names of persons, other than the treasurer, who are authorized to obtain the bank records of the committee from the financial institution where the committee bank account is maintained. If there are more than two persons other than the treasurer authorized to obtain the bank records, the committee need only list two persons. Disclose the names in the "Name of Financial Institution and Person(s) Authorized to Obtain Bank Records" field. If additional space is needed, an attachment must be used.
- Non-qualified committees are not required to list a bank account or the names of those person(s) authorized to obtain the committee bank records.

## 4. Type of Committee:

**Controlled Committee:** A "controlled committee" is one which is controlled directly or indirectly by an officeholder, candidate, or state measure proponent, or which acts jointly with an officeholder, candidate, state measure proponent, or another controlled committee in connection with making expenditures.

A committee is controlled if the officeholder, candidate, or proponent, his/her agent, or any other committee he/she controls, has a significant influence on the actions or decisions of the committee.

"Proponents" of state measures are persons who request the Attorney General to prepare a title and summary of a state initiative, referendum, or measure.

**Candidate Election Committee:** Identify the candidate's last name, office, election year and party, if applicable.

**Ballot Measure Committee Controlled by State Candidate:** Identify each measure on which the committee has spent or anticipates spending \$50,000 or more in the current two-year period, beginning with January 1 of an odd-numbered year. If the ballot designation has not been assigned, describe the purpose of the anticipated measure(s). Amend the Form 410 when a ballot designation is assigned. Provide this information in the primarily formed or general purpose section or on an attachment.

**Legal Defense Committee:** On an attachment, describe the specific legal dispute(s) for which the legal defense fund was established. The Form 410 must be amended within 10 days when legal disputes are either resolved or new disputes are initiated.

**Primarily Formed Committee:** A committee is "primarily formed" when it makes or initially plans to make more than 70% of its contributions and expenditures to support or oppose a specific candidate or measure, or a group of measures or specific local candidates all being voted upon in the same election on the same date. (FPPC Regulation 18247.5)

**New committees:** A new committee formed within six months of a statewide regular election or within 30 days of a state special election is presumed to be primarily formed if the committee makes at least \$25,000 in independent expenditures to support or oppose a state candidate or measure. Monthly review is required for other new committees that spend at least \$1,000 a month and were formed within six months of an election in connection with which the committee makes contributions or expenditures.

Quarterly review at the end of March, June, September and December is required for other committees.

A committee controlled by a candidate for their own candidacy is not a primarily formed committee.

**State ballot measures - qualification ID number:** Certain committees must list in Section 4, Primarily Formed Committee, the Attorney General's Office assigned identification number to a proposed state ballot measure:

- A committee submitting the title and summary;
- A committee primarily formed for the measure; or
- A committee that spends \$100,000 or more on petition circulation for the measure.

**Statement of Organization  
Recipient Committee**

INSTRUCTIONS ON REVERSE

Page 3

COMMITTEE NAME

I.D. NUMBER

**4. Type of Committee** *(Continued)*

**General Purpose Committee**

Not formed to support or oppose specific candidates or measures in a single election. Check only one box:

CITY Committee

COUNTY Committee

STATE Committee

PROVIDE BRIEF DESCRIPTION OF ACTIVITY

**Sponsored Committee**

List additional sponsors on an attachment.

NAME OF SPONSOR

INDUSTRY GROUP OR AFFILIATION OF SPONSOR

STREET ADDRESS

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE/PHONE

**Small Contributor Committee**

\_\_\_\_/\_\_\_\_/\_\_\_\_

Date qualified

**5. Termination Requirements**

By signing the verification, the treasurer, assistant treasurer and/or candidate, officeholder, or ponent certify that all of the following conditions have been met:

- This committee has ceased to receive contributions and make expenditures;
- This committee does not anticipate receiving contributions or making expenditures in the future;
- This committee has eliminated or has no intention or ability to discharge all debts, loans received, and other obligations;
- This committee has no surplus funds; and
- This committee has filed all campaign statements required by the Political Reform Act disclosing all reportable transactions.
  - There are restrictions on the disposition of surplus campaign funds held by elected officers who are leaving office and by defeated candidates. Refer to Government Code Section 89519.
  - Leftover funds of ballot measure committees may be used for political, legislative or governmental purposes under Government Code Sections 89511 - 89518, and are subject to Elections Code Section 18680 and FPPC Regulation 18521.5.

# Instructions for Statement of Organization

**Recall Committees:** A committee supporting or opposing a recall must list “Recall [Officeholder’s Name],” the office held by the recall target officeholder, and mark the appropriate box to indicate whether the committee supports or opposes the recall of the officeholder.

## General Purpose Committee

A committee is a “general purpose committee” if its principal activity is supporting or opposing a variety of candidates or measures voted on in different elections. (FPPC Regulation 18227.5)

- A **state committee** makes contributions or expenditures to support or oppose candidates or measures voted on in state elections, or in more than one county; it does not make over 70% of its contributions or expenditures in a single local jurisdiction. State contributions include contributions to other state general purpose committees. *All political party committees that meet the requirements as a political party pursuant to Elections Code Section 5100 (Government Code Section 85205) (including county central committees) are state committees.*
- A **county committee** makes more than 70% of its contributions or expenditures to support or oppose candidates or measures voted on in a single county, or in more than one jurisdiction within one county. This includes contributions to other general purpose committees in the same county.
- A **city committee** makes more than 70% of its contributions or expenditures to support or oppose candidates or measures voted on in a single city, or in one consolidated city and county. This includes contributions to other city general purpose committees in the same city.

*A city or county committee may make up to four contributions in a calendar year to candidates for elective state office whose districts are within the same jurisdiction and is not required to change its status to a state committee.*

## Brief Description of Organization’s Political Activities:

A multipurpose organization, other than a federal or out-of-state PAC, must describe its mission or most significant activities and describe its political activities.

This description shall include all activities undertaken for the purpose of directly or indirectly supporting or opposing state or local candidates; or qualifying, supporting, or opposing, a state or local ballot measure.

A committee that has made contributions or expenditures of \$5,000 or more during a quarter must review its activity at the end of March, June, September and December to determine if the committee is filing reports in the appropriate jurisdiction. During the first six months, a new committee must check its jurisdictional status each month the committee makes expenditures of \$1,000 or more. If a change of filing locations occurs, reports must be filed in both the new and old jurisdiction through the calendar year.

After marking the appropriate state, county or city box, provide a brief description of the committee’s political activities such as whether it supports candidates or measures that share a common political affiliation.

## Sponsored Committee

A “sponsored committee” is a general purpose or primarily formed committee, other than an officeholder or candidate controlled committee, that has one or more sponsors. An organization, business, or other entity is a sponsor if one or more of the following apply:

- The committee receives 80% or more of its contributions from the entity or organization or its members, officers, employees, or shareholders.
- The entity or organization collects contributions for the committee by use of payroll deductions or dues from its members, officers or employees.
- The entity or organization, alone or in combination with other entities or organizations, provides all or nearly all of the administrative services for the committee.
- The entity or organization, alone or in combination with other entities or organizations, sets the policies for contribution solicitations or payment of expenditures from committee funds.

See the instructions for Part 1 for a sponsored committee’s name requirements.

## Small Contributor Committee

A “small contributor committee” is one that has been in existence for more than six months; receives contributions from 100 or more persons; makes contributions to five or more candidates; and has not received more than \$200 from one person in a calendar year.

## 5. Termination Requirements:

Recipient committees may only terminate when:

- They have ceased to receive contributions and make expenditures; and
- They do not anticipate receiving contributions, repayments of outstanding loans made to others, or any other receipts in the future, and they do not anticipate making expenditures in the future; and
- They have eliminated or have no intention or ability to discharge all their debts, loans received, and other obligations; and
- They have no funds; and
- They have filed all required campaign statements disclosing all reportable transactions, including disposition of funds.

**State Candidates:** There are mandatory termination deadlines applicable to your committees.

## How to Terminate

After the termination requirements above are met:

**For State Committees:** Complete page one of the Form 410 and mark the termination box. Send the Form and last Form 450 or 460 (mark the termination box) to the Secretary of State.

**For Local Committees:** Complete page one of the Form 410, mark the termination box and send the Form to the Secretary of State. Send a copy of the Form 410 and last Form 450 or 460 (mark the termination box) to your city or county filing officer.

**Who Uses Form 470:**

Form 470 is for use by officeholders and candidates who:

- do not have a controlled committee;
- do not anticipate receiving contributions totaling \$2,000 or more during the calendar year; and
- do not anticipate spending \$2,000 or more during the calendar year.

Officeholders and candidates who have a controlled committee or who have raised or spent \$2,000, file the Recipient Committee Statement – Form 460.

**Exceptions:**

The following individuals seeking or holding office are not required to file campaign disclosure statements (Form 470 or Form 460):

- candidates for county central committee offices that do not raise or spend \$2,000 or more in a calendar year;
- officeholders whose salaries are less than \$200 per month and judicial candidates who have not made or received contributions or made expenditures during non-election years; and
- judges who do not receive contributions and who make personal expenditures of less than \$1,000 or more in non-election years.

**Period Covered:**

The period covered is always the calendar year (January 1 through December 31).

**\$2,000 Threshold:**

To determine if \$2,000 has been raised or spent, or will be raised or spent, the candidate's personal funds for the filing fee or statement of qualifications are excluded.

A campaign bank account must be established if the candidate receives contributions from other persons.

**When to File:**

Ensure campaign deadlines are met. Go to [www.fppc.ca.gov](http://www.fppc.ca.gov) for campaign disclosure filing schedules.

If the Form 470 is filed in connection with an election, or on or before the filing deadline for the first campaign statement required for the calendar year, no additional campaign statements need to be filed for that calendar year as long as total contributions received remain less than \$2,000 and total expenditures made remain less than \$2,000. In most cases, July 31 is the filing deadline for the first campaign statement required to be filed by officeholders and candidates not being voted upon.

The Form 470 is filed in connection with an election if it is filed with the declaration of candidacy, or as a first preelection statement in connection with an election, covering the year of the election. If, after filing Form 470, receipts or expenditures reach \$2,000 or more, see the attached Form 470 Supplement for important reporting requirements.

**Where to File:**

**State Elections:**

State officeholders, state candidates, candidates and members of CalPERS and CalSTRS, judges and judicial candidates must file the original and one copy with:

Secretary of State  
Political Reform Division  
1500 11th Street, Room 495  
Sacramento, CA 95814  
Phone (916) 653-6224  
Fax (916) 653-5045  
[www.sos.ca.gov](http://www.sos.ca.gov)

**Additional Copies:**

A copy of the Form 470 must also be filed with the candidate's county of domicile's filing officer. CalPERS and CalSTRS board candidates must file a copy of the Form 470 with the relevant CalPERS or CalSTRS office and not the candidate's county of domicile.

**Local Elections:**

- Elected officers and candidates for local multi-county agencies file an original and one copy with the elections official for the county with the largest number of registered voters in the district and one copy with the candidate's county of domicile.
- Elected county officeholders and candidates for county offices file an original and one copy with the elections official for that county.
- Elected city officeholders and candidates for city offices file an original and one copy with the city clerk.

**Note:** A local agency may impose additional requirements.

**Amendments:** If you are filing an amendment to a previously filed statement, give a brief explanation of the amendment. Be sure to enter the calendar year covered by the statement you are amending and the date of election, if applicable.

This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements and the Information Practices Act of 1977, see the FPPC Campaign Disclosure Manual.

## Instructions for Completing Form 470 Supplement

### Form 470 Supplement:

If an officeholder or candidate files the Form 470 for an election year and later receives contributions (including monetary and non-monetary contributions, loans, and the candidate's personal funds) totaling \$2,000 or more or makes expenditures totaling \$2,000 or more during the same calendar year, the officeholder or candidate must send a written notice within 48 hours. Use the attached Form 470 Supplement or follow the instructions below for preparing the notice.

### When to File:

The notice must be sent within 48 hours of receiving contributions totaling \$2,000 or more or making expenditures of \$2,000 or more.

### Method of Delivery:

The notice must be sent by guaranteed overnight delivery service, personal delivery, fax, or email. Regular mail may not be used.

### Where to File:

- Secretary of State's Office;
- local filing officer with whom the officeholder/candidate is required to file the originals of his/her campaign statements; and
- each candidate seeking the same office.

Contact your filing officer for candidate addresses.

### Officeholder/Candidate Information:

Enter the officeholder/candidate's full name, residential or business address and daytime telephone number.

### Office Sought:

- Enter the title of the office sought;
- the district number, if any; and
- the date of the election.

### Date Contributions/Expenditures Were Made or Received:

Enter the date monetary or non-monetary contributions totaling \$2,000 or more (including the candidate's personal funds) were received or the date expenditures of \$2,000 or more were made.

**Amendments:** If you are filing an amendment to a previously filed statement, give a brief explanation of the amendment.

**Note:** Once an officeholder or candidate reaches the \$2,000 threshold in receipts or expenditures, in addition to filing the Form 470 Supplement, other forms are required. See FPPC Campaign Disclosure Manual 1 for state candidates or Manual 2 for local candidates.

**Officeholder and Candidate  
Campaign Statement –  
Short Form**

		Date Stamp	<b>CALIFORNIA FORM 470</b>
Date of election if applicable: (Month, Day, Year)	Amendment (Explain Below)		For Official Use Only
_____	_____		

1. Statement Covers Calendar Year 20 \_\_\_\_ .

**2. Officeholder or Candidate Information**

**3. Office Sought or Held**

NAME OF OFFICEHOLDER OR CANDIDATE \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

AREA CODE/DAYTIME PHONE NUMBER \_\_\_\_\_ OPTIONAL: FAX / E-MAIL ADDRESS \_\_\_\_\_

OFFICE SOUGHT OR HELD \_\_\_\_\_

JURISDICTION (LOCATION) \_\_\_\_\_

DISTRICT NUMBER (IF APPLICABLE) \_\_\_\_\_

**4. Committee Information**

List all committees of which you have knowledge that are primarily formed to receive contributions or to make expenditures on behalf of your candidacy.

COMMITTEE NAME AND I.D. NUMBER	COMMITTEE ADDRESS	NAME OF TREASURER

**5. Verification**

I declare under penalty of perjury that to the best of my knowledge I anticipate that I will receive less than \$2,000 and that I will spend less than \$2,000 during the calendar year and that I have used all reasonable diligence in preparing this statement. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on \_\_\_\_\_ DATE

By \_\_\_\_\_ SIGNATURE OF OFFICEHOLDER OR CANDIDATE

**Officeholder and Candidate  
Campaign Statement  
Form 470 Supplement**

<b>Amendment</b> (Explain Below) _____ _____	Date Stamp	<b>CALIFORNIA FORM 470 SUPPLEMENT</b>
This form is written notification that the officeholder/candidate listed below has received contributions totaling \$2,000 or more or has made expenditures of \$2,000 or more during the calendar year.		For Official Use Only

SEE INSTRUCTIONS ON REVERSE

**1. Officeholder or Candidate Information**

\_\_\_\_\_  
NAME OF OFFICEHOLDER OR CANDIDATE

\_\_\_\_\_  
STREET ADDRESS

\_\_\_\_\_  
CITY STATE ZIP CODE

\_\_\_\_\_  
AREA CODE/DAYTIME PHONE NUMBER OPTIONAL: FAX / E-MAIL ADDRESS

**2. Office Sought**

OFFICE SOUGHT	DISTRICT NUMBER (IF APPLICABLE)
DATE OF ELECTION (MONTH, DAY, YEAR)	

**3. Date Contributions Totaling \$2,000 or More Were Received or Date Expenditures of \$2,000 or More Were Made**

\_\_\_\_\_  
(MONTH, DAY, YEAR)

## Who Files:

A candidate for state or local office must file this form for each election for a specific office. Exception: A new Form 501 is not required for the general election or special general election if the candidate filed a Form 501 for the connected primary or special primary election for the same office sought. Candidates for county central committee that do not raise or spend \$2,000 or more in a calendar year are not required to file a Form 501.

## When to File:

File the Form 501 before you solicit or receive any contributions or before you make expenditures from personal funds on behalf of your candidacy. This form is considered filed the date it is postmarked or hand delivered. Ensure campaign deadlines are met. Go to [www.fppc.ca.gov](http://www.fppc.ca.gov) for most campaign disclosure filing schedules or check with your local filing officer.

## Where to File:

### State Candidates (including Judges):

Secretary of State Political Reform Division  
1500 11th Street, Room 495  
Sacramento, CA 95814  
Phone (916) 653-6224

For filing with a verified digital signature, please access the Secretary of State's website for more information:  
[www.sos.ca.gov](http://www.sos.ca.gov)

### Local Candidates:

Generally your county election office or city clerk. Electronic filing may be required.

### Bank Account:

A separate campaign bank account must be established for each election. A bank account is not required if a candidate will not receive any contributions and will make personal expenditures of less than \$2,000 in a calendar year. A candidate who

receives any contributions, regardless of personal expenditure level, must open a bank account. The filing and statement of qualification fees are not included in calculating the \$2,000.

## How to Complete:

All candidates: Complete Parts 1 and 3.

Candidates for elective state office: Complete Parts 1, 2, and 3.

Exception: Candidates for an election to the California Public Employees' Retirement Board, the State Teachers' Retirement Board, judges, and judicial candidates do not complete Part 2.

## Part 1. Candidate Information

- Enter your name and street address.
- Enter the title of the office sought, agency name, and district number if any (e.g., City Council Member, City of Smalltown, Dist. 5).
- Enter your political party preference if seeking a partisan office. For a list of qualified political parties, go to: [www.sos.ca.gov/elections/political-parties/qualified-political-parties/](http://www.sos.ca.gov/elections/political-parties/qualified-political-parties/).
- Check the appropriate box regarding the office's jurisdiction.
- Enter the year of election.

## Part 2. Voluntary Expenditure Ceiling

This section applies to certain candidates for elective state office, including State Senate and Assembly and statewide offices.

The voluntary expenditure ceiling applicable to your office is set forth in FPPC Regulation 18545. You must state whether you accept or reject the expenditure ceiling. Candidates who accept the voluntary expenditure limit will be designated in either the state voter information guide (statewide candidates) or the county voter information guide (Senate and Assembly

candidates) and may purchase space for a 250-word statement there.

You may amend the Form 501 to change your acceptance or rejection of the voluntary expenditure ceiling only under the following circumstances:

- Between the date of filing an initial Form 501 for an election and the deadline for filing nomination papers for that election, you may amend your statement of acceptance or rejection of the voluntary expenditure ceiling no more than two times as long as the limit has not been exceeded.
- If you reject the voluntary expenditure ceiling in the primary or special election but do not exceed the ceiling during that election, you may amend the Form 501 to accept the expenditure ceiling for the general or special runoff election and receive all of the benefits accompanying the acceptance of the expenditure ceiling. The amended Form 501 must be filed within 14 days following the primary or special election.

## Personal Funds Notification:

You must disclose, if applicable, the date you contribute personal funds to your own campaign that exceed the expenditure ceiling. File an amended Form 501 within 24 hours by guaranteed overnight delivery, personal delivery, or, if applicable, by electronic means.

## Part 3. Verification

The verification is signed under penalty of perjury. This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements, see the FPPC Campaign Disclosure Manual for your type of committee.





# CAMPAIGN STATEMENT

E-mail when complete:

[cityclerk@brentwoodca.gov](mailto:cityclerk@brentwoodca.gov)

Cost:

District 1: \$345.00

District 3: \$405.00

Mayor: \$984

Word Limit: 250 words,  
in block format

## Candidates Statement of Qualifications

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Each candidate for elective office may prepare an optional "Candidate Statement" at their own expense. The "Candidate Statement" is designed to familiarize voters with a candidate's qualifications for the office he/she is seeking. The "Candidate Statement" is incorporated into the "Voter Information Guide", and will be mailed to all registered voters, eligible to vote for that particular office. EC 13313, 13314

### Filing of "Candidate Statement":

In addition to filing a hardcopy, candidates need to submit the statement in an editable text format, to the following email address: [cityclerk@brentwoodca.gov](mailto:cityclerk@brentwoodca.gov)

The candidate should carefully proof their candidate statement for spelling, punctuation, and grammar prior to submitting, as the statement will be printed as filed.

The "Candidate Statement" will be formatted in block format. Statements are subject to the word count and guidelines described in the Word Count Standards.

Formatting is determined by the limitations of space, which is a quarter of a page for statements up to 250 words. Regardless of the final word count, statements are limited to a quarter page.

The Statement MAY include:

- Name, age, and occupation of the candidate
- A brief description of the candidate's education and qualifications as expressed by the candidate in their own words

### Restrictions:

The Statement MAY NOT include:

- The party affiliation of the candidate
- Membership or activity in any partisan political organizations
- References to other candidates for that office or another candidate's qualifications, character, or activities

### Costs:

The cost of the candidate statement must be paid at the time the statement is filed. For candidate statement costs.

Office	Cost
Council Member District 1	\$345.00
Council Member District 3	\$405.00
Mayor (at large)	\$984.00

## *Candidates Statement of Qualifications*

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### **Changing the Statement:**

The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 pm of the next business day, after the close of the filing period. A candidate must sign a statement if he/she chooses to withdraw the statement. A new statement cannot be filed to replace a withdrawn statement.

The "Candidate Statement" will remain confidential until after the close of the filing period for the office sought.

### **Public Review Period:**

After the close of the filing period, anyone may examine "Candidate Statements." During a 10-calendar day period, commencing the day after the close of the filing period, any voter of the jurisdiction in which the election is being held or the county elections official may seek a writ of mandate or an injunction challenging any or all of the material in a "Candidate Statement". No challenges may be submitted to or will be considered by the Registrar.

# Candidates Statement of Qualifications

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Below are samples of 250-word candidate statements, as they would appear in the county Voter Information Guide. Statements will appear in the same order as the candidates appear on the ballot.

## NAME OF DISTRICT

**NAME**  
Ballot Designation

I am running for the governing board of the ABC Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from ABC High School in 1985. I am married and currently have two children attending school in the district.

I own and operate my own business, so I am well aware of resources and educational materials. I am convinced we can offer quality education to all students within the district. I fully understand the value of a public education. As your next school board member, I will work for small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals.

I am also committed to promoting innovative programs that help our students develop critical thinking skills, problem-solving abilities, and creativity. Our students must be prepared for the rapidly changing world, and I believe that providing a comprehensive education that includes both academic and real-world skills is critical.

**NAME**  
Ballot Designation

I am running for the governing board of the ABC Unified School District because I feel I can bring a balance to the board. I am married and currently have two children attending school in the district. I own and operate my own business, so I am well aware of resources and educational materials. I am convinced we can offer quality education to all students within the district. I fully understand the value of a public education. As your next school board member, I will work for small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals. I am also committed to promoting innovative programs that help our students develop critical thinking skills, problem-solving abilities, and creativity. Our students must be prepared for the rapidly changing world, and I believe that providing a comprehensive education that includes both academic and real-world skills is critical. I am passionate about providing every child with an exceptional education and believe that we must work together to create the best possible future for our children. I thank you for considering me as a candidate for the school board and look forward to earning your vote. Vote for me! Thank you!

**NAME**  
Ballot Designation

I am running for the governing board of the ABC Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from ABC High School in 1985. I am married and currently have two children attending school in the district.

I own and operate my own business, so I am well aware of resources and educational materials. I am convinced we can offer quality education to all students within the district.

I fully understand the value of a public education. As your next school board member, I will work for small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals.

I am also committed to promoting innovative programs that help our students develop critical thinking skills, problem-solving abilities, and creativity. Our students must be prepared for the rapidly changing world, and I believe that providing a comprehensive education that includes both academic and real-world skills is critical. I am passionate about providing every child with an exceptional education and believe that we must work together to create the best possible future for our children. I thank you for considering me as a candidate for the school board and look forward to earning your vote.

Thank you!

Each candidate statement is formatted into a box measuring approximately 3.5" x 4.25" using Arial Narrow 10 size font.

**Do not use:**

- Bullets, stars, or asterisks
- Bolding
- Italics
- All capital letters (except for acronyms or abbreviations)
- Underlining
- Lists
- Indentation

## *Candidates Statement of Qualifications*

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<p><b>Acronyms</b> Examples: UCLA, PTA, U.S.M.C</p>	one word
<p><b>Geographical names</b> Examples: Contra Costa County Walnut Creek City of Pittsburg Bay Area</p>	one word
<p><b>Districts with an Elected Board</b> Examples: Contra Costa Community College District Antioch Unified School District East Bay Regional Park District San Francisco Bay Area Rapid Transit District</p>	one word
<p><b>Numbers/Numerical Combinations</b> 4<sup>th</sup>/5<sup>th</sup> Digits (1, 10, or 100, etc.) 1990-1991, 100%, etc. Spelled out (one, ten, or one hundred)</p>	one word one word one word one for each word
<p><b>Dates</b> All digits (11/5/96) Word and digits (June 2, 1998)</p>	one word one word
<p><b>Hyphenated words</b> Regularly hyphenated words that appear in the Merriam-Webster Dictionary online.</p>	one word
<p><b>Punctuation</b></p>	not counted
<p><b>Telephone numbers</b> 335-7800 (925) 335-7800</p>	one word one word
<p><b>Email / Website addresses</b></p>	one word

## **RESOLUTION NO. 2024-53**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION; AND REPEALING RESOLUTION NO. 2022-72**

**WHEREAS**, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for the municipal election, including costs of the candidate's statement; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Brentwood does declare, determine, and order as follows:

1. That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an election to be held in the City of Brentwood may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 250 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement will not include party affiliation of the candidate, nor membership or activity in partisan political organizations.
2. Pursuant to the Voting Rights Act of 1965 (the "Act") and State law, the City is required to translate candidate statements into Spanish and Chinese. The City Clerk is requested to have all candidate statements translated into Spanish and Chinese and printed in the voter's pamphlet.
3. The candidate will be required to pay for the cost of printing the candidate's statements in English, Spanish, and Chinese. The Contra Costa County Clerk - Recorder - Elections Department has provided a cost for the handling, translating, and mailing of the candidate's statements filed pursuant to this section including costs incurred as a result of complying with the Act (as amended), and requires each candidate filing a statement to pay in advance to the local agency his or her pro rata share as a condition of having his or her statement included in the voter's pamphlet.
4. Candidates will be required to make a payment, which will be submitted to the City Clerk at the time the candidate's statement is filed. The City is providing an estimate of the charges. Once an invoice is received from the County, the actual costs will be determined. In the event of an overpayment by the candidate, the overpaid amount would be refunded; if there is an underpayment by the candidate, staff would bill the additional amount to the candidate. The payment will apply against the estimated cost of producing the candidate's statement and voter pamphlet the costs are:

<b>Office</b>	<b>Cost</b>
Council Member District 1	\$345.00
Council Member District 3	\$405.00
Mayor (at large)	\$984.00

5. That Resolution 2022-72 establishing City Council policy on payment for candidate's statements is repealed.
6. That this resolution will apply to the municipal election to be held on November 5, 2024.
7. That in all particulars not recited in this resolution related to candidate statements will be handled as provided by local, state, and federal law for holding municipal elections.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Brentwood at regular meeting held on the 28<sup>th</sup> day of May 2024 by the following vote:

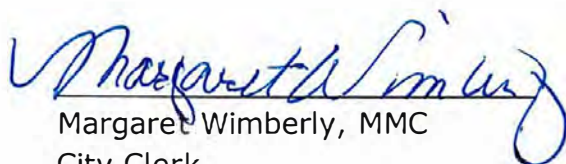
AYES: Meyer, Mendoza, Pierson, Oerlemans, Mayor Bryant  
NOES: None  
ABSENT: None  
RECUSE: None



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Joel R. Bryant  
Mayor

ATTEST:



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Margaret Wimberly, MMC  
City Clerk





California Secretary of State  
BALLOT DESIGNATION WORKSHEET

November 5, 2024, General Election (Elections Code §§ 13107, 13107.3, 13107.5; California Code of Regulations § 20711)

This entire form **must be completed**, or it will not be accepted, and you will **not** be entitled to a ballot designation. **DO NOT LEAVE ANY RESPONSE SPACES BLANK.** If information requested is not applicable, please write "N/A" in the space provided, otherwise the information **MUST** be provided. **UPON FILING, THIS WORKSHEET WILL BE A PUBLIC DOCUMENT.**

Candidate Information 1

Candidate Name: \_\_\_\_\_

Office: \_\_\_\_\_ Email: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone Number(s) Business: \_\_\_\_\_ Home/Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_

Attorney or Other Authorized Person Information 2

Attorney Name (or other person authorized to act on your behalf): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number(s) Business: \_\_\_\_\_ Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_

**You may select as your ballot designation one of the following designations:**

- (a) Your current principal profession(s), vocation(s), or occupation(s) [maximum total of three words, separated by a slash ("/")].
- (b) The full title of the public office you currently occupy and to which you were elected.
- (c) "Appointed [full title of public office]" if you currently serve by appointment in an elective public office and are seeking election to the same office or to some other office.
- (d) "Incumbent" if you were elected (or, if you are a Superior Court Judge, you are a candidate for the same office that you hold) to your current public office and seek election to the same office.
- (e) "Appointed Incumbent" if you were appointed to your current elective public office and seek election to the same office.

Proposed Ballot Designation(s) 3

Proposed Ballot Designation(s): \_\_\_\_\_

Alternate Ballot Designation(s) 1: \_\_\_\_\_

Alternate Ballot Designation(s) 2: \_\_\_\_\_

If your proposed ballot designation is pursuant to Elections Code § 13107(a)(3):  
 The professions, vocations or occupations relied upon to support my proposed ballot designation(s) constitute my primary, main or leading professions, vocations or occupations. Initial \_\_\_\_\_

**Translation of Proposed Designation:** Gender specific translations will default to the masculine form for uniformity in translation unless you specify otherwise: ( ) Masculine ( ) Feminine

**In the spaces provided on the next page(s):**

- (a) Describe why you believe you are entitled to use the proposed ballot designation.
- (b) If your proposed ballot designation contains one or more slashes ("/") separating words in your ballot designation for separate principal profession(s), vocation(s), or occupation(s) (collectively known as "PVOs"), complete a justification section for each separate PVO.
- (c) Attach any documents or exhibits that you believe support your proposed ballot designation. **(Note: It is not necessary to provide copies of Certificates of Election if you are currently a seated member for a voter-nominated office).**
- (d) If using the title of an elective office, attach a copy of your certificate of election or appointment.
- (e) Any supporting documents will not be returned to you. **Do not submit originals.**

**It is your responsibility to justify your proposed ballot designation and to provide all requested details.**



California Secretary of State  
BALLOT DESIGNATION WORKSHEET

November 5, 2024, General Election (Elections Code §§ 13107, 13107.3, 13107.5; California Code of Regulations § 20711)

Page 2

If your proposed ballot designation includes the word "volunteer," indicate the title of your volunteer position and the name of the entity for which you volunteer along with a brief description of the type of volunteer work you do and the approximate amount of time involved. You may only use the ballot designation "community volunteer" if you volunteer for a 501(c)(3) charitable, educational, or religious organization, a governmental agency or an educational institution. You may not use "community volunteer" together with another designation.

If your proposed ballot designation contains **one or more slashes ("/)** separating multiple principal profession(s), vocation(s), or occupation(s) (collectively known as "PVOs"), **complete a justification section for each separate PVO.**

Justification for use of Proposed Ballot Designation(s)  
If you are proposing alternate ballot designations, please provide justification for use of those on Page 3.

4

Justification for use of 1 <sup>st</sup> PVO:		
Current or most recent job title:	Start Date:	End Date:
Employer Name or Business:		
Person who can verify this information:		
Name:	Phone Number(s):	Email:
Justification for use of 2 <sup>nd</sup> PVO:		
Current or most recent job title:	Start Date:	End Date:
Employer Name or Business:		
Person who can verify this information:		
Name:	Phone Number(s):	Email:
Justification for use of 3 <sup>rd</sup> PVO:		
Current or most recent job title:	Start Date:	End Date:
Employer Name or Business:		
Person who can verify this information:		
Name:	Phone Number(s):	Email:

Before signing below, answer/initial the following questions. Does your proposed ballot designation:

- |  |  |               |
|--|--|---------------|
| 1) Use only a portion of the title of your current elected office?   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 2) Non-judicial candidates: Use only the word "Incumbent" for an elective office to which you were appointed?                  | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 3) Use more than three total words for your principal professions, vocations, or occupations?                                  | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 4) Suggest an evaluation of you, such as outstanding, leading, expert, virtuous, or eminent?                                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 5) Refer to a status (Veteran, Activist, Founder, Scholar), rather than a profession, vocation, or occupations?                | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 6) Abbreviate the word "retired"?  | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 7) Place the word "retired" after the words it modifies? Example: Accountant, retired  | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 8) Use a word or prefix (except "retired") such as "former" or "ex-" to refer to a former profession, vocation, or occupation? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 9) Use the word "retired" along with a current profession, vocation, or occupation? Example: Retired Firefighter/Teacher       | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 10) Use the name of a political party or political body?   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 11) Refer to a racial, religious, or ethnic group?   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |
| 12) Refer to any activity prohibited by law?   | <input type="checkbox"/> Yes <input type="checkbox"/> No | Initial _____ |

If the answer to any of these questions is "yes," your proposed ballot designation is likely to be rejected.

X

\_\_\_\_\_

Candidate's Signature

Date Signed: Month/Day/Year

For your reference, attached are Elections Code sections 13107, 13107.3, and 13107.5, and California Code of Regulations (CCR), title 2, section 20711. You also may wish to consult CCR, title 2, sections, 20712-20719 (found at [www.sos.ca.gov](http://www.sos.ca.gov)).



California Secretary of State  
BALLOT DESIGNATION WORKSHEET

November 5, 2024, General Election (Elections Code §§ 13107, 13107.3, 13107.5; California Code of Regulations § 20711)

Page 3

COMPLETE THIS PAGE ONLY IF one or more **Alternate Ballot Designation(s)** are provided. If this page is not applicable, please initial: \_\_\_\_\_

Justification for  
Alternate Ballot  
Designation(s) 1

A

Justification for use of 1 <sup>st</sup> PVO:		
Current or most recent job title:	Start Date:	End Date:
Employer Name or Business:		
Person who can verify this information:		
Name:	Phone Number(s):	Email:
Justification for use of 2 <sup>nd</sup> PVO:		
Current or most recent job title:	Start Date:	End Date:
Employer Name or Business:		
Person who can verify this information:		
Name:	Phone Number(s):	Email:
Justification for use of 3 <sup>rd</sup> PVO:		
Current or most recent job title:	Start Date:	End Date:
Employer Name or Business:		
Person who can verify this information:		
Name:	Phone Number(s):	Email:

Justification for  
Alternate Ballot  
Designation(s) 2

B

Justification for use of 1 <sup>st</sup> PVO:		
Current or most recent job title:	Start Date:	End Date:
Employer Name or Business:		
Person who can verify this information:		
Name:	Phone Number(s):	Email:
Justification for use of 2 <sup>nd</sup> PVO:		
Current or most recent job title:	Start Date:	End Date:
Employer Name or Business:		
Person who can verify this information:		
Name:	Phone Number(s):	Email:
Justification for use of 3 <sup>rd</sup> PVO:		
Current or most recent job title:	Start Date:	End Date:
Employer Name or Business:		
Person who can verify this information:		
Name:	Phone Number(s):	Email:



For your reference, the relevant provisions of Elections Code section 13107 are reproduced below:

(a) With the exception of candidates for Justice of the State Supreme Court or court of appeal, immediately under the name of each candidate, and not separated from the name by any line, unless the designation made by the candidate pursuant to Section 8002.5 must be listed immediately below the name of the candidate pursuant to Section 13105, and in that case immediately under the designation, may appear at the option of the candidate only one of the following designations:

(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which the candidate was elected by vote of the people.

(2) The word "incumbent" if the candidate is a candidate for the same office which the candidate holds at the time of filing the nomination papers, and was elected to that office by a vote of the people. A candidate shall not use the word "incumbent" if the candidate was elected to their office in an at-large election and is a candidate in a district-based election.

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents.

(4) The phrase "appointed incumbent" if the candidate holds an office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which the candidate holds and to which the candidate was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

(b) (1) Except as specified in paragraph (2), for candidates for judicial office, immediately under the name of each candidate, and not separated from the name by any line, only one of the following designations may appear at the option of the candidate:

(A) Words designating the city, county, district, state, or federal office held by the candidate at the time of filing the nomination documents.

(B) The word "incumbent" if the candidate is a candidate for the same office that the candidate holds at the time of filing the nomination papers.

(C) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents.

(2) For a candidate for judicial office who is an active member of the State Bar employed by a city, county, district, state, or by the United States, the designation shall appear as one of the following:

(A) Words designating the actual job title, as defined by statute, charter, or other governing instrument.

(B) One of the following ballot designations: "Attorney," "Attorney at Law," "Lawyer," or "Counselor at Law." The designations "Attorney" and "Lawyer" may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents.

(3) A designation made pursuant to subparagraph (A) of paragraph (1) or paragraph (2) shall also contain relevant qualifiers, as follows:

(A) If the candidate is an official or employee of a city, the name of the city shall appear preceded by the words "City of."

(B) If the candidate is an official or employee of a county, the name of the county shall appear preceded by the words "County of."

(C) If the candidate is an official or employee of a city and county, the name of the city and county shall appear preceded by the words "City and County."

(D) If the candidate performs quasi-judicial functions for a governmental agency, the full name of the agency shall be included.

(c) A candidate for superior court judge who is an active member of the State Bar and practices law as one of the candidate's principal professions shall use one of the following ballot designations as the candidate's ballot designation: "Attorney," "Attorney at Law," "Lawyer," or "Counselor at Law." The designations "Attorney" and "Lawyer" may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents.

(d) For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, including a generally available standard reference dictionary published online, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(e) The Secretary of State and any other elections official shall not accept a designation of which any of the following would be true:



California Secretary of State  
BALLOT DESIGNATION WORKSHEET

November 5, 2024, General Election (Elections Code §§ 13107, 13107.3, 13107.5; California Code of Regulations § 20711)

Page 5

- (1) It would mislead the voter.
  - (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
  - (3) It abbreviates the word "retired" or places it following any word or words which it modifies.
  - (4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."
  - (5) It uses the name of any political party, whether or not it has qualified for the ballot.
  - (6) It uses a word or words referring to a racial, religious, or ethnic group.
  - (7) It refers to any activity prohibited by law.
- (f) If, upon checking the nomination documents and the ballot designation worksheet described in Section 13107.3, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate's ballot designation worksheet.
- (1) The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date the candidate receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision (a) or (b).
  - (2) If a candidate fails to provide a designation that complies with subdivision (a) or (b) within the three-day period specified in paragraph (1), a designation shall not appear after the candidate's name.
  - (g) A designation given by a candidate shall not be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (f) or as provided in subdivision (h). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.
  - (h) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days before the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.
  - (i) In all cases, the words so used shall be printed in a manner consistent with the space requirements of Sections 13207 and 13211.
  - (j) If a foreign language translation of a candidate's designation is required under the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

**For your reference, Elections Code section 13107.3 is reproduced below:**

- (a) A candidate who submits a ballot designation pursuant to subdivision (a) of Section 13107 shall file a ballot designation worksheet that supports the use of that ballot designation by the candidate, in a format prescribed by the Secretary of State.
- (b) The ballot designation worksheet shall be filed with the elections official at the same time that the candidate files his or her declaration of candidacy.
- (c) In the event that a candidate fails to file a ballot designation worksheet in accordance with subdivision (a), no designation shall appear under the candidate's name on the ballot.

**For your reference, Elections Code section 13107.5 is reproduced below:**

- (a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:
  - (1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.
  - (2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.
  - (3) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.
- (b) The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.



For your reference, California Code of Regulations section 20711 is reproduced below:

(a) In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code § 13107, the candidate shall submit, at the time of filing his or her proposed ballot designation on the Declaration of Candidacy, a completed Ballot Designation Worksheet on a form provided by the Secretary of State.

(b) All Ballot Designation Worksheets filed with the Office of the Secretary of State or the county elections officials pursuant to this section shall be public records and shall be available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, Fifth Floor, 1500 11th Street, Sacramento, California 95814, or at the office of the applicable county elections official.

(c) The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:

(1) The candidate's name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number;

(2) A designation of the office for which the candidate is seeking election;

(3) The name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;

(4) The proposed ballot designation submitted by the candidate;

(5) The candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate's preference;

(6) A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, including the following:

(A) If the candidate holds elected office and is submitting his or her proposed ballot designation pursuant to Elections Code § 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently occupies and may attach a copy of his or her Certificate of Election;

(B) If the candidate is a judicial officer and is submitting his or her proposed ballot designation pursuant to Elections Code § 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently holds and may attach either (A) a copy of his or her Certificate of Election or (B) a copy of his or her commission or certificate of appointment, issued at the time the candidate was appointed to the judicial office which he or she currently occupies;

(C) If the candidate submits a ballot designation pursuant to Elections Code § 13107, subdivision (a)(3), the candidate shall indicate:

(i) The title of the position or positions which he or she claims supports the proposed ballot designation;

(ii) The dates during which the candidate held such position;

(iii) A description of the work he or she performs in the position;

(iv) The name of the candidate's business or employer;

(v) The name and telephone number of a person or persons who could verify such information; and

(vi) A statement that the professions, vocations or occupations relied upon to support the proposed ballot designation constitute the primary, main or leading professions, vocations or occupations of the candidate, in accordance with the definition of the term "principal" as set forth at § 20714, subdivision (b).

(D) If the candidate submits a ballot designation pursuant to Elections Code § 13107, subdivision (a)(4), the candidate shall indicate the date on which he or she was appointed to the office for which he or she is an appointed incumbent.

(d) The candidate may attach or append any supporting documents or other exhibits to his or her Ballot Designation Worksheet which he or she believes support his or her proposed ballot designation. Such attached documents or other exhibits shall be deemed to be incorporated by reference as part of the candidate's Ballot Designation Worksheet and shall be considered as such by the Secretary of State.

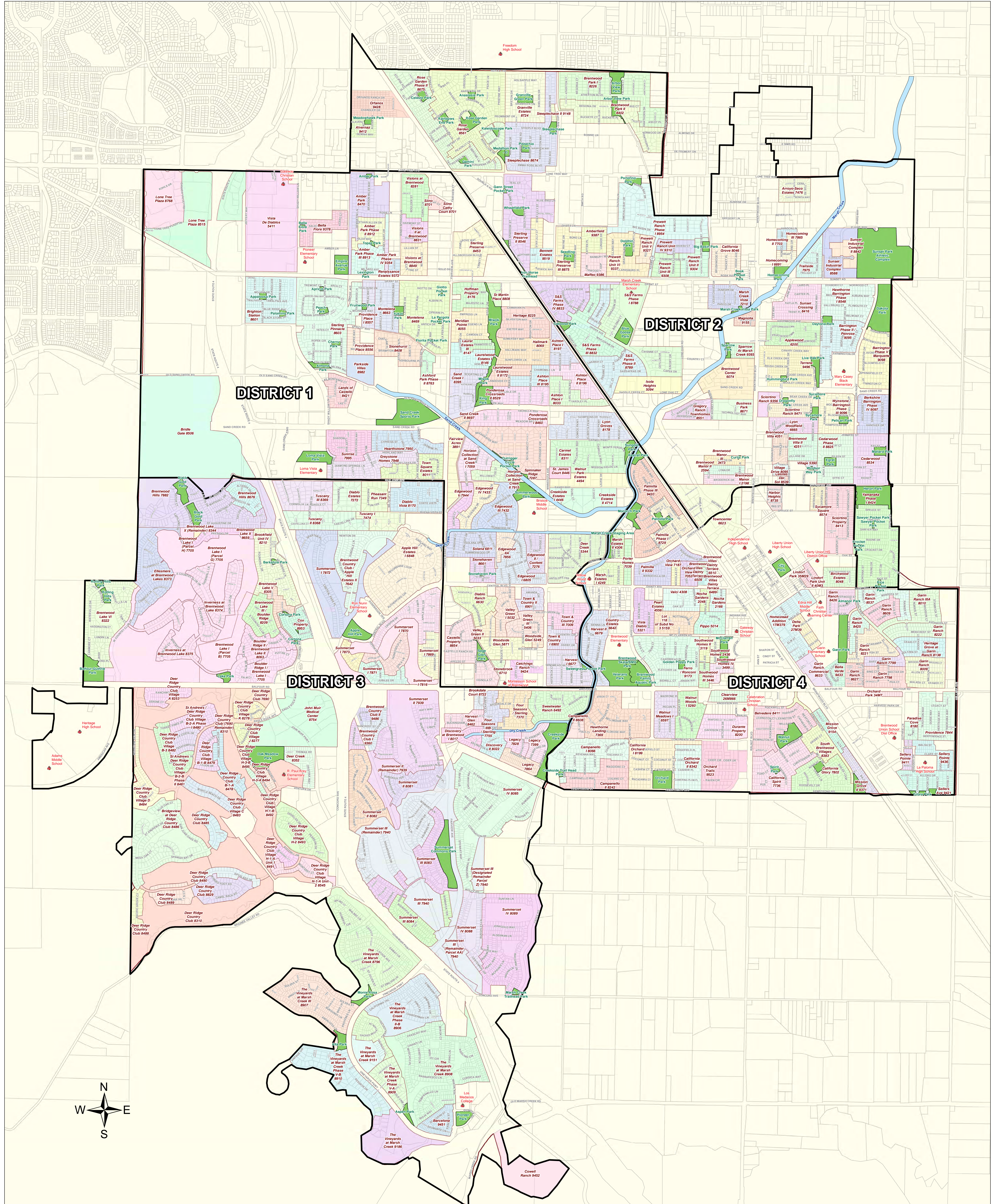
(e) If a candidate requests a change of his or her ballot designation pursuant to Elections Code § 13107(e), that request shall be accompanied by a Ballot Designation Worksheet.

# DISTRICT MAP

Signers of your nomination papers **must be registered to vote within the district you are running.** To verify the signer lives within your district, please utilize the address look-up on the City's website:

[brentwoodca.gov](http://brentwoodca.gov)

# Council Districts





## CONTRA COSTA ELECTIONS - CAMPAIGN RESOURCES

### Voter Data Products

As a candidate, you have access to voter information and data from voter registration and election files. Listed below are brief descriptions of some electronic files that are available:

#### Voter File

Text (.txt) file. Includes the voters: name, residence address, mailing address, phone number, email, birthdate, language preference, registration date, party affiliation, voting precinct, last election voted, election date, election type and voter participation in the last five major elections, and participation method of the historical elections (method by which voter voted their ballot).

#### Vote-by-Mail File

Text (.txt) file. Includes the voters: name, mailing address, phone number, ballot type, party name, voting precinct and Vote-by-Mail ballot issue date, return date, and return method. The file is available for single use and as a subscription.

The file is available for single use and as a subscription. Subscription files are sent every business day in an election cycle. Subscriptions begin 29 days before the election and end on Election Day.

Voter data may not be sold, leased, loaned, reproduced, or possession thereof relinquished without receiving written authorization to do so from the Elections Division.

Prohibited usage includes commercial purposes, solicitation of contributions, or for services for any purpose other than on behalf of a candidate, political party, or in support of or opposition to a ballot measure.

### Maps

Maps can be prepared and printed for your political campaign needs. You can request small walking maps up to large wall maps. A walking map is a precinct level map with street level detail. Wall maps can be created for larger areas or districts.

### Fees

Fees for voter data products and maps are based on the data requested and/or the number of registered voters. Some products will have taxes added to their totals.

Listed below are the fees for the voter data files and maps: Countywide Voter File	\$250.00
District Voter File (over 100,000 voters)	\$175.00
District Voter File (100,000 voters or less)	\$50.00
Vote-by-Mail Voter File Subscription	\$100.00
Vote-by-Mail Voter File Daily Request	\$25.00 per file
Wall Maps (3x3)	\$25.00
Walking Maps (11x17)	\$1.50

All orders for voter data and maps must be paid for in advance. Fees may be paid by credit/debit, cash, or check. Checks should be made payable to Contra Costa County Registrar.

Maps are also available on the County Election's website at [www.contracostavote.gov](http://www.contracostavote.gov).

**Ordering Instructions**

When purchasing voter data, you will be required to complete an Application to Purchase or View Voter Data. The application is available on the County Election website.

Completed applications must be submitted in person at the Elections Office or by mail with required documents.

Orders will be processed within 1-3 business days from the time the application and payment are received. Orders are processed in the order they are received.

For more information or if you have questions, please email [data.map@vote.cccounty.us](mailto:data.map@vote.cccounty.us).

# CHECKLIST FOR FILING

**Filing Deadline: Friday, August 9, 2024 by 5:00 p.m.\***

The following forms **must** be filed concurrently:

- 1. Nomination Paper** containing 20 to 30 signatures of registered voters residing within the District which you are running for, or Citywide for the office of Mayor. **Will be issued by the City Clerk.**
- 2. Ballot Designation Worksheet** **Will be issued by the City Clerk.**
- 3. Candidate Statement of Qualifications (Optional)** If you choose to file a Candidate Statement of Qualifications you must e-mail the final version of the statement to the City Clerk's office prior to coming in and filing your papers. Our office will only be counting words and ensuring the content is in compliance with applicable laws. We will not proof read or make corrections to this document please proof read this carefully prior to submitting.  
If you choose not to file a candidate statement you must sign the bottom of the form indicating that you are not filing a candidate's statement.
- Payment for Candidate Statement of Qualifications - This is required if you choose to have a candidates statement printed.**  
*Checks should be made payable to the City of Brentwood, you may also pay by credit card. The cost is:*
  - \$345.00 for Council Member District 1
  - \$405.00 for Council Member District 3
  - \$984.00 for Mayor (at large)
- 4. Completed Statement of Economic Interest (Form 700)**
- 5. Affidavit of Eligibility of Candidates (Must be notarized)**
- 6. Campaign Finance Statement Form 501 (unless previously filed)**
- 7. Code of Fair Campaign Practices (Optional)**

Please contact the City Clerk's Office prior to filing so that we can ensure staff will be available to assist. 925.516.5440 or [cityclerk@brentwoodca.gov](mailto:cityclerk@brentwoodca.gov)

**Candidate Statement of Qualifications**  
**For the General Election to be held November 5, 2024**  
(Elections Code §§ 13307, 13309, and 13311)

**Instructions to Candidate:** Your statement will be printed exactly as submitted. Carefully check for content, spelling, punctuation, and grammar before submission. No changes are allowed once the statement is filed.

This form must be filed along with the candidate statement.

In addition to filing a hardcopy, you will need to submit your final candidate statement in an editable text format to the following email address: [jrobbins@lovelafayette.org](mailto:jrobbins@lovelafayette.org)

Hard copy requires candidate signature.

Office Name: Councilmember      Term of office: \_\_\_\_\_ Contest ID: \_\_\_\_\_ Candidate ID: \_\_\_\_\_

Word Limit: 250 • Cost: \$      Paid By:      Candidate

---

Candidate Name: \_\_\_\_\_

I have reviewed the attached statement and I understand that no corrections or changes are allowed after it has been filed (pursuant to EC 13307). I understand that Contra Costa County is mandated under the Voting Rights Act to provide voting materials and information in English, Spanish, and Chinese.

I do not wish to file a Candidate Statement.

Signature of Candidate: \_\_\_\_\_ Date: \_\_\_\_\_

# 2023-2024 Statement of Economic Interests



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## Form 700

A Public Document

### ***Table of Contents***

Quick Start Guide .....	p.2
Who? Where? How? When? .....	p.3
Types of Statements.....	p.4
Cover Page and Schedules	
Cover Page .....	p.5
Schedule A-1 ( <i>Investments</i> ).....	p.7
Schedule A-2 ( <i>Business Entities/Trusts</i> ) .....	p.9
Schedule B ( <i>Real Property</i> ) .....	p.11
Schedule C ( <i>Income</i> ) .....	p.13
Schedule D ( <i>Gifts</i> ).....	p.15
Schedule E ( <i>Travel Payments</i> ).....	p.17
Restrictions and Prohibitions.....	p.19
Q & A .....	p.20

### ***Helpful Resources***

- Video Tutorials
- Reference Pamphlet
- Excel Version
- FAQs
- Gift and Travel Fact Sheet for State and Local Officials

## California Fair Political Practices Commission

1102 Q Street, Suite 3050 • Sacramento, CA 95811

Email Advice: [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)

Toll-free advice line: 1 (866) ASK-FPPC • 1 (866) 275-3772

Telephone: (916) 322-5660 • Website: [www.fppc.ca.gov](http://www.fppc.ca.gov)

December 2023

## Quick Start Guide

Detailed instructions begin on page 3.

### WHEN IS THE ANNUAL STATEMENT DUE?

- March 1 – Elected State Officers, Judges and Court Commissioners, State Board and Commission members listed in Government Code Section 87200
- April 2 – Most other filers

### WHERE DO I FILE?

Most people file the Form 700 with their agency. If you're not sure where to file your Form 700, contact your filing officer or the person who asked you to complete it.

### ITEMS TO NOTE!

- The Form 700 is a public document.
- Only filers serving in active military duty may receive an extension on the filing deadline.
- You must also report interests held by your spouse or registered domestic partner.
- Your agency's conflict of interest code will help you to complete the Form 700. You are encouraged to get your conflict of interest code from the person who asked you to complete the Form 700.

### NOTHING TO REPORT?

Mark the "No reportable interests" box on Part 4 of the Cover Page, and submit only the signed Cover Page. Please review each schedule carefully!

Schedule	Common Reportable Interests	Common Non-Reportable Interests
A-1: Investments	Stocks, including those held in an IRA or 401K. Each stock must be listed.	Insurance policies, government bonds, diversified mutual funds, funds similar to diversified mutual funds.
A-2: Business Entities/Trusts	Business entities, sole proprietorships, partnerships, LLCs, corporations and trusts. (e.g., Form 1099 filers).	Savings and checking accounts, cryptocurrency, and annuities.
B: Real Property	Rental property in filer's jurisdiction, or within two miles of the boundaries of the jurisdiction.	A residence used exclusively as a personal residence (such as a home or vacation property).
C: Income	Non-governmental salaries. Note that filers are required to report only half of their spouse's or partner's salary.	Governmental salary (from school district, for example).
D: Gifts	Gifts from businesses, vendors, or other contractors (meals, tickets, etc.).	Gifts from family members.
E: Travel Payments	Travel payments from third parties (not your employer).	Travel paid by your government agency.

**Note:** Like reportable interests, non-reportable interests may also create conflicts of interest and could be grounds for disqualification from certain decisions.

### QUESTIONS?

- [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)
- (866) 275-3772 Mon-Thurs, 9-11:30 a.m.

### E-FILING ISSUES?

- If using your agency's system, please contact technical support at your agency.
- If using FPPC's e-filing system, write to [form700@fppc.ca.gov](mailto:form700@fppc.ca.gov).

## What's New

### Gift Limit Increase

The gift limit increased to **\$590** for calendar years **2023** and **2024**. The gift limit was \$520 for calendar years 2021 and 2022.

### Who must file:

- Elected and appointed officials and candidates listed in Government Code Section 87200
- Employees, appointed officials, and consultants filing pursuant to a conflict of interest code ("code filers"). **Obtain your disclosure categories, which describe the interests you must report, from your agency;** they are not part of the Form 700
- Candidates running for local elective offices that are designated in a conflict of interest code (e.g., county sheriffs, city clerks, school board trustees, and water board members)

#### Exception:

- Candidates for a county central committee are not required to file the Form 700
- Employees in newly created positions of existing agencies

For more information, see Reference Pamphlet, page 3, at [www.fppc.ca.gov](http://www.fppc.ca.gov).

### Where to file:

#### 87200 Filers

State offices	⇒	Your agency
Judicial offices	⇒	The clerk of your court
Retired Judges	⇒	Directly with FPPC
County offices	⇒	Your county filing official
City offices	⇒	Your city clerk
Multi-County offices	⇒	Your agency

#### Code Filers — State and Local Officials, Employees, and Consultants Designated in a Conflict of Interest

**Code:** File with your agency, board, or commission unless otherwise specified in your agency's code (e.g., Legislative staff files directly with FPPC). In most cases, the agency, board, or commission will retain the statements.

**Members of Newly Created Boards and Commissions:** File with your agency or with your agency's code reviewing body pursuant to Regulation 18754.

#### Employees in Newly Created Positions of Existing Agencies:

File with your agency or with your agency's code reviewing body. (See Reference Pamphlet, page 3.)

#### Candidates file as follow:

State offices, Judicial offices and multi-county offices	⇒	County elections official with whom you file your declaration of candidacy
County offices	⇒	County elections official
City offices	⇒	City Clerk
Public Employee's Retirement System (CalPERS)	⇒	CalPERS
State Teacher's Retirement Board (CalSTRS)	⇒	CalSTRS

### How to file:

The Form 700 is available at [www.fppc.ca.gov](http://www.fppc.ca.gov). Form 700 schedules are also available in Excel format. Each Statement must have a handwritten "wet" signature or "secure electronic signature," meaning either (1) a signature submitted using an approved electronic filing system or (2) if permitted by the filing officer, a digital signature submitted via the filer's agency email address. (See Regulations 18104 and 18757.) Companies such as Adobe and DocuSign offer digital signature services. All statements are signed under the penalty of perjury and must be verified by the filer. See Regulation 18723.1(c) for filing instructions for copies of expanded statements.

### When to file:

#### Annual Statements

##### ⇒ March 1, 2024

- Elected State Officers
- Judges and Court Commissioners
- State Board and State Commission Members listed in Government Code Section 87200

##### ⇒ April 2, 2024

- Most other filers

Individuals filing under conflict of interest codes in city and county jurisdictions should verify the annual filing date with their filing official or filing officer.

Statements postmarked by the filing deadline are considered filed on time.

Statements of 30 pages or less may be emailed or faxed by the deadline as long as the originally signed paper version is sent by first class mail to the filing official within 24 hours.

#### Assuming Office and Leaving Office Statements

Most filers file within 30 days of assuming or leaving office or within 30 days of the effective date of a newly adopted or amended conflict of interest code.

#### Exception:

If you assumed office between October 1, 2023, and December 31, 2023, and filed an assuming office statement, you are not required to file an annual statement until March 1, 2025, or April 1, 2025, whichever is applicable. The annual statement will cover the day after you assumed office through December 31, 2024. (See Reference Pamphlet, page 6, for additional exceptions.)

#### Candidate Statements

File no later than the final filing date for the declaration of candidacy or nomination documents. A candidate statement is not required if you filed an assuming office or annual statement for the same jurisdiction within 60 days before filing a declaration of candidacy or other nomination documents.

#### Late Statements

**There is no provision for filing deadline extensions unless the filer is serving in active military duty. (See page 19 for information on penalties and fines.)**

#### Amendments

Statements may be amended at any time. You are only required to amend the schedule that needs to be revised. It is not necessary to amend the entire filed form. The amended schedule(s) is attached to your original filed statement. Obtain amendment schedules at [www.fppc.ca.gov](http://www.fppc.ca.gov).

## Types of Statements

### Assuming Office Statement:

If you are a newly appointed official or are newly employed in a position designated, or that will be designated, in a state or local agency's conflict of interest code, your assuming office date is the date you were sworn in or otherwise authorized to serve in the position. If you are a newly elected official, your assuming office date is the date you were sworn in.

- Report: Investments, interests in real property, and business positions held on the date you assumed the office or position must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date you assumed the office or position.

For positions subject to confirmation by the State Senate or the Commission on Judicial Appointments, your assuming office date is the date you were appointed or nominated to the position.

- Example: Maria Lopez was nominated by the Governor to serve on a state agency board that is subject to state Senate confirmation. The assuming office date is the date Maria's nomination is submitted to the Senate. Maria must report investments, interests in real property, and business positions Maria holds on that date, and income (including loans, gifts, and travel payments) received during the 12 months prior to that date.

If your office or position has been added to a newly adopted or newly amended conflict of interest code, use the effective date of the code or amendment, whichever is applicable.

- Report: Investments, interests in real property, and business positions held on the effective date of the code or amendment must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the effective date of the code or amendment.

### Annual Statement:

Generally, the period covered is January 1, 2023, through December 31, 2023. If the period covered by the statement is different than January 1, 2023, through December 31, 2023, (for example, you assumed office between October 1, 2022, and December 31, 2022 or you are combining statements), you must specify the period covered.

- Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement must be reported. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2023.

- If your disclosure category changes during a reporting period, disclose under the old category until the effective date of the conflict of interest code amendment and disclose under the new disclosure category through the end of the reporting period.

### Leaving Office Statement:

Generally, the period covered is January 1, 2023, through the date you stopped performing the duties of your position. If the period covered differs from January 1, 2023, through the date you stopped performing the duties of your position (for example, you assumed office between October 1, 2022, and December 31, 2022, or you are combining statements), the period covered must be specified. The reporting period can cover parts of two calendar years.

- Report: Investments, interests in real property, business positions held, and income (including loans, gifts, and travel payments) received during the period covered by the statement. Do not change the preprinted dates on Schedules A-1, A-2, and B unless you are required to report the acquisition or disposition of an interest that did not occur in 2023.

### Candidate Statement:

If you are filing a statement in connection with your candidacy for state or local office, investments, interests in real property, and business positions held on the date of filing your declaration of candidacy must be reported. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date of filing your declaration of candidacy is reportable. Do not change the preprinted dates on Schedules A-1, A-2, and B.

Candidates running for local elective offices (e.g., county sheriffs, city clerks, school board trustees, or water district board members) must file candidate statements, as required by the conflict of interest code for the elected position. The code may be obtained from the agency of the elected position.

### Amendments:

If you discover errors or omissions on any statement, file an amendment as soon as possible. You are only required to amend the schedule that needs to be revised; it is not necessary to refile the entire form. Obtain amendment schedules from the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

**Note:** Once you file your statement, you may not withdraw it. All changes must be noted on amendment schedules.

### Expanded Statement:

If you hold multiple positions subject to reporting requirements, you may be able to file an expanded statement for each position, rather than a separate and distinct statement for each position. The expanded statement must cover all reportable interests for all jurisdictions and list all positions on the Form 700 or on an attachment for which it is filed. The rules and processes governing the filing of an expanded statement are set forth in Regulation 18723.1.



STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE  
A PUBLIC DOCUMENT

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)

**1. Office, Agency, or Court**

Agency Name (Do not use acronyms)

Division, Board, Department, District, if applicable Your Position

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: Position:

**2. Jurisdiction of Office (Check at least one box)**

State Judge, Retired Judge, Pro Tem Judge, or Court Commissioner (Statewide Jurisdiction)  
Multi-County County of  
City of Other

**3. Type of Statement (Check at least one box)**

Annual: The period covered is January 1, 2023, through December 31, 2023.  
-or- The period covered is / / , through December 31, 2023.  
Assuming Office: Date assumed / /  
Candidate: Date of Election and office sought, if different than Part 1:  
Leaving Office: Date Left / / (Check one circle.)  
The period covered is January 1, 2023, through the date of leaving office.  
-or- The period covered is / / , through the date of leaving office.

**4. Schedule Summary (required)**

► Total number of pages including this cover page: \_\_\_\_\_

**Schedules attached**

Schedule A-1 - Investments – schedule attached  
Schedule A-2 - Investments – schedule attached  
Schedule B - Real Property – schedule attached  
Schedule C - Income, Loans, & Business Positions – schedule attached  
Schedule D - Income – Gifts – schedule attached  
Schedule E - Income – Gifts – Travel Payments – schedule attached

-or- None - No reportable interests on any schedule

**5. Verification**

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER EMAIL ADDRESS  
( )

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed (month, day, year) Signature (File the originally signed paper statement with your filing official.)

# Instructions Cover Page

Enter your name, mailing address, and daytime telephone number in the spaces provided. **Because the Form 700 is a public document, you may list your business/office address instead of your home address.**

## Part 1. Office, Agency, or Court

- Enter the name of the office sought or held, or the agency or court. Consultants must enter the public agency name rather than their private firm's name. (Examples: State Assembly; Board of Supervisors; Office of the Mayor; Department of Finance; Hope County Superior Court).
- Indicate the name of your division, board, or district, if applicable. (Examples: Division of Waste Management; Board of Accountancy; District 45). **Do not use acronyms.**
- Enter your position title. (Examples: Director; Chief Counsel; City Council Member; Staff Services Analyst).
- If you hold multiple positions (i.e., a city council member who also is a member of a county board or commission) you may be required to file separate and distinct statements with each agency. To simplify your filing obligations, in some cases you may instead complete a single expanded statement and file it with each agency.
  - The rules and processes governing the filing of an expanded statement are set forth in Regulation 18723.1. To file an expanded statement for multiple positions, enter the name of each agency with which you are required to file and your position title with each agency in the space provided. **Do not use acronyms.** Attach an additional sheet if necessary. Complete one statement disclosing all reportable interests for all jurisdictions. Then file the expanded statement with each agency as directed by Regulation 18723.1(c).

If you assume or leave a position after a filing deadline, you must complete a separate statement. For example, a city council member who assumes a position with a county special district after the April annual filing deadline must file a separate assuming office statement. In subsequent years, the city council member may expand their annual filing to include both positions.

### Example:

Brian Bourne is a city council member for the City of Lincoln and a board member for the Camp Far West Irrigation District – a multi-county agency that covers the Counties of Placer and Yuba. The City is located within Placer County. Brian may complete one expanded statement to disclose all reportable interests for both offices and list both positions on the Cover Page. Brian will file the expanded statement with each the City and the District as directed by Regulation 18723.1(c).

## Part 2. Jurisdiction of Office

- Check the box indicating the jurisdiction of your agency and, if applicable, identify the jurisdiction. Judges, judicial candidates, and court commissioners have statewide jurisdiction. All other filers should review the Reference Pamphlet, page 13, to determine their jurisdiction.
- If your agency is a multi-county office, list each county in which your agency has jurisdiction.

- If your agency is not a state office, court, county office, city office, or multi-county office (e.g., school districts, special districts and JPAs), check the “other” box and enter the county or city in which the agency has jurisdiction.

### Example:

This filer is a member of a water district board with jurisdiction in portions of Yuba and Sutter Counties.

<b>1. Office, Agency, or Court</b>	
Agency Name: <i>(Do not use acronyms)</i>	
Feather River Irrigation District	
Division, Board, Department, District, if applicable	Your Position
N/A	Board Member
▶ If filing for multiple positions, list below or on an attachment. <i>(Do not use acronyms)</i>	
Agency: N/A	Position:
<b>2. Jurisdiction of Office</b> <i>(Check at least one box)</i>	
<input type="checkbox"/> State	<input type="checkbox"/> Judge or Court Commissioner (Statewide Jurisdiction)
<input checked="" type="checkbox"/> Multi-County Yuba & Sutter Counties	<input type="checkbox"/> County of _____
<input type="checkbox"/> City of _____	<input type="checkbox"/> Other _____

## Part 3. Type of Statement

Check at least one box. The period covered by a statement is determined by the type of statement you are filing. If you are completing a 2023 annual statement, **do not** change the pre-printed dates to reflect 2024. Your annual statement is used for reporting the **previous year's** economic interests. Economic interests for your annual filing covering January 1, 2024, through December 31, 2024, will be disclosed on your statement filed in 2025. See Reference Pamphlet, page 4.

Combining Statements: Certain types of statements for the same position may be combined. For example, if you leave office after January 1, but before the deadline for filing your annual statement, you may combine your annual and leaving office statements. File by the earliest deadline. Consult your filing officer or the FPPC.

## Part 4. Schedule Summary

- Complete the Schedule Summary after you have reviewed each schedule to determine if you have reportable interests.
- Enter the total number of completed pages including the cover page and either check the box for each schedule you use to disclose interests; **or** if you have nothing to disclose on any schedule, check the “No reportable interests” box. Please **do not** attach any blank schedules.

## Part 5. Verification

Complete the verification by signing the statement and entering the date signed. Each statement must have an original “wet” signature unless filed with a secure electronic signature. (See page 3 above.) All statements must be signed under penalty of perjury and be verified by the filer pursuant to Government Code Section 81004. See Regulation 18723.1(c) for filing instructions for copies of expanded statements.

**When you sign your statement, you are stating, under penalty of perjury, that it is true and correct.** Only the filer has authority to sign the statement. An unsigned statement is not considered filed and you may be subject to late filing penalties.

# SCHEDULE A-1

## Investments

### Stocks, Bonds, and Other Interests

(Ownership Interest is Less Than 10%)

Investments must be itemized.

Do not attach brokerage or financial statements.

Name

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

---

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other \_\_\_\_\_ (Describe)

Partnership Income Received of \$0 - \$499  
Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

\_\_\_\_\_/\_\_\_\_\_/23      \_\_\_\_\_/\_\_\_\_\_/23  
ACQUIRED                  DISPOSED

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

---

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other \_\_\_\_\_ (Describe)

Partnership Income Received of \$0 - \$499  
Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

\_\_\_\_\_/\_\_\_\_\_/23      \_\_\_\_\_/\_\_\_\_\_/23  
ACQUIRED                  DISPOSED

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

---

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other \_\_\_\_\_ (Describe)

Partnership Income Received of \$0 - \$499  
Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

\_\_\_\_\_/\_\_\_\_\_/23      \_\_\_\_\_/\_\_\_\_\_/23  
ACQUIRED                  DISPOSED

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

---

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other \_\_\_\_\_ (Describe)

Partnership Income Received of \$0 - \$499  
Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

\_\_\_\_\_/\_\_\_\_\_/23      \_\_\_\_\_/\_\_\_\_\_/23  
ACQUIRED                  DISPOSED

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

---

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other \_\_\_\_\_ (Describe)

Partnership Income Received of \$0 - \$499  
Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

\_\_\_\_\_/\_\_\_\_\_/23      \_\_\_\_\_/\_\_\_\_\_/23  
ACQUIRED                  DISPOSED

▶ NAME OF BUSINESS ENTITY \_\_\_\_\_

GENERAL DESCRIPTION OF THIS BUSINESS \_\_\_\_\_

---

FAIR MARKET VALUE

\$2,000 - \$10,000	\$10,001 - \$100,000
\$100,001 - \$1,000,000	Over \$1,000,000

NATURE OF INVESTMENT

Stock Other \_\_\_\_\_ (Describe)

Partnership Income Received of \$0 - \$499  
Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

\_\_\_\_\_/\_\_\_\_\_/23      \_\_\_\_\_/\_\_\_\_\_/23  
ACQUIRED                  DISPOSED

Comments: \_\_\_\_\_

## Instructions – Schedules A-1 and A-2 Investments

“Investment” means a financial interest in any business entity (including a consulting business or other independent contracting business) that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency’s jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling \$2,000 or more at any time during the reporting period. (See Reference Pamphlet, page 13.)

### Reportable investments include:

- Stocks, bonds, warrants, and options, including those held in margin or brokerage accounts and managed investment funds (See Reference Pamphlet, page 13.)
- Sole proprietorships
- Your own business or your spouse’s or registered domestic partner’s business (See Reference Pamphlet, page 8, for the definition of “business entity.”)
- Your spouse’s or registered domestic partner’s investments even if they are legally separate property
- Partnerships (e.g., a law firm or family farm)
- Investments in reportable business entities held in a retirement account (See Reference Pamphlet, page 15.)
- If you, your spouse or registered domestic partner, and dependent children together had a 10% or greater ownership interest in a business entity or trust (including a living trust), you must disclose investments held by the business entity or trust. (See Reference Pamphlet, page 16, for more information on disclosing trusts.)
- Business trusts

### You are not required to disclose:

- Government bonds, diversified mutual funds, certain funds similar to diversified mutual funds (such as exchange traded funds) and investments held in certain retirement accounts. (See Reference Pamphlet, page 13.) (Regulation 18237)
- Bank accounts, savings accounts, money market accounts and certificates of deposits
- Cryptocurrency
- Insurance policies
- Annuities
- Commodities
- Shares in a credit union
- Government bonds (including municipal bonds)

### Reminders

- Do you know your agency’s jurisdiction?
- Did you hold investments at any time during the period covered by this statement?
- Code filers – your disclosure categories may only require disclosure of specific investments.

- Retirement accounts invested in non-reportable interests (e.g., insurance policies, mutual funds, or government bonds) (See Reference Pamphlet, page 15.)
- Government defined-benefit pension plans (such as CalPERS and CalSTRS plans)
- Certain interests held in a blind trust (See Reference Pamphlet, page 16.)

**Use Schedule A-1** to report ownership of less than 10% (e.g., stock). Schedule C (Income) may also be required if the investment is not a stock or corporate bond. (See second example below.)

**Use Schedule A-2** to report ownership of 10% or greater (e.g., a sole proprietorship).

### To Complete Schedule A-1:

Do not attach brokerage or financial statements.

- Disclose the name of the business entity. Do not use acronyms for the name of the business entity, unless it is one that is commonly understood by the public.
- Provide a general description of the business activity of the entity (e.g., pharmaceuticals, computers, automobile manufacturing, or communications).
- Check the box indicating the highest fair market value of your investment during the reporting period. If you are filing a candidate or an assuming office statement, indicate the fair market value on the filing date or the date you took office, respectively. (See page 20 for more information.)
- Identify the nature of your investment (e.g., stocks, warrants, options, or bonds).
- An acquired or disposed of date is only required if you initially acquired or entirely disposed of the investment interest during the reporting period. The date of a stock dividend reinvestment or partial disposal is not required. Generally, these dates will not apply if you are filing a candidate or an assuming office statement.

Examples:

Frank Byrd holds a state agency position. Frank’s conflict of interest code requires full disclosure of investments. Frank must disclose stock holdings of \$2,000 or more in any company that is located in or does business in California, as well as those stocks held by Frank’s spouse or registered domestic partner and dependent children.

Alice Lance is a city council member. Alice has a 4% interest, worth \$5,000, in a limited partnership located in the city. Alice must disclose the partnership on Schedule A-1 and income of \$500 or more received from the partnership on Schedule C.

# SCHEDULE A-2

## Investments, Income, and Assets of Business Entities/Trusts

(Ownership Interest is 10% or Greater)

**CALIFORNIA FORM 700**

FAIR POLITICAL PRACTICES COMMISSION

Name \_\_\_\_\_

**▶ 1. BUSINESS ENTITY OR TRUST**

Name \_\_\_\_\_

Address (Business Address Acceptable) \_\_\_\_\_

Check one  
 Trust, go to 2       Business Entity, complete the box, then go to 2

GENERAL DESCRIPTION OF THIS BUSINESS

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<p><b>FAIR MARKET VALUE</b></p> <p>\$0 - \$1,999</p> <p>\$2,000 - \$10,000</p> <p>\$10,001 - \$100,000</p> <p>\$100,001 - \$1,000,000</p> <p>Over \$1,000,000</p>	<p><b>IF APPLICABLE, LIST DATE:</b></p> <p style="text-align: center;">____/____/23      ____/____/23</p> <p style="text-align: center;">ACQUIRED      DISPOSED</p>
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**NATURE OF INVESTMENT**

Partnership      Sole Proprietorship      \_\_\_\_\_ Other

**YOUR BUSINESS POSITION** \_\_\_\_\_

**▶ 1. BUSINESS ENTITY OR TRUST**

Name \_\_\_\_\_

Address (Business Address Acceptable) \_\_\_\_\_

Check one  
 Trust, go to 2       Business Entity, complete the box, then go to 2

GENERAL DESCRIPTION OF THIS BUSINESS

---

<p><b>FAIR MARKET VALUE</b></p> <p>\$0 - \$1,999</p> <p>\$2,000 - \$10,000</p> <p>\$10,001 - \$100,000</p> <p>\$100,001 - \$1,000,000</p> <p>Over \$1,000,000</p>	<p><b>IF APPLICABLE, LIST DATE:</b></p> <p style="text-align: center;">____/____/23      ____/____/23</p> <p style="text-align: center;">ACQUIRED      DISPOSED</p>
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**NATURE OF INVESTMENT**

Partnership      Sole Proprietorship      \_\_\_\_\_ Other

**YOUR BUSINESS POSITION** \_\_\_\_\_

**▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)**

\$0 - \$499	\$10,001 - \$100,000
\$500 - \$1,000	OVER \$100,000
\$1,001 - \$10,000	

**▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)**

\$0 - \$499	\$10,001 - \$100,000
\$500 - \$1,000	OVER \$100,000
\$1,001 - \$10,000	

**▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)**

None    or    Names listed below \_\_\_\_\_

**▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)**

None    or    Names listed below \_\_\_\_\_

**▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST**

Check one box:

INVESTMENT      REAL PROPERTY

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Name of Business Entity, if Investment, or Assessor's Parcel Number or Street Address of Real Property \_\_\_\_\_

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Description of Business Activity or City or Other Precise Location of Real Property \_\_\_\_\_

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<p><b>FAIR MARKET VALUE</b></p> <p>\$2,000 - \$10,000</p> <p>\$10,001 - \$100,000</p> <p>\$100,001 - \$1,000,000</p> <p>Over \$1,000,000</p>	<p><b>IF APPLICABLE, LIST DATE:</b></p> <p style="text-align: center;">____/____/23      ____/____/23</p> <p style="text-align: center;">ACQUIRED      DISPOSED</p>
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**NATURE OF INTEREST**

Property Ownership/Deed of Trust      Stock      Partnership

Leasehold \_\_\_\_\_      Other \_\_\_\_\_

Yrs. remaining

Check box if additional schedules reporting investments or real property are attached

**▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST**

Check one box:

INVESTMENT      REAL PROPERTY

---

Name of Business Entity, if Investment, or Assessor's Parcel Number or Street Address of Real Property \_\_\_\_\_

---

Description of Business Activity or City or Other Precise Location of Real Property \_\_\_\_\_

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<p><b>FAIR MARKET VALUE</b></p> <p>\$2,000 - \$10,000</p> <p>\$10,001 - \$100,000</p> <p>\$100,001 - \$1,000,000</p> <p>Over \$1,000,000</p>	<p><b>IF APPLICABLE, LIST DATE:</b></p> <p style="text-align: center;">____/____/23      ____/____/23</p> <p style="text-align: center;">ACQUIRED      DISPOSED</p>
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**NATURE OF INTEREST**

Property Ownership/Deed of Trust      Stock      Partnership

Leasehold \_\_\_\_\_      Other \_\_\_\_\_

Yrs. remaining

Check box if additional schedules reporting investments or real property are attached

**Comments:** \_\_\_\_\_

## Instructions – Schedule A-2

### Investments, Income, and Assets of Business Entities/Trusts

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Use Schedule A-2 to report investments in a business entity (including a consulting business or other independent contracting business) or trust (including a living trust) in which you, your spouse or registered domestic partner, and your dependent children, together or separately, had a 10% or greater interest, totaling \$2,000 or more, during the reporting period and which is located in, doing business in, planning to do business in, or which has done business during the previous two years in your agency's jurisdiction. (See Reference Pamphlet, page 13.) A trust located outside your agency's jurisdiction is reportable if it holds assets that are located in or doing business in the jurisdiction. Do not report a trust that contains non-reportable interests. For example, a trust containing only your personal residence not used in whole or in part as a business, your savings account, and some municipal bonds, is not reportable.

Also report on Schedule A-2 investments and real property held by that entity or trust if your pro rata share of the investment or real property interest was \$2,000 or more during the reporting period.

#### To Complete Schedule A-2:

**Part 1.** Disclose the name and address of the business entity or trust. If you are reporting an interest in a business entity, check "Business Entity" and complete the box as follows:

- Provide a general description of the business activity of the entity.
- Check the box indicating the highest fair market value of your investment during the reporting period.
- If you initially acquired or entirely disposed of this interest during the reporting period, enter the date acquired or disposed.
- Identify the nature of your investment.
- Disclose the job title or business position you held with the entity, if any (i.e., if you were a director, officer, partner, trustee, employee, or held any position of management). A business position held by your spouse is not reportable.

**Part 2.** Check the box indicating **your pro rata** share of the **gross** income received **by** the business entity or trust. This amount includes your pro rata share of the **gross** income **from** the business entity or trust, as well as your community property interest in your spouse's or registered domestic partner's share. Gross income is the total amount of income before deducting expenses, losses, or taxes.

**Part 3.** Disclose the name of each source of income that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency's jurisdiction, as follows:

- Disclose each source of income and outstanding loan **to the business entity or trust** identified in Part 1 if your pro rata share of the **gross** income (including your community property interest in your spouse's or registered domestic partner's share) to the business entity or trust from that source was \$10,000 or more during the reporting period. (See Reference Pamphlet, page 11, for examples.) Income from governmental sources may be reportable if not considered salary. See Regulation 18232. Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.
- Disclose each individual or entity that was a source of commission income of \$10,000 or more during the reporting period through the business entity identified in Part 1. (See Reference Pamphlet, page 8.)

You may be required to disclose sources of income located outside your jurisdiction. For example, you may have a client who resides outside your jurisdiction who does business on a regular basis with you. Such a client, if a reportable source of \$10,000 or more, must be disclosed.

Mark "None" if you do not have any reportable \$10,000 sources of income to disclose. Phrases such as "various clients" or "not disclosing sources pursuant to attorney-client privilege" are not adequate disclosure. (See Reference Pamphlet, page 14, for information on procedures to request an exemption from disclosing privileged information.)

**Part 4.** Report any investments or interests in real property held or leased **by the entity or trust** identified in Part 1 if your pro rata share of the interest held was \$2,000 or more during the reporting period. Attach additional schedules or use FPPC's Form 700 Excel spreadsheet if needed.

- Check the applicable box identifying the interest held as real property or an investment.
- If investment, provide the name and description of the business entity.
- If real property, report the precise location (e.g., an assessor's parcel number or address).
- Check the box indicating the highest fair market value of your interest in the real property or investment during the reporting period. (Report the fair market value of the portion of your residence claimed as a tax deduction if you are utilizing your residence for business purposes.)
- Identify the nature of your interest.
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property or investment during the reporting period.

**SCHEDULE B**  
**Interests in Real Property**  
 (Including Rental Income)

Name \_\_\_\_\_

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

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FAIR MARKET VALUE      IF APPLICABLE, LIST DATE:

\$2,000 - \$10,000		
\$10,001 - \$100,000	____/____/23	____/____/23
\$100,001 - \$1,000,000	ACQUIRED	DISPOSED
Over \$1,000,000		

NATURE OF INTEREST

Ownership/Deed of Trust	Easement
Leasehold _____	_____
Yrs. remaining	Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED

\$0 - \$499	\$500 - \$1,000	\$1,001 - \$10,000
\$10,001 - \$100,000	OVER \$100,000	

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.

None

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

---

FAIR MARKET VALUE      IF APPLICABLE, LIST DATE:

\$2,000 - \$10,000		
\$10,001 - \$100,000	____/____/23	____/____/23
\$100,001 - \$1,000,000	ACQUIRED	DISPOSED
Over \$1,000,000		

NATURE OF INTEREST

Ownership/Deed of Trust	Easement
Leasehold _____	_____
Yrs. remaining	Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED

\$0 - \$499	\$500 - \$1,000	\$1,001 - \$10,000
\$10,001 - \$100,000	OVER \$100,000	

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.

None

\* You are not required to report loans from a commercial lending institution made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\* \_\_\_\_\_

ADDRESS (Business Address Acceptable) \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF LENDER \_\_\_\_\_

INTEREST RATE      TERM (Months/Years)

_____%	None	_____
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HIGHEST BALANCE DURING REPORTING PERIOD

\$500 - \$1,000	\$1,001 - \$10,000
\$10,001 - \$100,000	OVER \$100,000

Guarantor, if applicable \_\_\_\_\_

NAME OF LENDER\* \_\_\_\_\_

ADDRESS (Business Address Acceptable) \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF LENDER \_\_\_\_\_

INTEREST RATE      TERM (Months/Years)

_____%	None	_____
--------	------	-------

HIGHEST BALANCE DURING REPORTING PERIOD

\$500 - \$1,000	\$1,001 - \$10,000
\$10,001 - \$100,000	OVER \$100,000

Guarantor, if applicable \_\_\_\_\_

Comments: \_\_\_\_\_

## Instructions – Schedule B Interests in Real Property

Report interests in real property located in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling \$2,000 or more any time during the reporting period. Real property is also considered to be "within the jurisdiction" of a local government agency if the property or any part of it is located within two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency. (See Reference Pamphlet, page 13.)

### Interests in real property include:

- An ownership interest (including a beneficial ownership interest)
- A deed of trust, easement, or option to acquire property
- A leasehold interest (See Reference Pamphlet, page 14.)
- A mining lease
- An interest in real property held in a retirement account (See Reference Pamphlet, page 15.)
- An interest in real property held by a business entity or trust in which you, your spouse or registered domestic partner, and your dependent children together had a 10% or greater ownership interest (Report on Schedule A-2.)
- Your spouse's or registered domestic partner's interests in real property that are legally held separately by him or her

### You are not required to report:

- A residence, such as a home or vacation cabin, used exclusively as a personal residence (However, a residence in which you rent out a room or for which you claim a business deduction may be reportable. If reportable, report the fair market value of the portion claimed as a tax deduction.)
- Some interests in real property held through a blind trust (See Reference Pamphlet, page 16.)
  - **Please note:** A non-reportable property can still be grounds for a conflict of interest and may be disqualifying.

### To Complete Schedule B:

- Report the precise location (e.g., an assessor's parcel number or address) of the real property.
- Check the box indicating the fair market value of your interest in the property (regardless of what you owe on the property).
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property during the reporting period.
- Identify the nature of your interest. If it is a leasehold,

### Reminders

- Income and loans already reported on Schedule B are not also required to be reported on Schedule C.
- Real property already reported on Schedule A-2, Part 4 is not also required to be reported on Schedule B.
- Code filers – do your disclosure categories require disclosure of real property?

disclose the number of years remaining on the lease.

- If you received rental income, check the box indicating the gross amount you received.
- If you had a 10% or greater interest in real property and received rental income, list the name of the source(s) if your pro rata share of the gross income from any single tenant was \$10,000 or more during the reporting period. If you received a total of \$10,000 or more from two or more tenants acting in concert (in most cases, this will apply to married couples), disclose the first and last name of each tenant. Otherwise, mark "None."
- Loans from a private lender that total \$500 or more and are secured by real property may be reportable. **Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.**

When reporting a loan:

- Provide the name and address of the lender.
- Describe the lender's business activity.
- Disclose the interest rate and term of the loan. For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period. The term of a loan is the total number of months or years given for repayment of the loan at the time the loan was established.
- Check the box indicating the highest balance of the loan during the reporting period.
- Identify a guarantor, if applicable.

If you have more than one reportable loan on a single piece of real property, report the additional loan(s) on Schedule C.

### Example:

Allison Gande is a city planning commissioner. During the reporting period, Allison received rental income of \$12,000, from a single tenant who rented property owned in the city's jurisdiction. If Allison received \$6,000 each from two tenants, the tenants' names would not be required because no single tenant paid her \$10,000 or more. A married couple is considered a single tenant.

ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS <b>4600 24th Street</b>	
CITY <b>Sacramento</b>	
FAIR MARKET VALUE	IF APPLICABLE, LIST DATE:
<input type="checkbox"/> \$2,000 - \$10,000	<input type="checkbox"/> / / XX / XX
<input type="checkbox"/> \$10,001 - \$100,000	<input type="checkbox"/> ACQUIRED <input type="checkbox"/> DISPOSED
<input checked="" type="checkbox"/> \$100,001 - \$1,000,000	
<input type="checkbox"/> Over \$1,000,000	
NATURE OF INTEREST	
<input type="checkbox"/> Ownership/Deed of Trust	<input type="checkbox"/> Easement
<input type="checkbox"/> Leasehold	<input type="checkbox"/> Other
IF RENTAL PROPERTY, GROSS INCOME RECEIVED	
<input type="checkbox"/> \$0 - \$499	<input type="checkbox"/> \$500 - \$1,000
<input type="checkbox"/> \$1,001 - \$10,000	<input type="checkbox"/> \$10,001 - \$100,000
<input checked="" type="checkbox"/> \$100,001 - \$1,000,000	<input type="checkbox"/> OVER \$100,000
SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.	
<input type="checkbox"/> None	
<b>Henry Wells</b>	
NAME OF LENDER*	
<b>Sophia Petroillo</b>	
ADDRESS (Business Address Acceptable)	
<b>2121 Blue Sky Parkway, Sacramento</b>	
BUSINESS ACTIVITY, IF ANY, OF LENDER	
<b>Restaurant Owner</b>	
INTEREST RATE	TERM (Months/Years)
<b>8</b> % <input type="checkbox"/> None	<b>15</b> Years
HIGHEST BALANCE DURING REPORTING PERIOD	
<input type="checkbox"/> \$500 - \$1,000	<input type="checkbox"/> \$1,001 - \$10,000
<input checked="" type="checkbox"/> \$10,001 - \$100,000	<input type="checkbox"/> OVER \$100,000
<input type="checkbox"/> Guarantor, if applicable	
Comments:	





# Instructions – Schedule C

## Income, Loans, & Business Positions

### (Income Other Than Gifts and Travel Payments)

#### Reporting Income:

Report the source and amount of gross income of \$500 or more you received during the reporting period. Gross income is the total amount of income before deducting expenses, losses, or taxes and includes loans other than loans from a commercial lending institution. (See Reference Pamphlet, page 11.) You must also report the source of income to your spouse or registered domestic partner if your community property share was \$500 or more during the reporting period.

The source and income must be reported only if the source is located in, doing business in, planning to do business in, or has done business during the previous two years in your agency's jurisdiction. (See Reference Pamphlet, page 13.) Reportable sources of income may be further limited by your disclosure category located in your agency's conflict of interest code.

#### Reporting Business Positions:

You must report your job title with each reportable business entity even if you received no income during the reporting period. Use the comments section to indicate that no income was received.

#### Commonly reportable income and loans include:

- Salary/wages, per diem, and reimbursement for expenses including travel payments provided by your employer
- Community property interest (50%) in your spouse's or registered domestic partner's income - **report the employer's name and all other required information**
- Income from investment interests, such as partnerships, reported on Schedule A-1
- Commission income not required to be reported on Schedule A-2 (See Reference Pamphlet, page 8.)
- Gross income from any sale, including the sale of a house or car (Report your pro rata share of the total sale price.)
- Rental income not required to be reported on Schedule B
- Prizes or awards not disclosed as gifts
- Payments received on loans you made to others
- An honorarium received prior to becoming a public official (See Reference Pamphlet, page 10.)
- Incentive compensation (See Reference Pamphlet, page 12.)

#### Reminders

- Code filers – your disclosure categories may not require disclosure of all sources of income.
- If you or your spouse or registered domestic partner are self-employed, report the business entity on Schedule A-2.
- Do not disclose on Schedule C income, loans, or business positions already reported on Schedules A-2 or B.

#### You are not required to report:

- Salary, reimbursement for expenses or per diem, or social security, disability, or other similar benefit payments received by you or your spouse or registered domestic partner from a federal, state, or local government agency.
- Stock dividends and income from the sale of stock unless the source can be identified.
- Income from a PERS retirement account.

(See Reference Pamphlet, page 12.)

#### To Complete Schedule C:

##### Part 1. Income Received/Business Position Disclosure

- Disclose the name and address of each source of income or each business entity with which you held a business position.
- Provide a general description of the business activity if the source is a business entity.
- Check the box indicating the amount of gross income received.
- Identify the consideration for which the income was received.
- For income from commission sales, check the box indicating the gross income received and list the name of each source of commission income of \$10,000 or more. (See Reference Pamphlet, page 8.) **Note: If you receive commission income on a regular basis or have an ownership interest of 10% or more, you must disclose the business entity and the income on Schedule A-2.**
- Disclose the job title or business position, if any, that you held with the business entity, even if you did not receive income during the reporting period.

##### Part 2. Loans Received or Outstanding During the Reporting Period

- Provide the name and address of the lender.
- Provide a general description of the business activity if the lender is a business entity.
- Check the box indicating the highest balance of the loan during the reporting period.
- Disclose the interest rate and the term of the loan.
  - For variable interest rate loans, disclose the conditions of the loan (e.g., Prime + 2) or the average interest rate paid during the reporting period.
  - The term of the loan is the total number of months or years given for repayment of the loan at the time the loan was entered into.
- Identify the security, if any, for the loan.

## SCHEDULE D Income – Gifts

Name \_\_\_\_\_

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_

ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF SOURCE

\_\_\_\_\_

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_

ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF SOURCE

\_\_\_\_\_

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_

ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF SOURCE

\_\_\_\_\_

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_

ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF SOURCE

\_\_\_\_\_

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_

ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF SOURCE

\_\_\_\_\_

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

▶ NAME OF SOURCE *(Not an Acronym)*

\_\_\_\_\_

ADDRESS *(Business Address Acceptable)*

\_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF SOURCE

\_\_\_\_\_

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

**Comments:** \_\_\_\_\_

## Instructions – Schedule D Income – Gifts

A gift is anything of value for which you have not provided equal or greater consideration to the donor. A gift is reportable if its fair market value is \$50 or more. In addition, multiple gifts totaling \$50 or more received during the reporting period from a single source must be reported.

It is the acceptance of a gift, not the ultimate use to which it is put, that imposes your reporting obligation. Except as noted below, you must report a gift even if you never used it or if you gave it away to another person.

If the exact amount of a gift is unknown, you must make a good faith estimate of the item's fair market value. Listing the value of a gift as "over \$50" or "value unknown" is not adequate disclosure. In addition, if you received a gift through an intermediary, you must disclose the name, address, and business activity of both the donor and the intermediary. You may indicate an intermediary either in the "source" field after the name or in the "comments" section at the bottom of Schedule D.

### Commonly reportable gifts include:

- Tickets/passes to sporting or entertainment events
- Tickets/passes to amusement parks
- Parking passes not used for official agency business
- Food, beverages, and accommodations, including those provided in direct connection with your attendance at a convention, conference, meeting, social event, meal, or like gathering
- Rebates/discounts not made in the regular course of business to members of the public without regard to official status
- Wedding gifts (See Reference Pamphlet, page 16)
- An honorarium received prior to assuming office (You may report an honorarium as income on Schedule C, rather than as a gift on Schedule D, if you provided services of equal or greater value than the payment received. See Reference Pamphlet, page 10.)
- Transportation and lodging (See Schedule E.)
- Forgiveness of a loan received by you

### Reminders

- Gifts from a single source are subject to a \$590 limit in 2023. (See Reference Pamphlet, page 10.)
- Code filers – you only need to report gifts from reportable sources.

### Gift Tracking Mobile Application

- FPPC has created a gift tracking app for mobile devices that helps filers track gifts and provides a quick and easy way to upload the information to the Form 700. Visit FPPC's website to download the app.

### You are not required to disclose:

- Gifts that were not used and that, within 30 days after receipt, were returned to the donor or delivered to a charitable organization or government agency without being claimed by you as a charitable contribution for tax purposes
- Gifts from your spouse or registered domestic partner, child, parent, grandparent, grandchild, brother, sister, and certain other family members (See Regulation 18942 for a complete list.). The exception does not apply if the donor was acting as an agent or intermediary for a reportable source who was the true donor.
- Gifts of similar value exchanged between you and an individual, other than a lobbyist registered to lobby your state agency, on holidays, birthdays, or similar occasions
- Gifts of informational material provided to assist you in the performance of your official duties (e.g., books, pamphlets, reports, calendars, periodicals, or educational seminars)
- A monetary bequest or inheritance (However, inherited investments or real property may be reportable on other schedules.)
- Personalized plaques or trophies with an individual value of less than \$250
- Campaign contributions
- Up to two tickets, for your own use, to attend a fundraiser for a campaign committee or candidate, or to a fundraiser for an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The ticket must be received from the organization or committee holding the fundraiser.
- Gifts given to members of your immediate family if the source has an established relationship with the family member and there is no evidence to suggest the donor had a purpose to influence you. (See Regulation 18943.)
- Free admission, food, and nominal items (such as a pen, pencil, mouse pad, note pad or similar item) available to all attendees, at the event at which the official makes a speech (as defined in Regulation 18950(b)(2)), so long as the admission is provided by the person who organizes the event.
- Any other payment not identified above, that would otherwise meet the definition of gift, where the payment is made by an individual who is not a lobbyist registered to lobby the official's state agency, where it is clear that the gift was made because of an existing personal or business relationship unrelated to the official's position and there is no evidence whatsoever at the time the gift is made to suggest the donor had a purpose to influence you.

### To Complete Schedule D:

- Disclose the full name (not an acronym), address, and, if a business entity, the business activity of the source.
- Provide the date (month, day, and year) of receipt, and disclose the fair market value and description of the gift.

**SCHEDULE E**  
**Income – Gifts**  
**Travel Payments, Advances,**  
**and Reimbursements**

Name \_\_\_\_\_

- Mark either the gift or income box.
- Mark the “501(c)(3)” box for a travel payment received from a nonprofit 501(c)(3) organization or the “Speech” box if you made a speech or participated in a panel. Per Government Code Section 89506, these payments may not be subject to the gift limit. However, they may result in a disqualifying conflict of interest.
- For gifts of travel, provide the travel destination.

▶ NAME OF SOURCE *(Not an Acronym)* \_\_\_\_\_

ADDRESS *(Business Address Acceptable)* \_\_\_\_\_

CITY AND STATE \_\_\_\_\_

501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE \_\_\_\_\_

DATE(S): \_\_\_\_/\_\_\_\_/\_\_\_\_ - \_\_\_\_/\_\_\_\_/\_\_\_\_ AMT: \$ \_\_\_\_\_  
*(If gift)*

▶ MUST CHECK ONE:      Gift **-or-**      Income

    Made a Speech/Participated in a Panel \_\_\_\_\_

    Other - Provide Description \_\_\_\_\_

▶ If Gift, Provide Travel Destination \_\_\_\_\_

▶ NAME OF SOURCE *(Not an Acronym)* \_\_\_\_\_

ADDRESS *(Business Address Acceptable)* \_\_\_\_\_

CITY AND STATE \_\_\_\_\_

501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE \_\_\_\_\_

DATE(S): \_\_\_\_/\_\_\_\_/\_\_\_\_ - \_\_\_\_/\_\_\_\_/\_\_\_\_ AMT: \$ \_\_\_\_\_  
*(If gift)*

▶ MUST CHECK ONE:      Gift **-or-**      Income

    Made a Speech/Participated in a Panel \_\_\_\_\_

    Other - Provide Description \_\_\_\_\_

▶ If Gift, Provide Travel Destination \_\_\_\_\_

▶ NAME OF SOURCE *(Not an Acronym)* \_\_\_\_\_

ADDRESS *(Business Address Acceptable)* \_\_\_\_\_

CITY AND STATE \_\_\_\_\_

501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE \_\_\_\_\_

DATE(S): \_\_\_\_/\_\_\_\_/\_\_\_\_ - \_\_\_\_/\_\_\_\_/\_\_\_\_ AMT: \$ \_\_\_\_\_  
*(If gift)*

▶ MUST CHECK ONE:      Gift **-or-**      Income

    Made a Speech/Participated in a Panel \_\_\_\_\_

    Other - Provide Description \_\_\_\_\_

▶ If Gift, Provide Travel Destination \_\_\_\_\_

▶ NAME OF SOURCE *(Not an Acronym)* \_\_\_\_\_

ADDRESS *(Business Address Acceptable)* \_\_\_\_\_

CITY AND STATE \_\_\_\_\_

501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE \_\_\_\_\_

DATE(S): \_\_\_\_/\_\_\_\_/\_\_\_\_ - \_\_\_\_/\_\_\_\_/\_\_\_\_ AMT: \$ \_\_\_\_\_  
*(If gift)*

▶ MUST CHECK ONE:      Gift **-or-**      Income

    Made a Speech/Participated in a Panel \_\_\_\_\_

    Other - Provide Description \_\_\_\_\_

▶ If Gift, Provide Travel Destination \_\_\_\_\_

**Comments:** \_\_\_\_\_

# Instructions – Schedule E Travel Payments, Advances, and Reimbursements

Travel payments reportable on Schedule E include advances and reimbursements for travel and related expenses, including lodging and meals.

Gifts of travel may be subject to the gift limit. In addition, certain travel payments are reportable gifts, but are not subject to the gift limit. To avoid possible misinterpretation or the perception that you have received a gift in excess of the gift limit, you may wish to provide a specific description of the purpose of your travel. (See the FPPC fact sheet entitled “Limitations and Restrictions on Gifts, Honoraria, Travel, and Loans” to read about travel payments under section 89506(a).)

**You are not required to disclose:**

- Travel payments received from any state, local, or federal government agency for which you provided services equal or greater in value than the payments received, such as reimbursement for travel on agency business from your government agency employer.
- A payment for travel from another local, state, or federal government agency and related per diem expenses when the travel is for education, training or other inter-agency programs or purposes.
- Travel payments received from your employer in the normal course of your employment that are included in the income reported on Schedule C.
- A travel payment that was received from a nonprofit entity exempt from taxation under Internal Revenue Code Section 501(c)(3) for which you provided equal or greater consideration, such as reimbursement for travel on business for a 501(c)(3) organization for which you are a board member.

**Note: Certain travel payments may not be reportable if reported via email on Form 801 by your agency.**

**To Complete Schedule E:**

- Disclose the full name (not an acronym) and address of the source of the travel payment.
- Identify the business activity if the source is a business entity.
- Check the box to identify the payment as a gift or income, report the amount, and disclose the date(s).
  - **Travel payments are gifts** if you did not provide services that were equal to or greater in value than the payments received. You must disclose gifts totaling \$500 or more from a single source during the period covered by the statement.

When reporting travel payments that are gifts, you must provide a description of the gift, the **date(s)** received, and the **travel destination**.

- **Travel payments are income** if you provided services that were equal to or greater in value than the

payments received. You must disclose income totaling \$500 or more from a single source during the period covered by the statement. You have the burden of proving the payments are income rather than gifts. When reporting travel payments as income, you must describe the services you provided in exchange for the payment. You are not required to disclose the date(s) for travel payments that are income.

**Example:**

City council member MaryClaire Chandler is the chair of a 501(c)(6) trade association, and the association pays for MaryClaire's travel to attend its meetings. Because MaryClaire is deemed to be providing equal or greater consideration for the travel payment by virtue of serving on the board, this payment may be reported as income. Payments for MaryClaire to attend other events for which they are not providing services are likely considered gifts.

▶ NAME OF SOURCE (Not an Acronym)	
Health Services Trade Association	
ADDRESS (Business Address Acceptable)	
1230 K Street, Suite 610	
CITY AND STATE	
Sacramento, CA	
<input type="checkbox"/> 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE	
Association of Healthcare Workers	
DATE(S):	AMT: \$ 550.00
(if gift)	
▶ MUST CHECK ONE: <input type="checkbox"/> Gift -or- <input checked="" type="checkbox"/> Income	
<input type="radio"/> Made a Speech/Participated in a Panel	
<input checked="" type="radio"/> Other - Provide Description <u>Travel reimbursement for board meeting.</u>	
▶ If Gift, Provide Travel Destination	

Note that the same payment from a 501(c)(3) would NOT be reportable.

**Example:**

Mayor Kim travels to China on a trip organized by China Silicon Valley Business Development, a California nonprofit, 501(c)(6) organization. The Chengdu Municipal People's Government pays for Mayor Kim's airfare and travel costs, as well as meals and lodging during the trip. The trip's agenda shows that the trip's purpose is to promote job creation and economic activity in China and in Silicon Valley, so the trip is reasonably related to a governmental purpose.

▶ NAME OF SOURCE (Not an Acronym)	
Chengdu Municipal People's Government	
ADDRESS (Business Address Acceptable)	
2 Caoshi St. CaoShiJie, Qingyang Qu, Chengdu Shi,	
CITY AND STATE	
Sichuan Sheng, China, 610000	
<input type="checkbox"/> 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE	
DATE(S):	AMT: \$ 3,874.38
(if gift)	
▶ MUST CHECK ONE: <input checked="" type="checkbox"/> Gift -or- <input type="checkbox"/> Income	
<input type="radio"/> Made a Speech/Participated in a Panel	
<input checked="" type="radio"/> Other - Provide Description <u>Travel reimbursement for trip to China.</u>	
▶ If Gift, Provide Travel Destination	
Sichuan Sheng, China	

Thus, Mayor Kim must report the gift of travel, but the gift is exempt from the gift limit. In this case, the travel payments are not subject to the gift limit because the source is a foreign government and because the travel is reasonably related to a governmental purpose. (Section 89506(a)(2).) Note that Mayor Kim could be disqualified from participating in or making decisions about The Chengdu Municipal People's Government for 12 months. Also note that if China Silicon Valley Business Development (a 501(c)(6) organization) paid for the travel costs rather than the governmental organization, the payments would be subject to the gift limits. (See the FPPC fact sheet, Limitations and Restrictions on Gifts, Honoraria, Travel and Loans, at [www.fppc.ca.gov](http://www.fppc.ca.gov).)

## Restrictions and Prohibitions

The Political Reform Act (Gov. Code Sections 81000-91014) requires most state and local government officials and employees to publicly disclose their economic interests including personal assets and income. The Act's conflict of interest provisions also disqualify a public official from taking part in a governmental decision if it is reasonably foreseeable that the decision will have a material financial effect on these economic interests as well as the official's personal finances and those of immediate family. (Gov. Code Sections 87100 and 87103.) The Fair Political Practices Commission (FPPC) is the state agency responsible for issuing the attached Statement of Economic Interests, Form 700, and for interpreting the Act's provisions.

### Gift Prohibition

Gifts received by most state and local officials, employees, and candidates are subject to a limit. In 2023-2024, the gift limit increased to \$590 from a single source during a calendar year.

Additionally, state officials, state candidates, and certain state employees are subject to a \$10 limit per calendar month on gifts from lobbyists and lobbying firms registered with the Secretary of State. See Reference Pamphlet, page 10.

State and local officials and employees should check with their agency to determine if other restrictions apply.

### Disqualification

Public officials are, under certain circumstances, required to disqualify themselves from making, participating in, or attempting to influence governmental decisions that will affect their economic interests. This may include interests they are not required to disclose. For example, a personal residence is often not reportable, but may be grounds for disqualification. Specific disqualification requirements apply to 87200 filers (e.g., city councilmembers, members of boards of supervisors, planning commissioners, etc.). These officials must publicly identify the economic interest that creates a conflict of interest and leave the room before a discussion or vote takes place at a public meeting. For more information, consult Government Code Section 87105, Regulation 18707, and the Guide to Recognizing Conflicts of Interest page at [www.fppc.ca.gov](http://www.fppc.ca.gov).

### Honorarium Ban

Most state and local officials, employees, and candidates are prohibited from accepting an honorarium for any speech given, article published, or attendance at a conference, convention, meeting, or like gathering. (See Reference Pamphlet, page 10.)

### Loan Restrictions

Certain state and local officials are subject to restrictions on loans. (See Reference Pamphlet, page 14.)

### Post-Governmental Employment

There are restrictions on representing clients or employers before former agencies. The provisions apply to elected state officials, most state employees, local elected officials, county chief administrative officers, city managers, including the chief administrator of a city, and general managers or chief administrators of local special districts and JPAs. The FPPC website has fact sheets explaining the provisions.

### Late Filing

The filing officer who retains originally-signed or electronically filed statements of economic interests may impose on an individual a fine for any statement that is filed late. The fine is \$10 per day up to a maximum of \$100. Late filing penalties may be reduced or waived under certain circumstances.

Persons who fail to timely file their Form 700 may be referred to the FPPC's Enforcement Division (and, in some cases, to the Attorney General or district attorney) for investigation and possible prosecution. In addition to the late filing penalties, a fine of up to \$5,000 per violation may be imposed.

**For assistance** concerning reporting, prohibitions, and restrictions under the Act:

- Email questions to [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov).
- Call the FPPC toll-free at (866) 275-3772.

### Form 700 is a Public Document Public Access Must Be Provided

Statements of Economic Interests are public documents. The filing officer must permit any member of the public to inspect and receive a copy of any statement.

- Statements must be available as soon as possible during the agency's regular business hours, but in any event not later than the second business day after the statement is received. Access to the Form 700 is not subject to the Public Records Act procedures.
- No conditions may be placed on persons seeking access to the forms.
- No information or identification may be required from persons seeking access.
- Reproduction fees of no more than 10 cents per page may be charged.

## Questions and Answers

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### General

- Q. What is the reporting period for disclosing interests on an assuming office statement or a candidate statement?
- A. On an assuming office statement, disclose all reportable investments, interests in real property, and business positions held on the date you assumed office. In addition, you must disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you assumed office.

On a candidate statement, disclose all reportable investments, interests in real property, and business positions held on the date you file your declaration of candidacy. You must also disclose income (including loans, gifts and travel payments) received during the 12 months prior to the date you file your declaration of candidacy.

- Q. I hold two other board positions in addition to my position with the county. Must I file three statements of economic interests?
- A. Yes, three are required. However, you may instead complete an expanded statement listing the county and the two boards on the Cover Page or an attachment as the agencies for which you will be filing. Disclose all reportable economic interests in all three jurisdictions on the expanded statement. File the expanded statement for your primary position providing an original “wet” signature unless filed with a secure electronic signature. (See page 3 above.) File copies of the expanded statement with the other two agencies as required by Regulation 18723.1(c). Remember to complete separate statements for positions that you leave or assume during the year.
- Q. I am a department head who recently began acting as city manager. Should I file as the city manager?
- A. Yes. File an assuming office statement as city manager. Persons serving as “acting,” “interim,” or “alternate” must file as if they hold the position because they are or may be performing the duties of the position.

- Q. My spouse and I are currently separated and in the process of obtaining a divorce. Must I still report my spouse’s income, investments, and interests in real property?
- A. Yes. A public official must continue to report a spouse’s economic interests until such time as dissolution of marriage proceedings is final. However, if a separate property agreement has been reached prior to that time, your estranged spouse’s income may not have to be reported. Contact the FPPC for more information.
- Q. As a designated employee, I left one state agency to work for another state agency. Must I file a leaving office statement?
- A. Yes. You may also need to file an assuming office statement for the new agency.

### Investment Disclosure

- Q. I have an investment interest in shares of stock in a company that does not have an office in my jurisdiction. Must I still disclose my investment interest in this company?
- A. Probably. The definition of “doing business in the jurisdiction” is not limited to whether the business has an office or physical location in your jurisdiction. (See Reference Pamphlet, page 13.)
- Q. My spouse and I have a living trust. The trust holds rental property in my jurisdiction, our primary residence, and investments in diversified mutual funds. I have full disclosure. How is this trust disclosed?
- A. Disclose the name of the trust, the rental property and its income on Schedule A-2. Your primary residence and investments in diversified mutual funds registered with the SEC are not reportable.
- Q. I am required to report all investments. I have an IRA that contains stocks through an account managed by a brokerage firm. Must I disclose these stocks even though they are held in an IRA and I did not decide which stocks to purchase?
- A. Yes. Disclose on Schedule A-1 or A-2 any stock worth \$2,000 or more in a business entity located in or doing business in your jurisdiction.



## Questions and Answers Continued

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- Q. The value of my stock changed during the reporting period. How do I report the value of the stock?
- A. You are required to report the highest value that the stock reached during the reporting period. You may use your monthly statements to determine the highest value. You may also use the entity's website to determine the highest value. You are encouraged to keep a record of where you found the reported value. Note that for an assuming office statement, you must report the value of the stock on the date you assumed office.
- Q. I am the sole owner of my business, an S-Corporation. I believe that the nature of the business is such that it cannot be said to have any "fair market value" because it has no assets. I operate the corporation under an agreement with a large insurance company. My contract does not have resale value because of its nature as a personal services contract. Must I report the fair market value for my business on Schedule A-2 of the Form 700?
- A. Yes. Even if there are no *tangible* assets, intangible assets, such as relationships with companies and clients are commonly sold to qualified professionals. The "fair market value" is often quantified for other purposes, such as marital dissolutions or estate planning. In addition, the IRS presumes that "personal services corporations" have a fair market value. A professional "book of business" and the associated goodwill that generates income are not without a determinable value. The Form 700 does not require a precise fair market value; it is only necessary to check a box indicating the broad range within which the value falls.
- Q. I own stock in IBM and must report this investment on Schedule A-1. I initially purchased this stock in the early 1990s; however, I am constantly buying and selling shares. Must I note these dates in the "Acquired" and "Disposed" fields?
- A. No. You must only report dates in the "Acquired" or "Disposed" fields when, during the reporting period, you initially purchase a reportable investment worth \$2,000 or more or when you dispose of the entire investment. You are not required to track the partial trading of an investment.
- Q. On last year's filing I reported stock in Encoe valued at \$2,000 - \$10,000. Late last year the value of this stock fell below and remains at less than \$2,000. How should this be reported on this year's statement?
- A. You are not required to report an investment if the value was less than \$2,000 during the **entire** reporting period. However, because a disposed date is not required for stocks that fall below \$2,000, you may want to report the stock and note in the "comments" section that the value fell below \$2,000. This would be for informational purposes only; it is not a requirement.
- Q. We have a Section 529 account set up to save money for our son's college education. Is this reportable?
- A. If the Section 529 account contains reportable interests (e.g., common stock valued at \$2,000 or more), those interests are reportable (not the actual Section 529 account). If the account contains solely mutual funds, then nothing is reported.

### Income Disclosure

- Q. I reported a business entity on Schedule A-2. Clients of my business are located in several states. Must I report all clients from whom my pro rata share of income is \$10,000 or more on Schedule A-2, Part 3?
- A. No, only the clients located in or doing business on a regular basis in your jurisdiction must be disclosed.
- Q. I believe I am not required to disclose the names of clients from whom my pro rata share of income is \$10,000 or more on Schedule A-2 because of their right to privacy. Is there an exception for reporting clients' names?
- A. Regulation 18740 provides a procedure for requesting an exemption to allow a client's name not to be disclosed if disclosure of the name would violate a legally recognized privilege under California or Federal law. This regulation may be obtained from our website at [www.fppc.ca.gov](http://www.fppc.ca.gov). (See Reference Pamphlet, page 14.)

## Questions and Answers Continued

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Q. I am sole owner of a private law practice that is not reportable based on my limited disclosure category. However, some of the sources of income to my law practice are from reportable sources. Do I have to disclose this income?

A. Yes, even though the law practice is not reportable, reportable sources of income to the law practice of \$10,000 or more must be disclosed. This information would be disclosed on Schedule C with a note in the “comments” section indicating that the business entity is not a reportable investment. The note would be for informational purposes only; it is not a requirement.

Q. I am the sole owner of my business. Where do I disclose my income - on Schedule A-2 or Schedule C?

A. Sources of income to a business in which you have an ownership interest of 10% or greater are disclosed on Schedule A-2. (See Reference Pamphlet, page 8.)

Q. My spouse is a partner in a four-person firm where all of their business is based on their own billings and collections from various clients. How do I report my community property interest in this business and the income generated in this manner?

A. If your spouse's investment in the firm is 10% or greater, disclose 100% of your spouse's share of the business on Schedule A-2, Part 1 and 50% of your spouse's income on Schedule A-2, Parts 2 and 3. For example, a client of your spouse's must be a source of at least \$20,000 during the reporting period before the client's name is reported.

Q. How do I disclose my spouse's or registered domestic partner's salary?

A. Report the name of the employer as a source of income on Schedule C.

Q. I am a doctor. For purposes of reporting \$10,000 sources of income on Schedule A-2, Part 3, are the patients or their insurance carriers considered sources of income?

A. If your patients exercise sufficient control by selecting you instead of other doctors, then your patients, rather than their insurance carriers, are sources of income to you. (See Reference Pamphlet, page 14.)

Q. I received a loan from my grandfather to purchase my home. Is this loan reportable?

A. No. Loans received from family members are not reportable.

Q. Many years ago, I loaned my parents several thousand dollars, which they paid back this year. Do I need to report this loan repayment on my Form 700?

A. No. Payments received on a loan made to a family member are not reportable.

### Real Property Disclosure

Q. During this reporting period we switched our principal place of residence into a rental. I have full disclosure and the property is located in my agency's jurisdiction, so it is now reportable. Because I have not reported this property before, do I need to show an “acquired” date?

A. No, you are not required to show an “acquired” date because you previously owned the property. However, you may want to note in the “comments” section that the property was not previously reported because it was used exclusively as your residence. This would be for informational purposes only; it is not a requirement.

Q. I am a city manager, and I own a rental property located in an adjacent city, but one mile from the city limit. Do I need to report this property interest?

A. Yes. You are required to report this property because it is located within 2 miles of the boundaries of the city you manage.

Q. Must I report a home that I own as a personal residence for my daughter?

A. You are not required to disclose a home used as a personal residence for a family member unless you receive income from it, such as rental income.

Q. I am a co-signer on a loan for a rental property owned by a friend. Since I am listed on the deed of trust, do I need to report my friend's property as an interest in real property on my Form 700?

A. No. Simply being a co-signer on a loan for property does not create a reportable interest in that real property.

## Questions and Answers Continued

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### Gift Disclosure

- Q. If I received a reportable gift of two tickets to a concert valued at \$100 each, but gave the tickets to a friend because I could not attend the concert, do I have any reporting obligations?
- A. Yes. Since you accepted the gift and exercised discretion and control of the use of the tickets, you must disclose the gift on Schedule D.
- Q. Julia and Jared Benson, a married couple, want to give a piece of artwork to a county supervisor. Is each spouse considered a separate source for purposes of the gift limit and disclosure?
- A. Yes, each spouse may make a gift valued at the gift limit during a calendar year. For example, during 2023 the gift limit was \$590, so the Bensons may have given the supervisor artwork valued at no more than \$1,080. The supervisor must identify Jared and Julia Benson as the sources of the gift.
- Q. I am a Form 700 filer with full disclosure. Our agency holds a holiday raffle to raise funds for a local charity. I bought \$10 worth of raffle tickets and won a gift basket valued at \$120. The gift basket was donated by Doug Brewer, a citizen in our city. At the same event, I bought raffle tickets for, and won a quilt valued at \$70. The quilt was donated by a coworker. Are these reportable gifts?
- A. Because the gift basket was donated by an outside source (not an agency employee), you have received a reportable gift valued at \$110 (the value of the basket less the consideration paid). The source of the gift is Doug Brewer and the agency is disclosed as the intermediary. Because the quilt was donated by an employee of your agency, it is not a reportable gift.
- Q. My agency is responsible for disbursing grants. An applicant (501(c)(3) organization) met with agency employees to present its application. At this meeting, the applicant provided food and beverages. Would the food and beverages be considered gifts to the employees? These employees are designated in our agency's conflict of interest code and the applicant is a reportable source of income under the code.
- A. Yes. If the value of the food and beverages consumed by any one filer, plus any other gifts received from the same source during the reporting period total \$50 or more, the food and beverages would be reported using the fair market value and would be subject to the gift limit.
- Q. I received free admission to an educational conference related to my official duties. Part of the conference fees included a round of golf. Is the value of the golf considered informational material?
- A. No. The value of personal benefits, such as golf, attendance at a concert, or sporting event, are gifts subject to reporting and limits.

# AFFIDAVIT OF ELIGIBILITY FOR CANDIDATES

STATE OF CALIFORNIA )  
COUNTY OF CONTRA COSTA ) ss.  
CITY OF BRENTWOOD )

I, \_\_\_\_\_ solemnly swear that I am eligible to hold elective office in the City of Brentwood in that I am a registered voter of the City of Brentwood at the time nomination papers were issued to me by the City Clerk and I am an elector of the City at the time of assuming office because my legal residence is located at \_\_\_\_\_ in the City of Brentwood, and, in the case of city council candidates, in the district in which I am running for election. For the duration of my term in office I will retain legal residence within the City of Brentwood and, in the case of city council candidates, in the district in which I am running for election.

\_\_\_\_\_  
*(signature)*

~~~~~  
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Contra Costa  
Subscribed and sworn to (or affirmed) before me on this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_, by \_\_\_\_\_, proved to me on the basis of  
satisfactory evidence to be the person(s) who appeared before me.

WITNESS my hand and official seal.

(seal)

\_\_\_\_\_  
(Signature of Notary)

## Who Files:

A candidate for state or local office must file this form for each election for a specific office. Exception: A new Form 501 is not required for the general election or special general election if the candidate filed a Form 501 for the connected primary or special primary election for the same office sought. Candidates for county central committee that do not raise or spend \$2,000 or more in a calendar year are not required to file a Form 501.

## When to File:

File the Form 501 before you solicit or receive any contributions or before you make expenditures from personal funds on behalf of your candidacy. This form is considered filed the date it is postmarked or hand delivered. Ensure campaign deadlines are met. Go to [www.fppc.ca.gov](http://www.fppc.ca.gov) for most campaign disclosure filing schedules or check with your local filing officer.

## Where to File:

### State Candidates (including Judges):

Secretary of State Political Reform Division  
1500 11th Street, Room 495  
Sacramento, CA 95814  
Phone (916) 653-6224

For filing with a verified digital signature, please access the Secretary of State's website for more information:  
[www.sos.ca.gov](http://www.sos.ca.gov)

### Local Candidates:

Generally your county election office or city clerk. Electronic filing may be required.

### Bank Account:

A separate campaign bank account must be established for each election. A bank account is not required if a candidate will not receive any contributions and will make personal expenditures of less than \$2,000 in a calendar year. A candidate who

receives any contributions, regardless of personal expenditure level, must open a bank account. The filing and statement of qualification fees are not included in calculating the \$2,000.

## How to Complete:

All candidates: Complete Parts 1 and 3.

Candidates for elective state office: Complete Parts 1, 2, and 3.

Exception: Candidates for an election to the California Public Employees' Retirement Board, the State Teachers' Retirement Board, judges, and judicial candidates do not complete Part 2.

## Part 1. Candidate Information

- Enter your name and street address.
- Enter the title of the office sought, agency name, and district number if any (e.g., City Council Member, City of Smalltown, Dist. 5).
- Enter your political party preference if seeking a partisan office. For a list of qualified political parties, go to: [www.sos.ca.gov/elections/political-parties/qualified-political-parties/](http://www.sos.ca.gov/elections/political-parties/qualified-political-parties/).
- Check the appropriate box regarding the office's jurisdiction.
- Enter the year of election.

## Part 2. Voluntary Expenditure Ceiling

This section applies to certain candidates for elective state office, including State Senate and Assembly and statewide offices.

The voluntary expenditure ceiling applicable to your office is set forth in FPPC Regulation 18545. You must state whether you accept or reject the expenditure ceiling. Candidates who accept the voluntary expenditure limit will be designated in either the state voter information guide (statewide candidates) or the county voter information guide (Senate and Assembly

candidates) and may purchase space for a 250-word statement there.

You may amend the Form 501 to change your acceptance or rejection of the voluntary expenditure ceiling only under the following circumstances:

- Between the date of filing an initial Form 501 for an election and the deadline for filing nomination papers for that election, you may amend your statement of acceptance or rejection of the voluntary expenditure ceiling no more than two times as long as the limit has not been exceeded.
- If you reject the voluntary expenditure ceiling in the primary or special election but do not exceed the ceiling during that election, you may amend the Form 501 to accept the expenditure ceiling for the general or special runoff election and receive all of the benefits accompanying the acceptance of the expenditure ceiling. The amended Form 501 must be filed within 14 days following the primary or special election.

## Personal Funds Notification:

You must disclose, if applicable, the date you contribute personal funds to your own campaign that exceed the expenditure ceiling. File an amended Form 501 within 24 hours by guaranteed overnight delivery, personal delivery, or, if applicable, by electronic means.

## Part 3. Verification

The verification is signed under penalty of perjury. This form was prepared by the Fair Political Practices Commission (FPPC). For detailed information on campaign reporting requirements, see the FPPC Campaign Disclosure Manual for your type of committee.





California Secretary of State  
**CODE OF FAIR CAMPAIGN PRACTICES**  
 (Elections Code § 20440)

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism.
- (2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.
- (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

**Election: November 5, 2024 General Election**

\_\_\_\_\_

Print Name

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Office