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**NOVEMBER 3, 2020  
GENERAL MUNICIPAL ELECTION**



**CANDIDATE HANDBOOK**

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**CITY OF SOLVANG**  
**GENERAL MUNICIPAL ELECTION NOVEMBER 3, 2020**  
**ABBREVIATED SCHEDULE**

| <b>DATE</b>                                  | <b>ACTION</b>  | <b>COMMENTS</b>  |
|--|--|--|
| JUNE 8 (Monday)                              | Council called for the November 3, 2020 election   | Last suggested day to act is June 16   |
| JUNE 16 (Tuesday)                            | Election Official to Publish Notice of Election – Measure (s) Only                       | Since the City Council adopted the UGB Initiative Ordinance as presented on June 8, this step is bypassed.   |
| JULY 13 (Monday)                             | Filing period for nomination papers and candidate statements                             | Those seeking office may begin pulling papers as of this day. Please call the City Clerk's Office for appointment. Due to COVID-19 appointments are required.  |
| AUGUST 7 (Friday)                            | Last day to file nomination papers   | Nomination Papers must be filed in the City Clerk's Office by 5:00 p.m. It is highly recommended that candidates do not wait until the very last day to file. Please call the City Clerk's Office in advance for appointment. Due to COVID-19 appointments are required. |
| AUGUST 12 (Wednesday)                        | Last date to file nomination papers- Extended filing period if incumbent(s) fail to file | If incumbent (s) fail to file, there is an automatic extension for everyone else to file nomination papers.  |
| AUGUST 13 (Thursday)                         | Secretary of State (SOS) to determine order of names on the ballot                       | On this day, the SOS will conduct the randomized alphabet drawing to determine the order in which candidates' names will appear on the November 3, 2020 ballot.  |
| AUGUST 17 (Monday)                           | Last day of public review period for candidate statements                                | The public can review all candidate's statements. Please contact the City Clerk's Office.  |
| AUGUST 20 (Thursday)                         | Last day to cancel election – Insufficient candidates                                    |  |
| SEPTEMBER 7 (Monday) to OCTOBER 20 (Tuesday) | Filing period for write-in candidates  | For write-in candidacy, refer to attachment below  |
| SEPTEMBER 24 (Thursday)                      | Last day to file campaign  | This is referred to as Form 460.   |

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|  | expenditures statements (Form 460's) – 1 <sup>st</sup> Pre-Election Statement                          |  |
| OCTOBER 5 (Monday)                         | First day for mailing Permanent Vote by Mail Ballots   | Those currently registered as Vote by Mail Voters (known as absentee voters) will begin receiving their VBM ballots in the mail from the County.   |
| OCTOBER 5 (Monday) to OCTOBER 27 (Tuesday) | Voters may request vote by mail ballots with regular applications                                      | Please call the County Elections Division to request your VBM ballot.  |
| OCTOBER 13 (Tuesday)                       | Last day to mail voter information guides and polling place notices                                    | The voter information guides are mailed to the voters by the County of Santa Barbara, County Registrar/Recorder/County Clerk-Elections Department. |
| OCTOBER 19 *****                           | <b>VERY LAST DAY TO REGISTER TO VOTE</b>   | Any issues surrounding your voter registration status must be directed to the County Elections Department.   |
| OCTOBER 20                                 | Last day to file for write-in candidate  | For write-in candidacy, refer to attachment below.   |
| OCTOBER 22                                 | Last day to file campaign expenditure statements (Form 460's) – 2 <sup>nd</sup> Pre-Election Statement | This is referred to as Form 460.   |
| OCTOBER 27                                 | Last day for Elections Official to publish notice of nominees for office                               | The City Clerk must publish notice of nominees in an adjudicated newspaper of general circulation.   |
| NOVEMBER 2 (Monday)                        | Last day for the City Council to adopt procedure to resolve a tie vote                                 | The City Council acted on this item on June 8 by adopting Resolution No. 20-1111.  |
| NOVEMBER 3 (Tuesday)                       | <b>ELECTION DAY!!!</b>   |  |

## WRITE-IN CANDIDATES

Between the 57th and 14th day before the election, any person who desires to be a write-in candidate and have his or her name as written on the ballot of an election counted for a particular office shall file:

(a) A statement of write-in candidacy which shall contain the following information:

- (1) Candidate's name.
- (2) Residence address.
- (3) A declaration stating that he or she is a write-in candidate.
- (4) The title of the office for which he or she is running.
- (5) The date of the election

(b) The requisite number of signatures on the nomination paper pursuant to § 10220.

A recent court decision has ruled that the write-in provisions do not apply to a runoff election (2<sup>nd</sup> election) for cities that have a Primary Nominating Election and a General Municipal Election, or a General Municipal Election and a Municipal Runoff Election.

(see Michael Edelstein et al v.  
City and County of San Francisco,  
decided and filed November 7, 2002).

After the candidate files the statement of write-in candidacy, the City Clerk should issue to each prospective write-in candidate items listed under Required Items from the nomination packet issued to regular candidates [See *Nomination section elsewhere in this Manual*]. The statement and nomination papers shall be available on the 57th day prior to the election, write-in candidates shall file the write-in statement and nomination papers with the City Clerk no later than the fourteenth day prior to the election. Candidates for Mayor and Council shall also file a "Statement of Economic Interest" with the nomination paper and shall be required to file campaign disclosure forms in the time and manner required by law. Write-in nomination papers shall follow the format of regular nomination papers and should be issued by the City Clerk. The Election Official should issue the standard nomination form to the write-in candidate and should prominently mark it "Write-In". The Declaration of Circulator shall be in substantially the form as required by § 10226. No fee or charge shall be required of a write-in candidate except the filing fee, if adopted, as provided in § 10228.

The City Clerk shall verify the requisite number of signatures in the same manner as on a regular nomination paper. If any write-in candidate has qualified for any office on the ballot, the Election Official must notify each inspector prior to election day. If your election is consolidated with a county election, notify the county as soon as possible.

Once a write-in candidate has qualified, the precinct board must see that pens or pencils are placed in each voting booth. The voter must not be required to ask for a pen or pencil.

Any name written upon a ballot for a qualified write-in candidate, including a reasonable facsimile of the spelling of a name, shall be counted for the office, if it is written in the blank space provided and voted as specified below:

- (a) For voting systems in which write-in spaces appear directly below the list of candidates for that office and provide a voting space, no write-in vote shall be counted unless the voting space next to the write-in space is marked or slotted as directed in the voting instructions.
- (b) For voting systems in which write-in spaces appear separately from the list of candidates for that office and do not provide a voting space, the name of the write-in candidate, if otherwise qualified, shall be counted if it is written in the manner described in the voting instructions.
- (c) The use of pressure-sensitive stickers, glued stamps, or any other device not provided for in the voting procedures for the voting systems approved by the Secretary of State to indicate the name

of the write-in candidate are not valid, and a name indicated by these methods shall not be counted.

- (d) Neither a vote cast for a candidate whose name appears on the ballot nor a vote cast for a write-in candidate shall be counted if the voter has indicated, by a combination of marking and writing, a choice of more names than there are candidates to be nominated or elected to the office.
- (e) All valid write-in votes shall be tabulated and certified to the elections official on forms provided for this purpose, and the write-in votes shall be added to the results of the count of the ballots at the counting place and be included in the official returns for the precinct. (§ 15342, E.C.)

When marking a ballot, the voter shall use the proper marking device to place a mark in the voting space provided next to the name of every candidate printed on the ballot for whom the voter intends to vote. This mark shall be counted as a vote for that person. A vote for a candidate or person whose name is not printed on the ballot may be cast by writing in a name for that office in the blank space for that purpose. Only a vote cast for a qualified write-in candidate shall be counted.

A precinct board member must instruct each voter regarding the proper marking of the ballot with the marking device provided. At the time of delivering a ballot to a voter, the precinct board member shall distinctly state that the voter shall mark the ballot with the device provided by law or the ballot will not be counted.

The precinct officer shall keep at the table the written notification of the names of all qualified write-in candidates provided by the Election Official and make it available to any voter requesting it. Otherwise, the precinct officer may respond to questions regarding the write-in procedure but may not volunteer additional information, nor should the precinct officer discuss any issue, regular candidate or write-in candidate.

If using hand tally ballots, the precinct officer shall add the name of the qualified write-in candidate to the Tally Sheets in the space provided under the appropriate office for which he or she is a candidate.

#### Hand Tally Ballots:

If the voter writes in the name of a qualified write-in candidate and does not overvote:

- (a) Count the write-in vote if there is a mark made in the voting box.
- (b) Count the write-in vote if there is no mark
- (c) Count regular candidates if there is a mark made in the voting box.

The precinct officer should add the votes for a qualified write-in candidate to the "Result of Votes Cast" sheets, post and return the copies as indicated.

The qualified write-in candidate should be included in the certificate of canvass and in the Resolution Declaring the Result by the City Council.

Procedures for AUTOMATED VOTING SYSTEMS are contained in the Election Night Procedures Manual to be distributed to those cities using an automated system.

### MANUAL RECOUNT OF WRITE-IN CANDIDATES

In the event of a manual recount, the counting of votes for a write-in candidate shall be liberally construed to ensure that each ballot is counted if the intent of the voter can be determined, regardless of whether the voter has complied with the voting instructions.

After tallying all eligible votes but prior to completion of the official canvass and the issuance of the certified statement of the results, the election official, upon the request of a qualified write-in candidate for an examination of undervotes that is received within 5 days of completion of the semiofficial canvass, may hand tally the remaining undervotes if any of the following is applicable:

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- A. For a primary or special election: The sum of the total number of votes cast for the write-in candidate and the total number of undervotes cast for the office but not examined pursuant to a hand tally, is equal to or greater than the total number of votes cast for the candidate receiving the second highest number of votes for that office.
- B. For a general election or special runoff election: The sum of the total number of votes cast for the write-in candidate and the total number of undervotes cast for the office but not examined pursuant to a hand tally, is equal to or greater than the total number of votes cast for the candidate receiving the highest number of votes for that office.
- C. In the case of an office for which a voter may vote for more than one candidate, the sum of the total number of votes cast for the write-in candidate and the total number of undervotes cast for the office but not examined pursuant to a hand tally is equal to or greater than the total number of votes cast for the candidate receiving the least number of votes that would be sufficient in order to be elected.

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The elections official may stop a hand tally conducted pursuant to this when the elections official determines that the applicable condition mentioned in A thru C above is no longer applicable, or when all of the undervotes of the office have been examined.

In conducting such a hand tally, the elections official shall count a vote for that office if the intent of the voter can be determined, regardless of whether the voter has complied with the voting instructions.

The election official shall include the results of a hand tally conducted pursuant to this in the official canvass of the election.

“Undervote” means a ballot on which a voter failed to cast any vote for a specific office or failed to cast the maximum number of voter permitted.

A qualified write-in candidate is not responsible for the costs of a hand tally requested.

This hand tally does not prohibit a request for a recount.

|                            |       |       |       |       |         |
|----------------------------|-------|-------|-------|-------|---------|
| Sections referenced above: |       |       |       |       |         |
| EC:                        | 10220 | 10226 | 10228 | 15342 | 15342.5 |

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# **SECTION I**

## **INTRODUCTION**

## **Candidate Qualifications/Compensation & About City Government Candidate Qualifications**

A person is eligible to hold office if he/she is a United States citizen, 18 years of age or older, and is a registered voter residing within the City of Solvang city limits and shall have been a bona fide resident of the City for at least thirty (30) days next preceding the date of the election. A Candidate may not have been convicted of designated crimes specified in the Constitution and Laws of the State. The above qualifications will be verified through Santa Barbara County voter registration files prior to the issuance of a nomination package. Elector and resident status must be maintained during the term of office.

### **Elected Officials Compensation**

Council Members receive a stipend of \$600.00 dollars a month with an optional medical benefit package. The Mayor receives a stipend of \$700.00 a month with an optional medical benefit package.

### **About City Government**

The City of Solvang was incorporated on May 1, 1985. However, Solvang was established and founded back in 1911. In 2008, Solvang City Voters adopted a City Charter (municipal constitution) and a City Council-City Manager form of government, which is still used today. The City Charter does not provide for a strong Mayoral system. Instead, it treats the Mayor as an equal vote to the rest of the members of the City Council. The City Council consists of an elected Mayor who serves a two (2) year term and four elected Council Members serving (4) four- year terms. The City has no term limits. Each Council Member must reside in the City.

### **Being a Member of the City Council**

#### **In General**

Each member of the City Council is elected at-large in staggered terms on even numbered years, this means that they represent the City at-large. Currently, there are no electoral districts in the City of Solvang. However, on June 22, 2020, the City approved and adopted Resolution No. 20-1113, which in effect is the first step in the process of converting from an at large-electoral process to a by-district one. In short, commencing in the year 2022, the City of Solvang will convert to by-district elections, which means that those seeking to run for elective office, will have to reside in the one of the four (4) soon to be created Districts.

The City Council also represents the City on the following agencies: Santa Barbara County Association of Governments, Santa Barbara Air Pollution Control Board, California Joint Powers Authority, League of California Cities, Multi-Jurisdictional Solid Waste Task Group, Joint Wastewater Committee, Ad Hoc Sant Ynez Band of Chumash Indians Tribe Subcommittee, Library Ad-Hoc Subcommittee, EMA Groundwater Sustainability Agency, Indian Gaming Local Benefit Committee, and CCWA/Water Ad Hoc Committee to name a few.

#### **Meetings**

In compliance with the Brown Act, the City Council holds “regular” public meetings every second and fourth Mondays of every month, at 6:30 p.m. in the City Council Chambers on the first floor of City Hall. The City Council also holds special meetings, which are held on as-needed-basis. Some of these special meetings depending on the subject matter listed on the agenda, might be referred to as closed session

meetings intended to discuss legal matters. These meetings are often scheduled prior to the commencement of the regular meeting. These special meetings are normally scheduled at 5:00 p.m.

From time to time the City Council also holds adjourned, workshop, and emergency meetings on an as-needed-basis. Special Meetings of the City Council may be called at any time by the Mayor or three members of the City Council by written notice to each member of the City Council in accordance with Council protocols. Agenda materials are in the form of an electronic agenda packet, which the City Clerk's Office produces for the City Council, and makes it available online on the City's website at [www.cityofsolvang.com](http://www.cityofsolvang.com). A hardcopy of the agenda packet is also provided at the reception's counter at City Hall 72 hours prior to the regular meeting.

## **Duties**

The Council is the policy making body of the City of Solvang and it approves and adopts City policies, ordinances, resolutions and other legal instruments such as permit for land uses; the Council also approves the City's annual budget, contracts, and agreements; hears appeals of decisions made by city staff or citizen advisory groups; and appoints a representative to the Parks & Recreation Commission, Planning Commission, and Branding and Design Committee.

## **Other Activities of the City Council**

Members of the City Council may also serve as the City's representative on advisory boards, committees, agencies, or organizations such as (not all inclusive): Santa Barbara County Association of Governments, Santa Barbara Air Pollution Control Board, California Joint Powers Authority, League of California Cities, Multi-Jurisdictional Solid Waste Task Group, Joint Wastewater Committee, Ad Hoc Sant Ynez Band of Chumash Indians Tribe Subcommittee, Library Ad-Hoc Subcommittee, EMA Groundwater Sustainability Agency, Indian Gaming Local Benefit Committee, and CCWA/Water Ad Hoc Committee to name a few.

## **About Solvang's Form of Government**

### **What is the Council/Manager Form of Local Government?**

The Council/Manager form of government is the system of local government, which combines the strong political leadership of elected officials in the form of the City Council with the strong managerial experience of a professional City Manager.

### **What is the Purpose of the Council/Manager Form of Local Government?**

The Council/Manager form of local government is intended to provide the City Council with the power to govern a community by adopting policies and the City Manager with the authority to execute said policies in the form of programs and activities. In short, the City Manager is responsible for executing the will of the elected body and ensure effective execution of the Councils' priorities.

### **What is the Difference Between the Council and the City Manager?**

Solvang is a California municipal corporation. The City Council is the community's legislative body and it is like the Board of Directors of a private or public corporation. It provides direction on business matters, sets policy, and adopts the annual budget. It hires the City Manager and supervises his or her performance. The Manager serves as the City Council's chief advisor, prepares the budget, oversees the staff, and acts to carry out the City Council's programs. Because the City Council is the legislative body, its members are

the community's decision makers. The Manager is hired to serve at the pleasure of the City Council as its full-time executive whose job is to administer the staff, projects, and programs on behalf of the City Council.

### **What is the Role of the Mayor?**

The Mayor represents the City at community functions, maintains liaison with other governmental agencies, and serves as the presiding officer at City Council meetings. The Mayor is an elected person and the City Council selects a Mayor Pro Tempore from among its members to act for the Mayor when he/she is not available.

### **How is the City Policy Formulated and Established Under the Council/Manager Form of Government?**

The City Council retains the sole power of being the policy maker and legislative body for the City. However, both the City Council and Manager have responsibility for initiating consideration of new policies. The City Manager routinely prepares policy alternatives and recommendations for consideration by the City Council. The City Council may adopt, reject, or modify the recommendations. The City Manager is bound by whatever action the City Council takes and he or she is responsible for implementation of City Council-approved policy.

### **How Are the City Council Meeting Agendas Developed?**

The City Council meets the second and fourth Mondays of the month to consider and act on City business. The agenda is assembled by the City Clerk's Department with items submitted from the City Council, City Manager, City Attorney, and City Departments. Laptop is issued to each Council Member to access the meeting packet. Members of the public may petition the Council in writing to place items on the City's Agenda. However, said request must be made through the office of the City Manager and will be reviewed by Mayor, City Manager, and City Attorney feasibility to be placed on the agenda at an agenda review meeting per Council Protocols. Council Protocols and procedures can be reviewed and modified by the City Council from time to time. The City Council retains full discretion with respect to approving or rejecting such requests.

### **Who Appoints City Commission Members?**

The City Council appoints all members of official City Boards and Commissions. Currently, the City has a Parks and Recreation Commission, Planning Commission, and Branding and Design Committee.

### **Who Appoints the City Manager and City Attorney?**

The City Council is responsible for appointing the City Manager and City Attorney. They both serve at the pleasure of the City Council. The City Manager is an at-will employee of the City with a five-year contract term. The City Attorney services for the City of Solvang are contracted out and the City Attorney is not a City employee. The contract attorney is not a City employee and thus received no City benefits or compensation other than the retainer for rendering legal services. Both City Manager and City Attorney contracts can be modified or terminated by a three (3) votes of the City Council.



### **How is the City Budget Developed?**

The City Manager has responsibility for preparation of the proposed annual budget for the City. The City Council is responsible for reviewing the document and making those policy decisions that ensure that the budget fits the needs of the community. After adoption by the City Council, the Manager implements and administers the budget. A copy of the budget can be reviewed at City Hall and it is also posted on the City's webpage.

### **Who Supervises the Day-to-Day Activities of the City staff?**

The City Manager exercises general supervision and provides direction to the City staff. City Department Heads report to the City Manager. The City Council deals with the administration of the City through the City Manager. In the Council-Manager form of government, the City Council does not direct the actions of the City staff outside of the chain of command. The City Manager as the Chief Executive Officer for the City has full discretion relative to the management of City personnel.

### **Does the Manager participate in local politics?**

The City Manager refrains from participation in the election of the City Council and from those partisan activities which would impair his/her performance as a professional administrator.

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# **SECTION II**

# **CANDIDATE INFORMATION**

## **Questions Frequently Asked by Candidates**

### ***Is there a filing fee involved in my candidacy?***

There is a non-refundable filing fee of twenty-five dollars (\$25.00) established for processing a candidate's nomination papers required to run for municipal office.

### ***What if I cannot afford the filing fee?***

The Elections Code provides procedures for assisting candidates who cannot afford the \$25.00 dollar fee through the process of "indigency" by filing an in-lieu-petition.

### ***What if I change my mind about being a candidate after filing nomination papers?***

You may withdraw as a candidate at any time PRIOR to the close of the nomination period, which is August 7, 2020, by close of business day, or August 12, 2020 by close of business day if the nomination period is extended. Withdrawal must be submitted in writing to the City Clerk's Office. You are NOT permitted to officially withdraw your nomination papers (candidacy) after that date, and your name will appear on the ballot.

### ***What happens if some of the people whose signatures I obtained on my nomination papers are not registered voters or do not live within the City?***

It is important that you file your nomination papers as early as you can because the City Clerk must certify the signatures on nomination papers. If you wait until the last day, and your sponsors' signatures, for any reason, are insufficient, you will not have qualified as a candidate. If you file early, there will be time for the City Clerk to verify the signatures on your nomination paper with the County and accordingly notify you of any insufficiencies; you may have an opportunity to circulate a supplemental nomination paper to qualify as a candidate.

### ***How soon will a list of qualified candidates be available after the close of the nomination period?***

The nomination period closes on August 7, 2020, at 5:00 p.m. unless an incumbent does not file, and the period is extended to August 12, 2020. A list of candidates will be prepared the next working day and should be available for distribution by 5:00 p.m. on Monday, August 10, 2020, or on Thursday, August 13, 2020. The list will be posted on the City Hall's outdoor public display board and outside the City Clerk's Office as well as on the City's website.

### ***When will the official results of the election be received and certified as correct?***

The Registrar of Voters must canvass the election and certify the results by the fourth Friday after the election. The City Clerk will present the results to the City Council for its acceptance at the City Council meeting of December 14, 2020.

### ***When will the newly elected Council Members take office?***

The oath of office will be administered on December 14, 2020 in the City Clerk's Office, call for an appointment between 7:00 a.m. – 5:00 p.m. The ceremonial swearing in will take place at the City Council Meeting of December 14, 2020.

## SUMMARY OF FORMS/DOCUMENTS

| NOMINATION DOCUMENT  | PURPOSE   |
|--|---|
| 1. Candidate's Handbook & Candidate Packet                                       | Explains Rules/requirements and has hardcopy forms, thumb drive, etc.   |
| 2. Declaration of Candidacy (Includes ballot designation and oath of allegiance) | Form that qualifies an individual to be placed on the official ballot. It must be completed and filed by the filing deadline.   |
| 3. Ballot Designation Worksheet  | Each candidate who submits a ballot designation shall file a ballot designation worksheet that supports the use of that ballot designation by the candidate. There are specific criteria for the City Clerk to approve ballot designations. |
| 4. Candidate's Statement Form  | This form is used to state the education and qualifications of the candidate. It must be filed at the time the Declaration of Candidacy is filed. Filing a statement is optional.   |
| 5. Code of Fair Campaign Practices   | These are basic principles of decency, honesty, and fair play, which every candidate for public office has a moral obligation to uphold. This is a voluntary form.  |
| 6. Campaign Disclosure Filing Forms & Instructions                               | These forms are used to disclose campaign receipts and expenditures. Appropriate forms and instructions will be given to comply with FPPC rules on establishing accounts, reporting contributions and expenditures, etc.                    |
| 7. Statement of Economic Interests   | The Form 700 (SEI) must be filed by the close of the nomination period.   |

**Fair Political Practices Commission  
Filing Schedule for  
Candidates and Controlled Committees for Local Office  
Listed on the November 3, 2020 Ballot**

| <b>Deadline</b>  | <b>Period</b>       | <b>Form</b>                                   | <b>Notes</b>  |
|--|---------------------|---|---|
| <b>July 31, 2020</b><br><i>Semi-Annual</i>                 | * – 6/30/20         | <a href="#">460</a> or<br><a href="#">470</a> | <ul style="list-style-type: none"> <li>• <b>460:</b> All committees must file Form 460.</li> </ul>  |
| <b>Within 24 Hours</b><br><i>Contribution Reports</i>      | 8/5/20 – 11/3/20    | <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 <i>another</i> candidate or measure being voted upon November 3, 2020.</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 contribution is received.</li> <li>• File by personal delivery, e-mail, guaranteed overnight service, or fax. The committee may also file online, if available.</li> </ul> |
| <b>Sept 24, 2020</b><br><i>1<sup>st</sup> Pre-Election</i> | 7/1/20 – 9/19/20    | <a href="#">460</a> or<br><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 22, 2020</b><br><i>2<sup>nd</sup> Pre-Election</i>  | 9/20/20 – 10/17/20  | <a href="#">460</a>                           | <ul style="list-style-type: none"> <li>• All committees must file this statement.</li> <li>• File by personal delivery or guaranteed overnight service. The committee may also file online, if available.</li> </ul>  |
| <b>Feb 1, 2021</b><br><i>Semi-Annual</i>                   | 10/18/20 – 12/31/20 | <a href="#">460</a>                           | <ul style="list-style-type: none"> <li>• All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before Dec 31, 2020.</li> </ul>   |

**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.
- **Local Ordinance:** Always check on whether additional local rules apply.
- **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.
- **Method of Delivery:** All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a statement may not be required if a local agency requires online filing pursuant to a local ordinance.
- **Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.
- **Form 460:** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.

## Fair Political Practices Commission

- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2020 and do not have an open committee must file Form 470 on or before September 24, 2020. If, later during the calendar year, the candidate raises or spends \$2,000 or more, a Form 470 Supplement and a Form 410 must be filed.
- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
  - [462](#): This form must be e-mailed to the FPPC within 10 days.
  - [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.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 2](#) for additional information.
- **Public Documents:** All statements are public documents.
- **Resources:** Campaign manuals and other instructional materials are available [here](#). Or, visit [www.fppc.ca.gov](http://www.fppc.ca.gov) > Learn > [Campaign Rules](#).

## CONTACT INFORMATION

| AGENCY  | CONTACT INFORMATION  |
|---|--|
| City Clerk's Office<br>City of Solvang<br>1644 Oak Street<br>Solvang, CA 93463                              | Telephone: 805-688-5575<br>Fax: 805-686-2049<br>E-mail: City Manager/City Clerk<br><a href="mailto:Xeniab@cityofsolvang.com">Xeniab@cityofsolvang.com</a><br>Deputy City Clerk<br><a href="mailto:Daryl@cityofsolvang.com">Daryl@cityofsolvang.com</a>   |
| City of Solvang<br>Access to Solvang Municipal Code and City Charter  | Internet Address:<br><a href="http://www.solvang.com">http://www.solvang.com</a>   |
| Santa Barbara County<br>Registrar of Voters<br>4440-A Calle Real<br>Santa Barbara, CA 93110                 | Telephone: (800) SBC-VOTE or (800) 722-8683<br>Fax: (805) 568-2209<br>Hours of Operation<br>8:00 a.m. – 5:00 p.m. (Excluding Holidays)<br>Contact Person:<br>Renee Bischof<br>Chief Deputy Registrar of Voters<br>County of Santa Barbara<br>Ph: (805) 696-8963   Fax: (805) 568-2209<br>Website: <a href="http://www.sbcvote.com">www.sbcvote.com</a>   |
| Fair Political Practices Commission<br>1102 Q Street, Suite 3000<br>Sacramento, CA 95811                    | Telephone:<br>Website: <a href="http://www.fppc.ca.gov">www.fppc.ca.gov</a><br><b>General Information:</b><br>(916) 322-5660<br><b>Advice:</b><br>1-866-ASK-FPPC<br>(866) 275-3772 *1<br>(Telephone Advice is available<br>Monday - Thursday 9am-11:30am)<br><b>Request a Form 700:</b><br>1-866-ASK-FPPC<br>(866) 275-3772 *2<br><b>Request a Public Record:</b><br>(916) 445-2772<br><b>Request a Speaker:</b><br>(916) 327-8269<br><b>Media Inquiry and Requests:</b><br>(916) 322-7761 |
| Secretary of State<br>1500 11 <sup>th</sup> Street, Room 495<br>P. O. Box 1467<br>Sacramento, CA 95812-1467 | Political Reform Division: (916) 653-6224<br>Fax: (916) 653-5045   |



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# **SECTION III**

# **BIOGRAPHICAL FORM**

## **Use of Biographical Form**

As a courtesy to the public, news media and the City, a candidate may submit an optional biographical form (in a form provided by the City Clerk) disclosing personal information about his/her background, family, education, memberships and hobbies. Alternate formats or supplemental information will not be accepted. If the candidate elects to submit this form, it must be filed on the filing deadline for nomination documents and at the same time you file your nomination form. Submission of this form is optional. (Enclosed is biographical form)

## **Information is a Public Record**

If you choose to submit the Biographical Form, it will be used to provide information over the phone and will be posted on the Internet. As this information is a public record, it will be duplicated at the request of any interested party. Candidates are encouraged to provide legible, accurate and verifiable information.

## **Internet Posting**

In addition to the biographical data, the candidate may choose to have a digital photograph for posting on the City Website. In order to post the candidate information on the Internet in a timely manner, and to provide each candidate with the same opportunity to develop the information, the biographical form and digital photograph must be submitted at the time nomination documents are filed. Forms and photographs will not be accepted after the filing deadline nor will they be returned to any candidate as they will become part of the City's record archives. Please note, that the City Clerk's Office will not link the Internet biographical page to a candidate's personal or campaign web site.

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## Biographical Form (Optional)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_ Name of Spouse: \_\_\_\_\_

Names and Ages of Children: \_\_\_\_\_

\_\_\_\_\_

Years of Residency in City: \_\_\_\_\_ Formerly of: \_\_\_\_\_

Occupation: \_\_\_\_\_ Education & Training \_\_\_\_\_

\_\_\_\_\_

Service Record: \_\_\_\_\_

\_\_\_\_\_

Membership and Offices Held in Civic, Religious, Fraternal or Technical Associations:

\_\_\_\_\_

Hobbies: \_\_\_\_\_

\_\_\_\_\_

Campaign Manager/Treasurer Name: \_\_\_\_\_

Campaign Phone #: \_\_\_\_\_ E-mail Address: Home Phone #: \_\_\_\_\_

Business Phone #: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

*I authorize the City to post the information above on the Internet and release it to the public in connection with my candidacy:*

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**\*\*\*THIS DOCUMENT IS PUBLIC INFORMATION\*\*\***

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# **SECTION IV**

# **NOMINATION PROCESS**

## **General Notes to Candidates**

### **CANDIDATES MUST PERSONALLY FILE THEIR PAPERS FOR THE FOLLOWING REASONS:**

- a. The candidate must take the Oath of Affirmation, administered by the City Clerk or her Deputy.
- b. The candidate's signature is required on many documents involved in the election process.
- c. If through an oversight the nomination papers are incomplete, the problem can easily be rectified when the candidate files in person.
- d. Due to COVID-19, candidates are requested to call ahead for an appointment.

Since there are a number of instructions to review and documents to complete, it is strongly recommended that candidates make appointments with the City Clerk (805) 865-5575 to file paperwork at the Office of the City Clerk, City Hall, 1644 Oak Street, Solvang, California.

Please allow a minimum of 45 minutes to 1 hour to file nomination papers. You are considered a candidate when your nomination documents have been filed and verified.

### **Ballot Order of Candidates**

The drawing of the letters of the alphabet for order of candidates' names on the ballot will be done by the Secretary of State on August 13, 2020. We will notify the candidates of the ballot order.

### **Withdrawal of Candidacy/Candidate Statement**

Candidates may withdraw their Nomination until the close of the nomination period August 7, 2020, by close of business day, or if there is an extension of the nomination period then to August 12, 2020, by close of business day. The \$25 filing fee is not refundable. Candidates may withdraw their candidate statements August 7, 2020, by close of business day, unless there is an extension of the nomination period then August 12, 2020, by close of business day.

Withdrawal of candidate statements must be in writing to the City Clerk. A refund of the estimated cost for printing the statement will be made within 30 days of the election.

NOTE: Once a statement is withdrawn, it cannot be filed again. The fee paid for the estimated cost of printing the Candidate's Statement will be reimbursed if the candidate withdraws no later than the above date and time. A candidate is not permitted to withdraw his/her nomination after close of business on August 7, 2020, or if extension of nomination period then August 12, 2020, by close of business day and the candidate's name will appear on the ballot.

## **Process for Filing Nomination Papers**

### **Nomination Period**

The nomination period for obtaining and submitting candidacy documents for one Mayor position, and two City Council positions is Monday, July 13, 2020, through Friday, August 7, 2020 by 5:00 p.m.

## **Time extension**

If an incumbent fails to file, then the candidates shall have from 8:00 a.m. until close of business day on Wednesday, August 12, 2020.

## **Nomination Papers**

In order to provide for greater efficiencies, particularly during this COVID-19 pandemic, the City Clerk's Office will only be providing the essential forms needed to run, including the nomination paper in which you can gather your signatures. You will be provided with a thumb drive, which will contain all the information to establish your candidacy, procedures, and other pertinent information. We will not be automatically providing you with a hard copy binder as in years past. If you would like a hard copy binder, we will provide it to you for a \$50.00 fee. An effort will be made to do as much as possible in electronic format to minimize your trips to City Hall during this pandemic.

It is recommended that you submit your nomination petition paper to the City Clerk's Office well in advance of the deadline in case it is determined that you do not have the required minimum valid signatures, thus allowing you sufficient time to remedy the situation before the filing deadline. Please be aware that signature verification is conducted by the Santa Barbara County Registrar-Recorder- Elections Department. (Refer to attached example of Nomination Petition document.)

A candidate for a City Council position shall obtain the valid signatures of not less than 20 nor more than 30 registered voters of the City. Only the signatures of persons registered to vote within the City of Solvang will be valid to sign or circulate City Council nomination papers. A person registered to vote within the City of Solvang may sign up to two nomination papers of City Council candidates, one for each of the two seats to be filled. Only one person may circulate the nomination paper. A candidate may either circulate his/her own nomination paper or may appoint another person to act as a circulator. The Declaration of Circulator and Affidavit of Nominee must be completed before submitting the nomination paper to the City Clerk's Office. Circulators are required to execute a sworn statement that all the signatures they obtained in the nomination paper were made in their presence.

After the circulator signs the sworn statement (on last page of nomination paper) as to the validity of the signatures, the candidate should complete and file the nomination paper along with the other required documents with the City Clerk. Once a nomination paper is filed with the City Clerk's Office, the nomination paper may not be returned to the candidate to obtain additional signatures. If the nomination paper is determined to be insufficient or the candidate fails to obtain the correct number of valid signatures on his or her nomination paper, the election 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, which the candidate may use to collect additional signatures. The supplemental petition shall be filed not later than the last day for filing for City Council. The form of the supplemental petition shall be the same as the nomination paper, except that the word "Supplemental" shall be inserted above the phrase "Nomination Paper."

There is one vacancy for Mayor, and two vacancies for Member of the City Council, therefore, a registered voter may nominate up to two individuals for the City Council office. If a registered voter signs more than three nomination papers for vacancy of City Council, the voter's signature shall only count on the first two nomination papers filed with the City Clerk. Once the minimum requisite number of signatures has been verified, the verification process ceases. The City Clerk will notify the candidate of the verification results.



## **List of Candidates**

A list of qualified candidates will be available the next working day after the close of the nomination period on August 10, 2020, or if there is an extension then August 13, 2020, for distribution by close of business

# NOMINATION PAPER

|                                 |
|---------------------------------|
| <b>OFFICIAL FILING FORM</b>     |
|                                 |
| City Clerk or Deputy City Clerk |
| Date                            |

We, the undersigned voters, hereby nominate \_\_\_\_\_  

First name
Middle/Initial (optional)
Last name

for the office of \_\_\_\_\_

for the City of \_\_\_\_\_

to be voted for at the \_\_\_\_\_

to be held on Tuesday, \_\_\_\_\_

|           | Sign Name           | Residence Address | For Official Use |
|-----------|---------------------|-------------------|------------------|
| <b>1</b>  | _____<br>Print Name |                   |                  |
| <b>2</b>  | _____<br>Print Name |                   |                  |
| <b>3</b>  | _____<br>Print Name |                   |                  |
| <b>4</b>  | _____<br>Print Name |                   |                  |
| <b>5</b>  | _____<br>Print Name |                   |                  |
| <b>6</b>  | _____<br>Print Name |                   |                  |
| <b>7</b>  | _____<br>Print Name |                   |                  |
| <b>8</b>  | _____<br>Print Name |                   |                  |
| <b>9</b>  | _____<br>Print Name |                   |                  |
| <b>10</b> | _____<br>Print Name |                   |                  |

Public access to this document shall be limited to viewing the document only. The public may not copy or distribute copies of documents that contain signatures of voters. (E.C. Section 17100)  
 A candidate shall not file nomination papers for more than one municipal office or term of office for the same municipality in the same election. (E.C. 10220.5)  
 Form of nomination paper. (E.C. 10226)

|           | Sign Name  | Residence Address |  | For Official Use |
|-----------|------------|-------------------|--|------------------|
| <b>11</b> | Print Name |                   |  |                  |
| <b>12</b> | Print Name |                   |  |                  |
| <b>13</b> | Print Name |                   |  |                  |
| <b>14</b> | Print Name |                   |  |                  |
| <b>15</b> | Print Name |                   |  |                  |
| <b>16</b> | Print Name |                   |  |                  |
| <b>17</b> | Print Name |                   |  |                  |
| <b>18</b> | Print Name |                   |  |                  |
| <b>19</b> | Print Name |                   |  |                  |
| <b>20</b> | Print Name |                   |  |                  |
| <b>21</b> | Print Name |                   |  |                  |
| <b>22</b> | Print Name |                   |  |                  |
| <b>23</b> | Print Name |                   |  |                  |
| <b>24</b> | Print Name |                   |  |                  |
| <b>25</b> | Print Name |                   |  |                  |
| <b>26</b> | Print Name |                   |  |                  |
| <b>27</b> | Print Name |                   |  |                  |

|           |            |                   |                  |
|-----------|------------|-------------------|------------------|
| <b>28</b> | Sign Name  | Residence Address | For Official Use |
|           | Print Name |                   |                  |
| <b>29</b> | Sign Name  | Residence Address |                  |
|           | Print Name |                   |                  |
| <b>30</b> | Sign Name  | Residence Address |                  |
|           | Print Name |                   |                  |

## DECLARATION OF CIRCULATOR

(on next page)

(Only 1 person who is 18 years of age or older  
may circulate a municipal nomination paper, per Elections Code Sections 102, 104, 10220, 10222)

## AFFIDAVIT OF NOMINEE AND OATH OR AFFIRMATION OF ALLEGIANCE

(on next page)

ATTENTION CANDIDATE: Please refer to the Ballot Designation Worksheet provided before completing the Affidavit of Nominee.

(A candidate may sign his or her own nomination paper)

### CANDIDATE'S PERSONAL INFORMATION

.....  
Candidate's name

.....  
Day Phone

.....  
Candidate's Residence Address

.....  
Evening Phone

.....  
Mailing Address (if different than above)

.....  
Fax

.....  
City

.....  
State

.....  
Zip

.....  
Email Address

# DECLARATION OF CIRCULATOR

Any person that is 18 years of age or older may circulate a nomination paper. (Only 1 circulator may circulate this nomination paper).

(Do NOT type this section. It **MUST** be filled out in your own handwriting.)

State of California  
County of \_\_\_\_\_ } ss.

I, \_\_\_\_\_, solemnly swear (or affirm) all of the following:  
(print name)

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is \_\_\_\_\_, (if no street or number exists, a designation of my residence adequate to readily ascertain its location is \_\_\_\_\_;
3. That the signatures on this nomination paper were obtained between the dates of \_\_\_\_\_ and \_\_\_\_\_; that I circulated this petition and I saw the signatures on this section of the nomination papers being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed by me at \_\_\_\_\_, on \_\_\_\_\_.  
(place) (date)

(Election Code §§ 102, 104, 10220, 10222, 10226)

\_\_\_\_\_  
(Signature of Circulator)

# AFFIDAVIT OF NOMINEE AND OATH OR AFFIRMATION OF ALLEGIANCE

State of California  
County of \_\_\_\_\_ } ss.

\_\_\_\_\_  
(Print Name of Nominee)

being duly sworn, says that he or she is the  
above-named nominee for the office of: .....

\_\_\_\_\_  
(Print Name of Office)

that he or she will accept the office in the event of his or her election,  
that he or she desires his or her name to appear on the ballot as follows:..

**Name & Occupation as it will appear on Official Ballot & in Voter Pamphlet:**

\_\_\_\_\_  
(Print Name in ALL CAPS as you want it to appear on the ballot  
(no title or degree is allowed before or after your name)\*\*

and that he or she desires the following designation\*  
to appear on the ballot under his or her name:.....

Male  Female (Print Designation as it will appear on the ballot)\*

and that his or her residence address is:.....

\_\_\_\_\_  
(Print residence address as provided by affiant)

I, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed by me at \_\_\_\_\_, on \_\_\_\_\_.  
(place) (date)

\_\_\_\_\_  
(Signature of Candidate)

(Election Code §§ 200, 10223, 10226, CA Constitution Article XX, § 3)

## \* BALLOT DESIGNATION REQUIREMENTS SUMMARY

**ATTENTION CANDIDATE:** Please refer to the Ballot Designation Worksheet provided before completing the Affidavit of Nominee above.

\* At the option of the candidate, **ONLY ONE** of the following designations may be used:

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 he or she was elected by vote of the people or to which he or she was appointed, in the case of a superior or municipal court judge.
2. The word "incumbent" (**without any other word(s)**) if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or in the case of a superior or municipal court judge, was appointed to that office.
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 office by virtue of appointment, but may not use the unmodified word "Incumbent".

No candidate shall assume a designation which would mislead the voters.

(Election Code 13107, 13107.5)

\*\* No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name. (Election Code 13106)

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# **SECTION V**

## **BALLOT DESIGNATION**

## **Ballot Designations (E.C. 13107)**

### **Ballot Designation Worksheet**

Each candidate who submits a ballot designation shall file a ballot designation worksheet that supports the use of that ballot designation by the candidate. The candidate's ballot designation is the designation that will be printed next to your name on the ballot. (See enclosed ballot designation worksheet). A ballot designation is a brief description, generally not more than three words, that candidates provide to describe themselves on the ballot. The ballot designation is found on page 4 of the Nomination Paper (petition). You will need to decide this designation when the nomination papers are filed. Ballot designations must strictly adhere to the provisions of the California Elections Code. After the filing of nomination documents, the City Clerk will review and verify that each designation meets the requirement of the Elections Code.

If a ballot designation does not adhere to the Elections Code, the candidate will be notified that the designation must be changed. The City Clerk will notify the candidate by registered mail or certified mail, e-mail, return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents. If the candidate does not respond within three (3) days of the notification, the City Clerk will withdraw the designation. No ballot designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents. A candidate may submit a proposed ballot designation pursuant to any one of the four provisions specified in Elections Code. The candidate shall be free to select from one of the applicable four sections. The designation shall be submitted by completing a "Ballot Designation Worksheet" and attaching verifying materials.

### **Ballot Designation Regulations**

The four types of ballot designations as outlined in Elections Code are:

1. The name of the candidate's elective office.
2. The term "incumbent" as it refers to the current holder of the office.
3. The principal profession, vocation, or occupation of the candidate; or
4. The term "appointed incumbent" as it refers to appointed officers.

- Name of Candidate's Elective Office

In the case of candidates holding elective office, or a judicial officer, the designation shall be the elective office the candidate holds at the time of filing nomination documents. There is no word limit for designations under this category. A copy of the candidate's official "certificate of election" shall be attached to the Ballot Designation Worksheet as proof of elective office. Or, if a judicial officer, a copy of the "certificate of appointment".

- Term "Incumbent"

The term "incumbent" must be used as a noun. It shall not be used in conjunction with any other words, including any accompanying adjectives or modifiers. It must stand alone and may not be used as an adjective in any other ballot designation. A copy of the candidate's official "certificate of election" shall be attached to the Ballot Designation Worksheet as proof of elective office.



- Principal Profession, Vocation, or Occupation

The term “principal” as used by the Elections Code means a substantial involvement of time and effort such that the activity is one of the primary, main, or leading professional, vocational, or occupational endeavors of the candidate. The term precludes any activity, which does not entail a significant involvement on the part of the candidate. Involvement, which is only nominal, pro forma, or titular in character does not meet the requirements of the statute. For more information, refer to “unacceptable ballot designations” below.

The term “profession” means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline of learning or science. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to, law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a “profession,” as defined in Elections Code, include, but are not limited to, “attorney,” “physician,” “architect,” and “teacher.” The term “vocation” means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood and spends a major portion of his or her time. As defined, vocations may include, but are not limited to, religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a “vocation,” as defined in Election Code, include, but are not limited to, “minister,” “priest,” “mother,” “father,” “homemaker,” “dependent care provider,” “carpenter,” “plumber,” “electrician,” and “cabinetmaker”.

The term “occupation” means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an “occupation”, as defined in Elections Code, but are not limited to, “rancher,” “restaurateur,” “retail salesperson,” “manual labor,” “construction worker,” “computer manufacturing executive,” “military pilot,” “secretary,” and “police officer.” If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it his/her “principal” profession, vocation, or occupation if:

- 1) the candidate has a current license as of the date of filing nomination documents and has complied with all applicable requirements respective of the licensure, such as payment of licensing fees; and
- 2) a status of the license is active at the time of filing nomination documents.

A candidate may not use a ballot designation based on a license that is inactive, suspended or revoked by the issuing agency. A candidate may engage in multiple principal professions, vocations, or occupations. Accordingly, the candidate may designate multiple principal professions, vocations, or occupations. If a candidate proposes a designation of this type, the designation must be limited to three words and be separated by a slash “/”. Each principal profession, vocation or occupation must independently qualify as a principal profession, vocation, or occupation. An example of an acceptable designation would be “Legislator/Rancher/Physician.” A designation shall be limited to three words. Punctuation shall be limited to the use of a comma “,” or a slash “/”. A hyphen may be used if, and only if, the use of the hyphen is called for in the spelling of the word as it appears in a standard reference dictionary of the English language.

An acronym shall be counted as one word. All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties, and states. The names of special districts and political subdivisions are not “geographical names,” as the term is used in Election Code. If the candidate desires, the geographical name may be used in the form of “City of ....,” “County of ....,” or “City and County of ....” Examples of geographical names considered to be one word include Tehama County, Los Angeles County and County of Sacramento. In the event the candidate does not have a current principal

profession, vocation or occupation at the time of filing nomination documents, the candidate may use a ballot designation consisting of principal profession, vocation or occupation which the candidate was principally engaged in during the calendar year immediately preceding the filing of nomination documents.

- Term “Appointed Incumbent” or “Appointed”

A candidate may propose a ballot designation consisting of the phrase “appointed incumbent” if the candidate holds an office, other than a judicial office, by virtue of appointment, and the candidate is a candidate for election to the same office. The candidate may not use the unmodified word “incumbent” or any words designating the office unmodified by the word “appointed.” A candidate may propose a ballot designation consisting of the word “appointed” in conjunction with the elective office if the candidate is a candidate for election to the same office or to some other office. The candidate may not use any words designating the office unmodified by the word “appointed.”

There shall be no word count limitation applicable to ballot designations under this category. For candidates proposing the designation of “appointed incumbent”, the candidates shall indicate the date on which he/she was appointed. This may be confirmed by submitting a copy of the “certificate of appointment” with the Ballot Designation Worksheet.

## **Unacceptable Ballot Designation**

Any ballot designation that is prohibited by Elections Code, is misleading, or otherwise improper will be rejected as unacceptable. The following types of activities are distinguished from professions, vocations or occupations and are not acceptable as designations:

### 1. Avocations:

An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate’s principal profession, vocation, or occupation. Avocations may include, but are not limited to, hobbies, social activities, volunteer work, and matters pursued as an amateur.

### 2. Pro Forma Professions, Vocations and Occupations:

Pro forma professions, vocations or occupations are positions held by the candidate, which consume little or none of the candidate’s time and which, by their nature, are voluntary or for which the candidate is not compensated. Pro forma professions, vocations and occupations may include, but are not limited to, such pursuits as honorary peace officer, volunteer firefighter, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like.

### 3. Statuses:

A status is a state, condition, social position, or legal relation of the candidate to another person, persons, or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to, philanthropist, activist, patriot, taxpayer, concerned citizen, husband, wife, and the like.

A ballot designation shall not:

1. Be comprised of or include commercial identification information, such as a trademark, service mark, trade name, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not

limited to, “Acme Company President,” “Universal Widget Inventor,” “Director, Smith Foundation,” “UCLA Professor,” and the like.

2. Suggest an evaluation of the candidate’s qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate’s qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to, “outstanding,” “leading,” “expert,” “virtuous,” “eminent,” “best,” “exalted,” “prominent,” “famous,” “respected,” “honored,” “honest,” “dishonest,” “corrupt,” “lazy,” and the like.

3. Abbreviate the word “retired” or place it following any word or words which it modifies. Examples of impermissible designations include “Ret. Army General,” “Major USAF, Retired” and “City Attorney, Retired.” The use of the word “retired” in a ballot designation is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation, or occupation. The following will be considered by the City Clerk for any designation including the word retired:

a. Prior to retiring from his or her principal profession, vocation or occupation, the candidate worked in such profession, vocation, or occupation for more than 5 years.

b. The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension.

c. The candidate has reached at least the age of 55 years.

d. The candidate voluntarily left his or her last professional, vocational or occupational position.

e. If the candidate is requesting a ballot designation indicating that he or she is a retired public official, the candidate must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office.

f. The candidate has not had another more recent, intervening principal profession, vocation, or occupation; and

g. The candidate’s retirement benefits are providing him or her with a principal source of income.

4. Use a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed or judicial office previously held by the candidate. Such impermissible words or prefixes include, but are not limited to, “Ex-,” “former,” “past,” and “erstwhile.” Examples of impermissible designations include “Former Congressman,” “Ex-Senator,” and “Former Educator.”

5. Include the name of any political party.

6. Include a word(s) referring to a racial, religious, or ethnic group.

7. Expressly contains or implies any ethnic or racial slurs or ethnically or racially derogatory language.

8. If the candidate is a member of the clergy, the candidate may not refer to his/her specific denomination. However, the candidate may use his or her clerical title as a ballot designation (e.g. “Rabbi,” “Pastor,” “Minister,” “Priest,” “Bishop,” “Deacon,” “Monk,” “Nun,” “Imam,” etc.)

9. Refers to any activity prohibited by law. Unlawful activity includes any activities, conduct, professions, vocations, or occupations prohibited by state or federal law.

City of:  
Election Date:  
EXPIRES:

Required to be given to candidate.  
Required to be signed and returned.

## BALLOT DESIGNATION WORKSHEET

Pursuant to California Elections Code Section 13107, 13107.3, 13107.5; California Code of Regulations Section 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 PUBLIC RECORD.**

Candidate Name: \_\_\_\_\_

Office of: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Home/Mobile Phone: \_\_\_\_\_

Fax Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Other Person Authorized to Act in Your Behalf or Not Applicable:

Attorney Name: \_\_\_\_\_ Office: \_\_\_\_\_

Home Address: \_\_\_\_\_

Business Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Home/Mobile Phone: \_\_\_\_\_

Fax Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**PROPOSED BALLOT DESIGNATION:** \_\_\_\_\_

**1st Alternative:** \_\_\_\_\_

**2nd Alternative:** \_\_\_\_\_

You may select as your ballot designation one of the following:

- (a) Your current principal profession(s), vocation(s), or occupation(s) [maximum total of three words, separated by a "/"].
- (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 a different office.
- (d) "Incumbent" if you were elected (or, if you are a Superior Court Judge, appointed you are a candidate for the same office that you hold) to your current public office and seek election to a new term.
- (e) "Appointed Incumbent" if you were appointed to your current elective public office (other than Superior Court Judge) and seek election to a new term.

**In the space provided on the next page or on an attachment sheet**, describe why you believe you are entitled to use the proposed ballot designation. 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. Attach any documents or exhibits that you believe support your proposed ballot designation. If using the title of an elective office, attach a copy of your certificate of election or appointment. These documents will not be returned to you. **Do not submit originals.**

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.

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**SECTION VI**

**CAMPAIGN  
DISCLOSURE  
REQUIREMENTS**

## **Campaign Disclosure Requirements**

### **Campaign Reporting**

The Political Reform Act, hereinafter referred to as “Act”, requires that all state and local elected officeholders, candidates for state and local elected offices, and their controlled committees file campaign disclosure statements at specified intervals. Failure to file appropriate statements and reports in compliance with the Act can result in substantial criminal, civil and administrative penalties. Failure to file within the prescribed deadlines can lead to late filing penalties of \$10 for each day the statement is late. Except for deadlines that fall on a Saturday, Sunday, or official state holiday, the law does not allow for extensions of filing deadlines. Anyone may act as a committee treasurer. A candidate may serve as his or her own committee treasurer.

Candidates may start soliciting and receiving contributions for campaign expenses as soon as the candidate has filed a Form 501 and a Form 410, Statement of Organization (establishes committee). Candidate does not have to wait until the nomination period opens on July 13, 2020 to file these statements to start soliciting/receiving campaign contributions.

### **Campaign Disclosure Manual 2- Information for Local Candidates**

All candidates are required to file some level of campaign disclosure documents and/or reports. These documents are required by Government Code and provide the public with details on who contributes money or items to a candidate’s campaign, and how the candidate spends that money. Disclosure requirements are very complicated. These instructions provide only basic guidelines on which forms to file and when. How to complete the various forms, establish a campaign committee, manage a campaign account, and what the Government Code requires of a candidate is fully detailed in “Campaign Disclosure Manual 2 – Information for Local Candidates”. This manual is prepared by the California Fair Political Practices Commission, and is provided by accessing the FPPC website at: [http://www.fppc.ca.gov/content/dam/fppc/NSDocuments/TAD/Campaign%20Manuals/Manual\\_2/Final\\_Manual\\_2\\_Entire\\_Manual.pdf](http://www.fppc.ca.gov/content/dam/fppc/NSDocuments/TAD/Campaign%20Manuals/Manual_2/Final_Manual_2_Entire_Manual.pdf).

Candidates are encouraged to thoroughly read the Campaign Disclosure Manual 2.

Form 700 – Statement of Economic Interest - G.C. 87200 et. seq.

Form 700 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov). Each candidate shall submit a Statement of Economic Interests, Form 700, (2019/2020), at the time the candidate’s nomination papers are submitted to the City Clerk’s Office. The Statement of Economic Interests is a public record. It may be inspected, and copies of it may be purchased, by anyone. Candidates are required to report investments, interests in real property, and business positions held on the date of filing their declaration of candidacy.

In addition, income received during the 12 months prior to the date of filing the declaration of candidacy is reportable income (including loans, gifts, and travel payments). This statement is entirely separate from campaign disclosure statements. (See attached example of Statement of Economic Interest Form 700.)

The Technical Assistance Division of the Fair Political Practices Commission (FPPC) is available to answer questions at 1-866-275-3772 or at <http://www.fppc.ca.gov>.

## **Completing and Filing the Statement**

Fill out the cover sheet and each schedule in which information is disclosed. The information in Sections 1, 2 and 3 of the Cover Sheet is static data and has been filled in for you. Make sure that you have checked the appropriate boxes in Section 4, noted the number of pages attached (if applicable), and dated and signed in Section 5. Discard schedules that you did not complete. Only return the Cover Sheet and completed schedules.

Once received, the City Clerk will make and retain a copy of the statement and forward the original to the State Fair Political Practices Commission (FPPC), which is the official filing officer.

## **Future Statement Filings**

If a non-incumbent is successful, that individual will be required to file an “assuming” Statement of Economic Interests Form within thirty (30) days of being sworn into office. In addition, all office holders file new statements on an “annual” basis. These statements are due on April 1st of each year. Office holders who are appointed to joint power authorities who have conflict of interest codes, will also be required to file “assuming” and “annual” statements with those agency filing officers. Office holders who leave office must file a “leaving” Statement of Economic Interests Form within thirty (30) days of leaving office.

## **Candidate/Treasurer Workshop Video**

There is a Candidate Treasurer Workshop Webinar provided on the FPPC Website for all candidates and their treasurers can download the PowerPoint presentation. Please follow the link if you would like to register <http://www.fppc.ca.gov/learn/training-andoutreach/candidates-treasurers-committees.html>.

## **Getting Started**

- Establishing the Bank Account

Candidates who anticipate soliciting or receiving contributions from others, or who anticipate spending over \$2,000 or more of personal funds in connection with the Campaign Disclosure must open a campaign bank account. A candidate’s personal funds used to pay for the candidate’s statement does not count toward the \$2,000 threshold. Campaign contributions may not be commingled with any individual’s personal funds. All contributions must be deposited in, and expenditures made from, the campaign bank account. Candidate’s may not re-use (or re-designate) a prior account for a future election. A new and separate bank account is required for each election. Specific information relative to establishing Bank Accounts are found in Campaign Disclosure Manual 2, Chapter 4, and Chapter 9 for restrictions on the use of campaign funds.

## **Campaign Forms**

- Candidate Intention Statement (Form 501)

Form 501 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov). All candidates must file a Form 501 prior to soliciting or receiving contributions, and before any campaign expenditure is made from personal funds. The only exception is when a candidate spends personal funds to pay for a candidate’s statement that is submitted with the nomination documents. An example of how to complete the form is on page 4-2 of the “Campaign Disclosure Manual 2 – Information for Local Candidates.”



- Statement of Organization (Form 410)

Form 410 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov). All candidates that receive \$2,000 or more in contributions in a calendar year qualify as a recipient committee and must file a Form 410. The Form 410 identifies the name of the committee, the treasurer and officers, and the purpose of the committee. Candidates may not re-use (or re-designate) a prior committee for a future election. A new and separate committee is required for each election. Within 10 days of receiving \$2,000 or more, the candidate must file an original and one copy of the Form 410 with the Secretary of State, Political Reform Division, 1500 11th Street, Room 495, Sacramento, CA 95814.

The Secretary of State will issue a Committee ID Number. A copy of the Form 410 must be filed with the Office of the City Clerk. An example of how to complete the form is in the Campaign Disclosure Manual 2 – Information for Local Candidates. Exceptions: The Statement of Organization (Form 410) is not required if the candidate will not be receiving contributions from others and will spend less than \$2000 in a calendar year from personal funds to support his or her candidacy. Payment of a Candidate’s Filing Fee or Candidate’s Statement is not counted toward the \$2000 expenditure threshold. Note: If the candidate finds later that he/she will be spending more than \$2000 from personal funds, a campaign bank account must be opened.

- Statement of Termination (Form 410)

Form 410 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov). When all financial obligations are met, the committee’s account has been spent or distributed, and a candidate ceases to raise or spend funds, the committee should be terminated. An original and one copy of the Form 410 must be filed with the Secretary of State, and a copy of the Form 410 must also be filed with the Office of the City Clerk. An example of how to complete the form is in the Campaign Disclosure Manual 2 – Information for Local Candidates. In addition, a termination Form 460 must also be filed with the Office of the City Clerk to report the committee’s activity since the close of the filing period of the previously filed statement.

- Recipient Committee Campaign Statement (Form 460)

Form 460 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov). Used by 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. Also, use the Form 460 to file a pre-election statement, semi-annual statement, quarterly statement, special odd-year report, supplemental pre-election statement. File this form with the City Clerk in accordance with the deadlines established by the FPPC. See FPPC Campaign Statement Deadlines listed under Candidate Information in this handbook.

- Candidate Campaign Statement Short Form (Form 470)

Form 470 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov). If a candidate does not anticipate raising or spending \$2,000 or more in a calendar year, the candidate may file a Form 470. Payments from the candidate’s personal funds used to pay for the candidate’s statement that is submitted with the nomination documents does not count toward the \$2,000 threshold. This form shall be filed with the candidate’s nomination documents. An example of how to complete the form is in the Campaign Disclosure Manual 2 – Information for Local Candidates. Note: Candidates who file the Form 470 (Short Form) do not need to fill out termination forms.

- Candidate Campaign Statement Form 470 Supplement

Form 470 is available from the FPPC website: [www.fppc.ca.gov](http://www.fppc.ca.gov). If a Form 470 is filed and later in the calendar year \$2,000 or more is raised or spent, the candidate's filing obligations and deadlines will change. If this occurs, a Form 470- Supplement must be filed with the City Clerk within 48 hours of reaching this threshold, and notification must also be sent to all candidates seeking the same office. The notice must be sent by guaranteed, overnight delivery, personal delivery, or fax. In addition, a Form 410 must be filed, and the candidate must begin filing detailed campaign statements using the Form 460. Refer to the Campaign Disclosure Manual 2 – Information for Local Candidates for more details.

### **Surplus Funds**

Campaign Funds held by a non-incumbent defeated candidate or a candidate who withdraws from an election become “surplus” and the end of the semi-annual reporting period following the election. For candidates involved in the November election the end of the reporting period would be December 31, 2020. For an elected officeholder, funds become “surplus” at the end of the semi-annual reporting period following the date the officeholder leaves office. If an incumbent is not successful in the 2020 election process, the end of the reporting period would be December 31, 2020. After these dates, the use of the funds is restricted. To ensure the proper disposition of campaign funds individuals who fall into the noted categories must act before the end of the applicable reporting period. Refer to the Campaign Disclosure Manual 2 – Information for Local Candidates for more details.

# Candidate Intention Statement

CALIFORNIA  
FORM 501

## Who Files:

A candidate for state or local office must file this form for each election, including reelection to the same office. Exception: 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  
[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 including for campaigns that are self-funded by the candidate. A bank account is not required if a candidate will not receive any contributions or make personal expenditures of less than \$2,000 in a calendar year. 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.

### 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 and the Information Practices Act of 1977, see the FPPC Campaign Disclosure Manual for your type of committee.

# Candidate Intention Statement

|                       |                            |
|-----------------------|----------------------------|
| Date Stamp            | <b>CALIFORNIA FORM 501</b> |
| For Official Use Only |                            |

**Check One:**    Initial                      Amendment (Explain) \_\_\_\_\_  
\_\_\_\_\_

## 1. Candidate Information:

|  |  |  |                     |
|--|--|--|---------------------|
| NAME OF CANDIDATE (Last, First Middle Initial)                                   | DAYTIME TELEPHONE NUMBER<br>(    ) (    )            | FAX NUMBER (optional)<br>(    ) (    ) | EMAIL (optional)    |
| STREET ADDRESS   | CITY   | STATE                                  | ZIP CODE            |
| OFFICE SOUGHT (POSITION TITLE)   | AGENCY NAME  | DISTRICT NUMBER, if applicable.        | NON-PARTISAN OFFICE |
| OFFICE JURISDICTION  | PARTY PREFERENCE:<br>(Check one box, if applicable.) |  |                     |
| State (Complete Part 2.)   | PRIMARY / GENERAL                                    |  |                     |
| City      County      Multi-County: _____<br>(Name of Multi-County Jurisdiction) | _____<br>(Year of Election)                          | SPECIAL / RUNOFF                       |                     |

## 2. State Candidate Expenditure Limit Statement:

*(CalPERS and CalSTRS candidates, judges, judicial candidates, and candidates for local offices do not complete Part 2.)*

(Check one box)

**I accept** the voluntary expenditure ceiling for the election stated above.

**I do not accept** the voluntary expenditure ceiling for the election stated above.

Amendment:

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)

On, \_\_\_\_/\_\_\_\_/\_\_\_\_ I contributed personal funds in excess of the expenditure ceiling for the election stated above.

## 3. Verification:

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on \_\_\_\_\_ Signature \_\_\_\_\_  
(month, day, year) (Candidate)

# Statement of Organization Recipient Committee

CALIFORNIA  
FORM 410

## 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

## 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, 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 and the Information Practices Act of 1977, see the FPPC Campaign Disclosure Manual for your type of committee.

**Statement of Organization  
Recipient Committee**

Statement Type

|   |  |  |
|---|--|--|
| <b>Initial</b><br>Not yet qualified<br>or<br>Date qualification threshold met<br><br>____/____/____ | <b>Amendment</b><br>Date qualification threshold met<br><br>____/____/____ | <b>Termination – See Part 5</b><br><br>Date of termination<br><br>____/____/____ |
|---|--|--|

Date Stamp

**CALIFORNIA  
FORM 410**

For Official Use Only

| 1. Committee Information   |  | I.D. Number<br><small>(if applicable)</small> |  | 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 AREA CODE/PHONE  |  |   |  | CITY STATE ZIP CODE                       |  | AREA CODE/PHONE |  |
| FULL MAILING ADDRESS (IF DIFFERENT)  |  |   |  | NAME OF ASSISTANT TREASURER, IF ANY       |  |                 |  |
| E-MAIL ADDRESS (REQUIRED) / FAX (OPTIONAL)   |  |   |  | STREET ADDRESS (NO P.O. BOX)              |  |                 |  |
| COUNTY OF DOMICILE   |  | JURISDICTION WHERE COMMITTEE IS ACTIVE        |  | CITY STATE ZIP CODE                       |  | AREA CODE/PHONE |  |
| <i>Attach additional information on appropriately labeled continuation sheets.</i> |  |   |  | NAME OF PRINCIPAL OFFICER(S)              |  |                 |  |
|  |  |   |  | STREET ADDRESS (NO P.O. BOX)              |  |                 |  |
|  |  |   |  | CITY STATE ZIP CODE                       |  | 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 he or she 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.

|                               |                 |                     |
|-------------------------------|-----------------|---------------------|
| NAME OF FINANCIAL INSTITUTION | AREA CODE/PHONE | BANK ACCOUNT NUMBER |
|-------------------------------|-----------------|---------------------|

|         |      |       |          |
|---------|------|-------|----------|
| ADDRESS | 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<br>(INCLUDE DISTRICT NUMBER IF APPLICABLE) | YEAR OF ELECTION | PARTY<br>CHECK ONE |          | (list political party below) |
|--|---|------------------|--------------------|----------|------------------------------|
|  |   |                  | Nonpartisan        | Partisan |                              |
|  |   |                  | Nonpartisan        | Partisan |                              |

**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)<br>IF A RECALL, STATE "RECALL" IN FRONT OF THE OFFICEHOLDER'S NAME. | CANDIDATE(S) OFFICE SOUGHT OR HELD OR MEASURE(S) JURISDICTION<br>(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 his or her 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.

## 3. Verification/Original Ink Signature(s):

The Form 410 filed with the Secretary of State must contain an original 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 his or her own treasurer, he or she 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.
- Non-qualified committees are not required to list a bank account.

## 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 his or her 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.

**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.

Statement of Organization  
Recipient Committee

INSTRUCTIONS ON REVERSE

|                   |            |
|-------------------|------------|
| <b>CALIFORNIA</b> | <b>410</b> |
| <b>FORM</b>       |            |
| Page 3            |            |
| I.D. NUMBER       |            |

COMMITTEE NAME

**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

## 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.*

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:

**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.

**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.

**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

CALIFORNIA  
FORM **460**

## 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><br>from _____<br><br>through _____ | <b>Date of election if applicable:</b><br>(Month, Day, Year)<br><br>_____ |
|---|---|

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><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?<br>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?<br>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<br>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<br>OPPOSE |
|-----------------------------------|-----------------------|-------------------|

|                                   |                       |                   |
|-----------------------------------|-----------------------|-------------------|
| NAME OF OFFICEHOLDER OR CANDIDATE | OFFICE SOUGHT OR HELD | SUPPORT<br>OPPOSE |
|-----------------------------------|-----------------------|-------------------|

|                                   |                       |                   |
|-----------------------------------|-----------------------|-------------------|
| NAME OF OFFICEHOLDER OR CANDIDATE | OFFICE SOUGHT OR HELD | SUPPORT<br>OPPOSE |
|-----------------------------------|-----------------------|-------------------|

|                                   |                       |                   |
|-----------------------------------|-----------------------|-------------------|
| NAME OF OFFICEHOLDER OR CANDIDATE | OFFICE SOUGHT OR HELD | SUPPORT<br>OPPOSE |
|-----------------------------------|-----------------------|-------------------|

*Attach continuation sheets if necessary*



**Instructions for  
Recipient Committee  
Campaign Statement – Cover Page**

**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<br>from _____<br>through _____ | <b>CALIFORNIA<br/>FORM 460</b> |
|  | Page _____ of _____            |
| I.D. NUMBER _____                                      |                                |

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER \_\_\_\_\_

## Contributions Received

|   | Column A<br>TOTAL THIS PERIOD<br>(FROM ATTACHED SCHEDULES) | Column B<br>CALENDAR YEAR<br>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<br>(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> | \$ _____ |
| <i>If this is a termination statement, Line 16 must be zero.</i>                  |          |
| 17. LOAN GUARANTEES RECEIVED..... <i>Schedule B, Part 2</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.

## 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<br><small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small> | CONTRIBUTOR CODE *              | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER<br><small>(IF SELF-EMPLOYED, ENTER NAME)</small> | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR<br><small>(JAN. 1 - DEC. 31)</small> | PER ELECTION TO DATE<br><small>(IF REQUIRED)</small> |
|--------------------|--|---------------------------------|--|-----------------------------|---|--|
|                    |  | IND<br>COM<br>OTH<br>PTY<br>SCC |  |                             |   |  |
|                    |  | IND<br>COM<br>OTH<br>PTY<br>SCC |  |                             |   |  |
|                    |  | IND<br>COM<br>OTH<br>PTY<br>SCC |  |                             |   |  |
|                    |  | IND<br>COM<br>OTH<br>PTY<br>SCC |  |                             |   |  |
|                    |  | IND<br>COM<br>OTH<br>PTY<br>SCC |  |                             |   |  |
| <b>SUBTOTAL \$</b> |  |                                 |  |                             |   |  |

## 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<br/>FORM 460</b> |
| from _____              |                                |
| through _____           | Page _____ of _____            |
| I.D. NUMBER             |                                |

NAME OF FILER

| DATE RECEIVED      | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE *              | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER<br>(IF SELF-EMPLOYED, ENTER NAME) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR<br>(JAN. 1 - DEC. 31) | PER ELECTION TO DATE<br>(IF REQUIRED) |
|--------------------|---|---------------------------------|---|-----------------------------|--|---------------------------------------|
|                    |   | IND<br>COM<br>OTH<br>PTY<br>SCC |   |                             |  |                                       |
|                    |   | IND<br>COM<br>OTH<br>PTY<br>SCC |   |                             |  |                                       |
|                    |   | IND<br>COM<br>OTH<br>PTY<br>SCC |   |                             |  |                                       |
|                    |   | IND<br>COM<br>OTH<br>PTY<br>SCC |   |                             |  |                                       |
|                    |   | IND<br>COM<br>OTH<br>PTY<br>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 | CALIFORNIA<br>FORM 460 |
| from _____              |                        |
| through _____           | Page _____ of _____    |

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER \_\_\_\_\_

I.D. NUMBER \_\_\_\_\_

| FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER<br><small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small> | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER<br><small>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</small> | (a)<br>OUTSTANDING BALANCE BEGINNING THIS PERIOD | (b)<br>AMOUNT RECEIVED THIS PERIOD | (c)<br>AMOUNT PAID OR FORGIVEN THIS PERIOD* | (d)<br>OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD | (e)<br>INTEREST PAID THIS PERIOD | (f)<br>ORIGINAL AMOUNT OF LOAN | (g)<br>CUMULATIVE CONTRIBUTIONS TO DATE |
|---|--|--|------------------------------------|---|--|----------------------------------|--------------------------------|---|
| † IND    COM    OTH    PTY    SCC   |  | \$ _____   | \$ _____                           | PAID  | \$ _____   | _____%<br>RATE                   | \$ _____                       | CALENDAR YEAR                           |
|   |  |  |                                    | FORGIVEN                                    |  |                                  |                                | \$ _____                                |
|   |  |  |                                    |   | DATE DUE   |                                  | DATE INCURRED                  | PER ELECTION**                          |
|   |  | \$ _____   | \$ _____                           | \$ _____                                    |  |                                  |                                | \$ _____                                |

**SUBTOTALS**    \$                    \$                    \$                    \$

(Enter (e) on Schedule E, Line 3)

## Schedule B Summary

1. Loans received this period ..... \$ \_\_\_\_\_  
(Total Column (b) plus unitemized loans of less than \$100.)
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.)
3. 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<br>from _____<br><br>through _____ | <b>CALIFORNIA FORM 460</b> |
| Page _____ of _____  |                            |
| NAME OF FILER _____  |                            |
| I.D. NUMBER _____  |                            |

SEE INSTRUCTIONS ON REVERSE

| FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE*               | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER<br>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | LOAN   | AMOUNT GUARANTEED THIS PERIOD | CUMULATIVE TO DATE   | BALANCE OUTSTANDING TO DATE |
|---|---------------------------------|---|--|-------------------------------|--|-----------------------------|
|   | IND<br>COM<br>OTH<br>PTY<br>SCC |   | LENDER<br><br>_____<br><br>DATE<br><br>_____ |                               | CALENDAR YEAR<br><br>\$ _____<br><br>PER ELECTION<br>(IF REQUIRED)<br><br>\$ _____ |                             |
|   | IND<br>COM<br>OTH<br>PTY<br>SCC |   | LENDER<br><br>_____<br><br>DATE<br><br>_____ |                               | CALENDAR YEAR<br><br>\$ _____<br><br>PER ELECTION<br>(IF REQUIRED)<br><br>\$ _____ |                             |
|   | IND<br>COM<br>OTH<br>PTY<br>SCC |   | LENDER<br><br>_____<br><br>DATE<br><br>_____ |                               | CALENDAR YEAR<br><br>\$ _____<br><br>PER ELECTION<br>(IF REQUIRED)<br><br>\$ _____ |                             |
|   | IND<br>COM<br>OTH<br>PTY<br>SCC |   | LENDER<br><br>_____<br><br>DATE<br><br>_____ |                               | CALENDAR YEAR<br><br>\$ _____<br><br>PER ELECTION<br>(IF REQUIRED)<br><br>\$ _____ |                             |
| <b>SUBTOTAL \$</b>  |                                 |   |  |                               | Enter on<br>Summary Page,<br>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<br>from _____<br><br>through _____ | <b>CALIFORNIA<br/>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<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE *              | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER<br>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | DESCRIPTION OF GOODS OR SERVICES | AMOUNT/<br>FAIR MARKET VALUE | CUMULATIVE TO DATE<br>CALENDAR YEAR<br>(JAN 1 - DEC 31) | PER ELECTION TO DATE<br>(IF REQUIRED) |
|--|---|---------------------------------|---|----------------------------------|------------------------------|---|---------------------------------------|
|  |   | IND<br>COM<br>OTH<br>PTY<br>SCC |   |                                  |                              |   |                                       |
|  |   | IND<br>COM<br>OTH<br>PTY<br>SCC |   |                                  |                              |   |                                       |
|  |   | IND<br>COM<br>OTH<br>PTY<br>SCC |   |                                  |                              |   |                                       |
|  |   | IND<br>COM<br>OTH<br>PTY<br>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<br>from _____<br>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<br>Nonmonetary Contribution<br>Independent Expenditure |                           |                    |   |                                    |
|                    | Support      Oppose   |  |                           |                    |   |                                    |
|                    |   | Monetary Contribution<br>Nonmonetary Contribution<br>Independent Expenditure |                           |                    |   |                                    |
|                    | Support      Oppose   |  |                           |                    |   |                                    |
|                    |   | Monetary Contribution<br>Nonmonetary Contribution<br>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<br>from _____<br>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<br>Nonmonetary Contribution<br>Independent Expenditure |                           |                    |   |                                    |
|                    | Support      Oppose   |  |                           |                    |   |                                    |
|                    |   | Monetary Contribution<br>Nonmonetary Contribution<br>Independent Expenditure |                           |                    |   |                                    |
|                    | Support      Oppose   |  |                           |                    |   |                                    |
|                    |   | Monetary Contribution<br>Nonmonetary Contribution<br>Independent Expenditure |                           |                    |   |                                    |
|                    | Support      Oppose   |  |                           |                    |   |                                    |
|                    |   | Monetary Contribution<br>Nonmonetary Contribution<br>Independent Expenditure |                           |                    |   |                                    |
|                    | Support      Oppose   |  |                           |                    |   |                                    |
| <b>SUBTOTAL \$</b> |   |  |                           |                    |   |                                    |

# Schedule E Payments Made

Amounts may be rounded  
to whole dollars.

|                         |               |                                |
|-------------------------|---------------|--------------------------------|
| Statement covers period |               | <b>CALIFORNIA<br/>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<br>(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<br>from _____<br>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<br>(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<br>from _____<br>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<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CODE OR DESCRIPTION OF PAYMENT | (a)<br>OUTSTANDING BALANCE BEGINNING OF THIS PERIOD | (b)<br>AMOUNT INCURRED THIS PERIOD | (c)<br>AMOUNT PAID THIS PERIOD<br>(ALSO REPORT ON E) | (d)<br>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<br/>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<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CODE OR<br>DESCRIPTION OF PAYMENT | (a)<br>OUTSTANDING<br>BALANCE BEGINNING<br>OF THIS PERIOD | (b)<br>AMOUNT INCURRED<br>THIS PERIOD | (c)<br>AMOUNT PAID<br>THIS PERIOD<br>(ALSO REPORT ON E) | (d)<br>OUTSTANDING<br>BALANCE AT CLOSE<br>OF THIS PERIOD |
|--|-----------------------------------|---|---------------------------------------|---|--|
|  |                                   |   |                                       |   |  |
|  |                                   |   |                                       |   |  |
|  |                                   |   |                                       |   |  |
|  |                                   |   |                                       |   |  |
| <b>SUBTOTALS \$</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 |               | <b>CALIFORNIA FORM 460</b> |
| from _____              | through _____ |                            |
| 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<br>(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<br>from _____<br><br>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<br><small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small> | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER<br><small>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</small> | (a)<br>OUTSTANDING BALANCE BEGINNING THIS PERIOD | (b)<br>AMOUNT LOANED THIS PERIOD | (c)<br>REPAYMENT OR FORGIVENESS THIS PERIOD* | (d)<br>OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD | (e)<br>INTEREST RECEIVED       | (f)<br>ORIGINAL AMOUNT OF LOAN         | (g)<br>CUMULATIVE LOANS TO DATE                             |
|--|--|--|----------------------------------|--|--|--------------------------------|--|---|
|  |  | \$ _____   | \$ _____                         | PAID<br>\$ _____<br><br>FORGIVEN<br>\$ _____ | \$ _____<br><br>_____<br>DATE DUE                  | _____%<br>RATE<br><br>\$ _____ | \$ _____<br><br>_____<br>DATE INCURRED | CALENDAR YEAR<br>\$ _____<br><br>PER ELECTION**<br>\$ _____ |
|  |  | \$ _____   | \$ _____                         | PAID<br>\$ _____<br><br>FORGIVEN<br>\$ _____ | \$ _____<br><br>_____<br>DATE DUE                  | _____%<br>RATE<br><br>\$ _____ | \$ _____<br><br>_____<br>DATE INCURRED | CALENDAR YEAR<br>\$ _____<br><br>PER ELECTION**<br>\$ _____ |
|  |  | <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 \_\_\_\_\_  
I.D. NUMBER

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

| DATE RECEIVED | FULL NAME AND ADDRESS OF SOURCE<br>(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**

1. Itemized increases to cash this period. .... \$ \_\_\_\_\_
2. Unitemized increases to cash of under \$100 this period. .... \$ \_\_\_\_\_
3. Total of all interest received this period on loans made to others. (Schedule H, Column (e).) ..... \$ \_\_\_\_\_
4. 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).

**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.

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

|   |                           |            |                                |
|---|---------------------------|------------|--------------------------------|
|   |                           | Date Stamp | <b>CALIFORNIA<br/>FORM 470</b> |
| Date of election if applicable:<br>(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)<br><hr/> <hr/>  | Date Stamp | <b>CALIFORNIA<br/>FORM 470<br/>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)

## 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 - AND - Form 470 Supplement

CALIFORNIA  
FORM

470

## 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.

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

|   |                           |            |                                |
|---|---------------------------|------------|--------------------------------|
|   |                           | Date Stamp | <b>CALIFORNIA<br/>FORM 470</b> |
| Date of election if applicable:<br>(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**

|   |                   |  |
|---|-------------------|--|
| <p><b>Amendment</b> (Explain Below)</p> <hr/> <hr/>   | <p>Date Stamp</p> | <p><b>CALIFORNIA<br/>FORM 470<br/>SUPPLEMENT</b></p> |
| <p>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.</p> |                   | <p>For Official Use Only</p>                         |

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)

## 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.

# 2019-2020 Statement of Economic Interests



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## Form 700

A Public Document

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### ***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 3000 • 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 2019

## Quick Start Guide

Detailed instructions begin on page 3.

### WHEN IS THE ANNUAL STATEMENT DUE?

- March 2 – Elected State Officers, Judges and Court Commissioners, State Board and Commission members listed in Government Code Section 87200
- April 1 – 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:<br>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:<br>Business Entities/Trusts | Business entities, sole proprietorships, partnerships, LLCs, corporations and trusts. (e.g., Form 1099 filers).     | Savings and checking accounts, and annuities.  |
| B:<br>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:<br>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:<br>Gifts                      | Gifts from businesses, vendors, or other contractors (meals, tickets, etc.).  | Gifts from family members.   |
| E:<br>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 **\$500** for calendar years 2019 and **2020**.

### 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.
- Members of newly created boards and commissions not yet covered under a conflict of interest code
- 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 Boards and Commissions of Newly Created Agencies:

File with your newly created agency or with your agency's code reviewing body.

#### 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 with your local elections office.

### 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. All

statements must have an original "wet" signature or be duly authorized by your filing officer to file electronically under Government Code Section 87500.2.

### When to file:

#### Annual Statements

##### ⇒ March 2, 2020

- Elected State Officers
- Judges and Court Commissioners
- State Board and State Commission Members listed in Government Code Section 87200

##### ⇒ April 1, 2020

- Most other filers

Individuals filing under conflict of interest codes in city and county jurisdictions should verify the annual filing date with their local filing officers.

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, 2019, and December 31, 2019, and filed an assuming office statement, you are not required to file an annual statement until March 2, 2021, or April 1, 2021, whichever is applicable. The annual statement will cover the day after you assumed office through December 31, 2020. (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. 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 she 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, 2019, through December 31, 2019. If the period covered by the statement is different than January 1, 2019, through December 31, 2019, (for example, you assumed office between October 1, 2018, and December 31, 2018 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 2019.

- 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, 2019, through the date you stopped performing the duties of your position. If the period covered differs from January 1, 2019, through the date you stopped performing the duties of your position (for example, you assumed office between October 1, 2018, and December 31, 2018, 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 2019.

### 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.



**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, 2019, through December 31, 2019. Leaving Office: Date Left (Check one circle.)  
-or- The period covered is through December 31, 2019. The period covered is January 1, 2019, through the date of leaving office.  
-or- Assuming Office: Date assumed The period covered is through the date of leaving office.  
Candidate: Date of Election and office sought, if different than Part 1:

**4. Schedule Summary (must complete) ► Total number of pages including this cover page:**

**Schedules attached**

Schedule A-1 - Investments – schedule attached Schedule C - Income, Loans, & Business Positions – schedule attached  
Schedule A-2 - Investments – schedule attached Schedule D - Income – Gifts – schedule attached  
Schedule B - Real Property – 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 Signature  
(month, day, year) (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 statements with each agency. To simplify your filing obligations, you may complete an expanded statement.
  - To do this, enter the name of the other agency(ies) with which you are required to file and your position title(s) in the space provided. **Do not use acronyms.** Attach an additional sheet if necessary. Complete one statement covering the disclosure requirements for all positions. Each copy must contain an original signature. Therefore, before signing the statement, make a copy for each agency. Sign each copy with an original signature and file with each agency.

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 his or her 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 Placer and Yuba counties. Brian will complete one Form 700 using full disclosure (as required for the city position) and covering interests in both Placer and Yuba counties (as required for the multi-county position) and list both positions on the Cover Page. Before signing the statement, Brian will make a copy and sign both statements. One statement will be filed with City of Lincoln and the other will be filed with Camp Far West Irrigation District. Both will contain an original signature.

## 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 (Do not use acronyms)<br>Feather River Irrigation District                    |   |
| Division, Board, Department, District, if applicable<br>N/A                               | Your Position<br>Board Member   |
| ► If filing for multiple positions, list below or on an attachment. (Do not use acronyms) |   |
| Agency: N/A   | Position:   |
| <b>2. Jurisdiction of Office (Check at least one box)</b>                                 |   |
| <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 2019 annual statement, **do not** change the pre-printed dates to reflect 2020. Your annual statement is used for reporting the **previous year's** economic interests. Economic interests for your annual filing covering January 1, 2020, through December 31, 2020, will be disclosed on your statement filed in 2021. See Reference Pamphlet, page 4.

Combining Statements: Certain types of statements 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. All statements must have an original "wet" signature or be duly authorized by your filing officer to file electronically under Government Code Section 87500.2.

**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.

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:

\_\_\_\_/\_\_\_\_/19      \_\_\_\_/\_\_\_\_/19  
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:

\_\_\_\_/\_\_\_\_/19      \_\_\_\_/\_\_\_\_/19  
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:

\_\_\_\_/\_\_\_\_/19      \_\_\_\_/\_\_\_\_/19  
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:

\_\_\_\_/\_\_\_\_/19      \_\_\_\_/\_\_\_\_/19  
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:

\_\_\_\_/\_\_\_\_/19      \_\_\_\_/\_\_\_\_/19  
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:

\_\_\_\_/\_\_\_\_/19      \_\_\_\_/\_\_\_\_/19  
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
- Insurance policies
- Annuities
- Commodities
- Shares in a credit union
- Government bonds (including municipal bonds)
- 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.
- 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. His conflict of interest code requires full disclosure of investments. Frank must disclose his 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 his spouse or registered domestic partner and dependent children.

Alice Lance is a city council member. She 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.

### 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.

# SCHEDULE A-2

## Investments, Income, and Assets of Business Entities/Trusts

(Ownership Interest is 10% or Greater)

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**

|                         |                           |              |
|-------------------------|---------------------------|--------------|
| FAIR MARKET VALUE       | IF APPLICABLE, LIST DATE: |              |
| \$0 - \$1,999           | ____/____/19              | ____/____/19 |
| \$2,000 - \$10,000      | ACQUIRED                  | DISPOSED     |
| \$10,001 - \$100,000    |                           |              |
| \$100,001 - \$1,000,000 |                           |              |
| Over \$1,000,000        |                           |              |

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**

|                         |                           |              |
|-------------------------|---------------------------|--------------|
| FAIR MARKET VALUE       | IF APPLICABLE, LIST DATE: |              |
| \$0 - \$1,999           | ____/____/19              | ____/____/19 |
| \$2,000 - \$10,000      | ACQUIRED                  | DISPOSED     |
| \$10,001 - \$100,000    |                           |              |
| \$100,001 - \$1,000,000 |                           |              |
| Over \$1,000,000        |                           |              |

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 |                      |

**▶ 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

**▶ 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

**▶ 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 \_\_\_\_\_

|                         |                           |              |
|-------------------------|---------------------------|--------------|
| FAIR MARKET VALUE       | IF APPLICABLE, LIST DATE: |              |
| \$2,000 - \$10,000      | ____/____/19              | ____/____/19 |
| \$10,001 - \$100,000    | ACQUIRED                  | DISPOSED     |
| \$100,001 - \$1,000,000 |                           |              |
| Over \$1,000,000        |                           |              |

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 \_\_\_\_\_

|                         |                           |              |
|-------------------------|---------------------------|--------------|
| FAIR MARKET VALUE       | IF APPLICABLE, LIST DATE: |              |
| \$2,000 - \$10,000      | ____/____/19              | ____/____/19 |
| \$10,001 - \$100,000    | ACQUIRED                  | DISPOSED     |
| \$100,001 - \$1,000,000 |                           |              |
| Over \$1,000,000        |                           |              |

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

---

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 \_\_\_\_\_

---

FAIR MARKET VALUE      IF APPLICABLE, LIST DATE:

|                         |              |              |
|-------------------------|--------------|--------------|
| \$2,000 - \$10,000      |              |              |
| \$10,001 - \$100,000    | ____/____/19 | ____/____/19 |
| \$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    | ____/____/19 | ____/____/19 |
| \$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 | _____ |
|--------|------|-------|

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 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, she received rental income of \$12,000, from a single tenant who rented property she 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<br><b>4600 24th Street</b>   |   |
| CITY<br><b>Sacramento</b>   |   |
| FAIR MARKET VALUE<br><input type="checkbox"/> \$2,000 - \$10,000<br><input type="checkbox"/> \$10,001 - \$100,000<br><input checked="" type="checkbox"/> \$100,001 - \$1,000,000<br><input type="checkbox"/> Over \$1,000,000   | IF APPLICABLE, LIST DATE:<br>ACQUIRED _____ DISPOSED _____<br><b>18</b> / <b>18</b> |
| NATURE OF INTEREST<br><input type="checkbox"/> Ownership/Deed of Trust<br><input type="checkbox"/> Easement<br><input type="checkbox"/> Leasehold _____ Yrs. remaining _____ Other _____  |   |
| IF RENTAL PROPERTY, GROSS INCOME RECEIVED<br><input type="checkbox"/> \$0 - \$499<br><input type="checkbox"/> \$500 - \$1,000<br><input type="checkbox"/> \$1,001 - \$10,000<br><input checked="" type="checkbox"/> \$10,001 - \$100,000<br><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.<br><input type="checkbox"/> None<br><b>Henry Wells</b>  |   |
| NAME OF LENDER*<br><b>Sophia Petroillo</b>  |   |
| ADDRESS (Business Address Acceptable)<br><b>2121 Blue Sky Parkway, Sacramento</b>   |   |
| BUSINESS ACTIVITY, IF ANY, OF LENDER<br><b>Restaurant Owner</b>   |   |
| INTEREST RATE<br><b>8</b> % <input type="checkbox"/> None   | TERM (Months/Years)<br><b>15</b> Years  |
| HIGHEST BALANCE DURING REPORTING PERIOD<br><input type="checkbox"/> \$500 - \$1,000<br><input type="checkbox"/> \$1,001 - \$10,000<br><input checked="" type="checkbox"/> \$10,001 - \$100,000<br><input type="checkbox"/> OVER \$100,000   |   |
| <input type="checkbox"/> Guarantor, if applicable   |   |
| Comments: _____   |   |



# SCHEDULE C

## Income, Loans, & Business Positions

(Other than Gifts and Travel Payments)

**CALIFORNIA FORM 700**

FAIR POLITICAL PRACTICES COMMISSION

Name \_\_\_\_\_

| ▶ 1. INCOME RECEIVED  | ▶ 1. INCOME RECEIVED               |                                    |                 |                    |                      |                |   |                       |                                    |                 |                    |                      |                |
|---|------------------------------------|------------------------------------|-----------------|--------------------|----------------------|----------------|---|-----------------------|------------------------------------|-----------------|--------------------|----------------------|----------------|
| <p>NAME OF SOURCE OF INCOME _____</p> <p>ADDRESS <i>(Business Address Acceptable)</i> _____</p> <p>BUSINESS ACTIVITY, IF ANY, OF SOURCE _____</p> <p>YOUR BUSINESS POSITION _____</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">GROSS INCOME RECEIVED</td> <td style="width: 50%; border: none;">No Income - Business Position Only</td> </tr> <tr> <td style="border: none;">\$500 - \$1,000</td> <td style="border: none;">\$1,001 - \$10,000</td> </tr> <tr> <td style="border: none;">\$10,001 - \$100,000</td> <td style="border: none;">OVER \$100,000</td> </tr> </table> <p>CONSIDERATION FOR WHICH INCOME WAS RECEIVED</p> <p>Salary      Spouse's or registered domestic partner's income<br/>(For self-employed use Schedule A-2.)</p> <p>Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)</p> <p>Sale of _____<br/><i>(Real property, car, boat, etc.)</i></p> <p>Loan repayment</p> <p>Commission or      Rental Income, list each source of \$10,000 or more</p> <p>_____ <i>(Describe)</i></p> <p>Other _____<br/><i>(Describe)</i></p> | GROSS INCOME RECEIVED              | No Income - Business Position Only | \$500 - \$1,000 | \$1,001 - \$10,000 | \$10,001 - \$100,000 | OVER \$100,000 | <p>NAME OF SOURCE OF INCOME _____</p> <p>ADDRESS <i>(Business Address Acceptable)</i> _____</p> <p>BUSINESS ACTIVITY, IF ANY, OF SOURCE _____</p> <p>YOUR BUSINESS POSITION _____</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">GROSS INCOME RECEIVED</td> <td style="width: 50%; border: none;">No Income - Business Position Only</td> </tr> <tr> <td style="border: none;">\$500 - \$1,000</td> <td style="border: none;">\$1,001 - \$10,000</td> </tr> <tr> <td style="border: none;">\$10,001 - \$100,000</td> <td style="border: none;">OVER \$100,000</td> </tr> </table> <p>CONSIDERATION FOR WHICH INCOME WAS RECEIVED</p> <p>Salary      Spouse's or registered domestic partner's income<br/>(For self-employed use Schedule A-2.)</p> <p>Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)</p> <p>Sale of _____<br/><i>(Real property, car, boat, etc.)</i></p> <p>Loan repayment</p> <p>Commission or      Rental Income, list each source of \$10,000 or more</p> <p>_____ <i>(Describe)</i></p> <p>Other _____<br/><i>(Describe)</i></p> | GROSS INCOME RECEIVED | No Income - Business Position Only | \$500 - \$1,000 | \$1,001 - \$10,000 | \$10,001 - \$100,000 | OVER \$100,000 |
| GROSS INCOME RECEIVED   | No Income - Business Position Only |                                    |                 |                    |                      |                |   |                       |                                    |                 |                    |                      |                |
| \$500 - \$1,000   | \$1,001 - \$10,000                 |                                    |                 |                    |                      |                |   |                       |                                    |                 |                    |                      |                |
| \$10,001 - \$100,000  | OVER \$100,000                     |                                    |                 |                    |                      |                |   |                       |                                    |                 |                    |                      |                |
| GROSS INCOME RECEIVED   | No Income - Business Position Only |                                    |                 |                    |                      |                |   |                       |                                    |                 |                    |                      |                |
| \$500 - \$1,000   | \$1,001 - \$10,000                 |                                    |                 |                    |                      |                |   |                       |                                    |                 |                    |                      |                |
| \$10,001 - \$100,000  | OVER \$100,000                     |                                    |                 |                    |                      |                |   |                       |                                    |                 |                    |                      |                |

**▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD**

\* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, 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:

|  |  |
|--|--|
| <p>NAME OF LENDER* _____</p> <p>ADDRESS <i>(Business Address Acceptable)</i> _____</p> <p>BUSINESS ACTIVITY, IF ANY, OF LENDER _____</p> <p>HIGHEST BALANCE DURING REPORTING PERIOD</p> <p>\$500 - \$1,000</p> <p>\$1,001 - \$10,000</p> <p>\$10,001 - \$100,000</p> <p>OVER \$100,000</p> | <p>INTEREST RATE      TERM (Months/Years)</p> <p>_____ %      None      _____</p> <p>SECURITY FOR LOAN</p> <p>None      Personal residence</p> <p>Real Property _____<br/><i>Street address</i></p> <p>_____ <i>City</i></p> <p>Guarantor _____</p> <p>Other _____<br/><i>(Describe)</i></p> |
|--|--|

**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 \$500 limit in 2019. (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 her 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 she is not providing services are likely considered gifts. Note that the same payment from a 501(c)3 would NOT be reportable.

|  |                               |
|--|-------------------------------|
| <small>▶ NAME OF SOURCE (Not an Acronym)</small>   |                               |
| Health Services Trade Association  |                               |
| <small>ADDRESS (Business Address Acceptable)</small>   |                               |
| 1230 K Street, Suite 610   |                               |
| <small>CITY AND STATE</small>  |                               |
| Sacramento, CA   |                               |
| <input type="checkbox"/> 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE   |                               |
| Association of Healthcare Workers  |                               |
| <small>DATE(S):</small> ____/____/____   | <small>AMT: \$</small> 550.00 |
| <small>(If gift)</small>   |                               |
| <small>▶ MUST CHECK ONE:</small> <input type="checkbox"/> Gift <input checked="" type="checkbox"/> -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>  |                               |
| <small>▶ If Gift, Provide Travel Destination</small> _____   |                               |

**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 his 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. 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).)

|  |                                 |
|--|---------------------------------|
| <small>▶ NAME OF SOURCE (Not an Acronym)</small>   |                                 |
| Chengdu Municipal People's Government  |                                 |
| <small>ADDRESS (Business Address Acceptable)</small>   |                                 |
| 2 Caoshi St. CaoShiJie, Qingyang Qu, Chengdu Shi,  |                                 |
| <small>CITY AND STATE</small>  |                                 |
| Sichuan Sheng, China, 610000   |                                 |
| <input type="checkbox"/> 501 (c)(3) or DESCRIBE BUSINESS ACTIVITY, IF ANY, OF SOURCE   |                                 |
| <small>DATE(S):</small> <u>09</u> / <u>04</u> / <u>XX</u> - <u>09</u> / <u>08</u> / <u>XX</u>  | <small>AMT: \$</small> 3,874.38 |
| <small>(If gift)</small>   |                                 |
| <small>▶ MUST CHECK ONE:</small> <input checked="" type="checkbox"/> Gift <input checked="" type="checkbox"/> -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>  |                                 |
| <small>▶ If Gift, Provide Travel Destination</small> <u>Sichuan Sheng, China</u>   |                                 |

## 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 personal assets and income. They also must disqualify themselves from participating in decisions that may affect their personal economic interests. 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 law's provisions.

### Gift Prohibition

Gifts received by most state and local officials, employees, and candidates are subject to a limit. In 2019-2020, the gift limit is \$500 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 complete one statement listing the county and the two boards on the Cover Page or an attachment as the agencies for which you will be filing. Report your economic interests using the largest jurisdiction and highest disclosure requirements assigned to you by the three agencies. Make two copies of the entire statement before signing it, sign each copy with an original signature, and distribute one original to the county and to each of the two boards. 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.
- 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.



## Questions and Answers Continued

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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.)

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.

## Questions and Answers Continued

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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 husband is a partner in a four-person firm where all of his business is based on his 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 husband's investment in the firm is 10% or greater, disclose 100% of his share of the business on Schedule A-2, Part 1 and 50% of his income on Schedule A-2, Parts 2 and 3. For example, a client of your husband'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 real property for you.

### 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.

## Questions and Answers Continued

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- 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 2019 the gift limit was \$500, so the Bensons may have given the supervisor artwork valued at no more than \$1,000. The supervisor must identify Jared and Julia Benson as the sources of the gift.
- 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.
- 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.



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



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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.



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<br>(1-866-275-3772) |

# 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.

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.

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 decisionmaking. 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

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

## Quick Tip

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

## 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 contribution limits, if any. A committee set up by the candidate or officeholder for his or her election is the candidate’s controlled committee.

A candidate controls a committee if he or she has 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

#### Quick Tip

A candidate or officeholder may only have one bank account per committee.

or officeholder who controls a committee for his or her 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**.

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.

### 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.

- **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.

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

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 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, even if the candidate is running for reelection to the same office. The Form 501 is considered filed on the date it is postmarked or hand-delivered.

| Candidate Intention Statement   |                                     | Date Stamp                     | CALIFORNIA FORM 501<br>For Official Use Only            |
|---|-------------------------------------|--------------------------------|---|
| <b>A</b> Check One: <input checked="" type="checkbox"/> Initial <input type="checkbox"/> Amendment (Explain) _____<br>_____   |                                     |                                |   |
| <b>1 Candidate Information:</b>   |                                     |                                |   |
| NAME OF CANDIDATE (Last, First Middle Initial)  | DAYTIME TELEPHONE NUMBER            | FAX NUMBER (optional)          | EMAIL (optional)  |
| Cole, Rayna   | ( 707 ) 555-1234                    | ( 707 ) 555-1235               | rcole@gmail.com   |
| STREET ADDRESS  | CITY                                | STATE                          | ZIP CODE  |
| 1212 Fourth Avenue  | Oakmont                             | CA                             | 95443   |
| OFFICE SOUGHT (POSITION TITLE)  | AGENCY NAME                         | DISTRICT NUMBER, if applicable | <input checked="" type="checkbox"/> NON-PARTISAN OFFICE |
| City Council  | City of Oakmont                     | 1                              | PARTY PREFERENCE:                                       |
| OFFICE JURISDICTION   |                                     |                                | (Check one box, if applicable.)                         |
| <input type="checkbox"/> State (Complete Part 2.)   |                                     |                                | <input type="checkbox"/> PRIMARY / GENERAL              |
| <input checked="" type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Multi-County: _____   | (Name of Multi-County Jurisdiction) |                                | <input type="checkbox"/> SPECIAL / RUNOFF               |
|   |                                     | 20XX                           |   |
|   |                                     | (Year of Election)             |   |
| <b>2 State Candidate Expenditure Limit Statement:</b><br><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 accept the voluntary expenditure ceiling for the election stated above.  |                                     |                                |   |
| <input type="checkbox"/> I do not accept 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><br>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 _____                | [Signature Required]                                    |
|   | (month, day, year)                  |                                | (Candidate)   |

## 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.

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.

**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.

#### 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.

**Ex 1.1 -** Non-incumbent judicial candidate Janice Chambers is listed on the November ballot. She does not intend to raise or spend \$2,000 in connection with her election. By June 30, she had received no contributions and her only expenditures were for the filing and ballot statement fees paid for with her personal funds. Janice is required to file Form 470 by the first preelection filing deadline.

## 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.

## 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.

## 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<br>(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 |

**Ex 1.2** - 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.

**Ex 1.3** - Judge Mercado is listed on the November ballot and anticipates raising and spending less than \$2,000 for his reelection. By June 30, he had received no contributions since January 1 and his only expenditures were for the filing and ballot statement fees paid for with his personal funds. The judge is not required to file by the July 31 semi-annual filing deadline, but must file a Form 470 by the first preelection filing deadline.

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

|            |  |
|------------|--|
| Date Stamp | <b>CALIFORNIA<br/>FORM 470</b><br><small>For Official Use Only</small> |
|------------|--|

**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 .

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**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 OPTIONAL: FAX / E-MAIL ADDRESS  
707-555-1234 707-555-1235/ rcole@gmail.com

**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<br>ID Number 1533XX | 1618 C Street<br>Oakmont, CA 95443 | Gabriel Stoll     |
|   |                                    |                   |

---

**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 Required] DATE By \_\_\_\_\_ [Signature Required] 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 his or her candidacy must disclose the primarily formed committee's name, identification number, address, and the name of the treasurer.

### 5 Verification

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

**Ex 1.4** - Rayna Cole's neighbors formed the Friends Supporting Rayna Cole for City Council 20XX committee. Ms. Cole is aware of the committee but has no involvement with its day-to-day activities. Ms. Cole must disclose the committee's information on her Form 470.

## 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.

**Officeholder and Candidate  
Campaign Statement -  
Form 470 Supplement**

SEE INSTRUCTIONS ON REVERSE

**Amendment** (Explain Below)

Date Stamp

**CALIFORNIA  
FORM 470**

For Official Use Only

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.

|  |                                 |          |
|--|---------------------------------|----------|
| <b>1. Officeholder or Candidate Information</b>  |                                 |          |
| NAME OF OFFICEHOLDER OR CANDIDATE  |                                 |          |
| Rayna Cole   |                                 |          |
| STREET ADDRESS   |                                 |          |
| 1212 Fourth Avenue   |                                 |          |
| CITY   | STATE                           | ZIP CODE |
| Oakmont  | CA                              | 95443    |
| AREA CODE/DAYTIME PHONE NUMBER   | OPTIONAL: FAX / E-MAIL ADDRESS  |          |
| 707-555-1234   | 707-555-1235/ rcole@gmail.com   |          |
| <b>2. Office Sought</b>  |                                 |          |
| OFFICE SOUGHT  | DISTRICT NUMBER (IF APPLICABLE) |          |
| Oakmont City Council   | 1                               |          |
| DATE OF ELECTION (MONTH, DAY, YEAR)  |                                 |          |
| 6/6/XX   |                                 |          |
| <b>3. Date Contributions Totalling \$2,000 or More Were Received or Date Expenditures of \$2,000 or More Were Made</b> |                                 |          |
| 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 the last three months 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.

Send the Form 410 to:

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

**Ex 1.5** - 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.

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.

### 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. In addition, 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).

### 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.

**Ex 1.6** - Joe is seeking reelection to the city council. He 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.

**Ex 1.7** - A group of neighbors joined forces to help elect a candidate for mayor. On March 1, 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 1.8** - 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.

## 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).



**Statement of Organization  
Recipient Committee**

**Statement Type**

|  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> <b>Initial</b>   | <input type="checkbox"/> <b>Amendment</b> | <input type="checkbox"/> <b>Termination – See Part 5</b> |
| <input type="checkbox"/> Not yet qualified<br>or<br><input checked="" type="checkbox"/> Date qualification threshold met | Date qualification threshold met          | Date of termination                                      |
| 09 / 04 / 20XX   | ____/____/____                            | ____/____/____   |

Date Stamp

**CALIFORNIA  
FORM 410**

For Official Use Only

|   |  |
|---|--|
| <p><b>1 Committee Information</b></p> <p><b>I.D. Number</b><br/><i>(if applicable)</i></p> <p>NAME OF COMMITTEE<br/>Manuel Alvarez for Mayor 20XX</p> <p>STREET ADDRESS (NO P.O. BOX)<br/>225 Presley Street</p> <p>CITY STATE ZIP CODE AREA CODE/PHONE<br/>Oakmont CA 95443 (707)555-6868</p> <p>FULL MAILING ADDRESS (IF DIFFERENT)<br/>P.O. Box 1744, Oakmont, CA 95434</p> <p>E-MAIL ADDRESS (REQUIRED) / FAX (OPTIONAL)<br/>707-555-6869 / mrichards@oakmontmail.com</p> <p>COUNTY OF DOMICILE JURISDICTION WHERE COMMITTEE IS ACTIVE<br/>San Marino Oakmont</p> | <p><b>2 Treasurer and Other Principal Officers</b></p> <p>NAME OF TREASURER<br/>Madeline Richards</p> <p>STREET ADDRESS (NO P.O. BOX)<br/>225 Presley Street</p> <p>CITY STATE ZIP CODE AREA CODE/PHONE<br/>Oakmont CA 95443 (707)555-6868</p> <p>NAME OF ASSISTANT TREASURER, IF ANY<br/>Manuel Alvarez</p> <p>STREET ADDRESS (NO P.O. BOX)<br/>225 Presley Street</p> <p>CITY STATE ZIP CODE AREA CODE/PHONE<br/>Oakmont CA 95443 (707)555-6868</p> <p>NAME OF PRINCIPAL OFFICER(S)<br/>N/A</p> <p>STREET ADDRESS (NO P.O. BOX)</p> <p>CITY STATE ZIP CODE AREA CODE/PHONE</p> |
|---|--|

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.

### 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 names, street addresses, and telephone numbers of the treasurer and assistant treasurer. If a candidate chooses to be his or her own treasurer, list the name, street address, and telephone number of the candidate.

#### 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.

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.

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.

### **3** Verification

The treasurer or assistant treasurer 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 and the candidate. If a candidate is his or her 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<br>(INCLUDE DISTRICT NUMBER IF APPLICABLE) | YEAR OF ELECTION | CHECK ONE                           |                          | PARTY<br>(list political party below) |
|--|---|------------------|-------------------------------------|--------------------------|---------------------------------------|
|  |   |                  | Nonpartisan                         | Partisan                 |                                       |
| Manuel Alvarez   | Oakmont City Council, District 1  | 20XX             | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (list political party below)          |
|  |   |                  | <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 his or her “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.
- 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 FPFC 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.                             |
| 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.
- 18402 Committee Names.1
- 8406 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. Although there are no restrictions on who may be a treasurer, in order to adequately perform the duties, the treasurer must understand the campaign finance laws and his or her responsibilities under the Act. The candidate controlling the committee may be the treasurer or assistant treasurer for his or her 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 his or her 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 his or her 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 he or she signs, 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.

There are no restrictions on who may be an assistant treasurer, although he or she 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 his or her 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 his or her 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 2.1** -Thien Vu is a city council member and still has an open committee from the city council election. She is running for county supervisor in the next election and has opened another bank account and committee for that race. She must use the campaign bank account for her county supervisor campaign to pay for her yard signs and all other expenses related to the upcoming county supervisor election.

## Redesignating the Bank Account

**Officeholders:** An officeholder seeking reelection to the **same office** may use the bank account that was established for the prior 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).

### 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.

**Defeated Candidates:** A candidate 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). 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**. 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 2.2** -John Davis lost the city council election in June. John has \$3,500 remaining in his 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 his 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 he or she currently holds) 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.

### 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:

**Ex 2.3** -Sharon Goldstein, a city council member, filed her 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.

- A contributor makes a contribution over the telephone. The contribution is “received” by the committee on the date the contributor gives his or her 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 his or her credit card or withdraw funds from his or her 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**

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 his or her 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, his or her occupation and employer are not in the committee’s records within 60 days from receipt of the contribution.**

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.

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.)

**Ex 2.4** -Stanley Hughes, a city clerk candidate, received a contribution of \$100 from Martha Andersen on June 1. The only information he received was her name and address as listed on her check. On his semi-annual statement covering the reporting period through June 30, he reported receiving \$100 from Martha, listed her name and address, and indicated that he would amend his statement when he received her 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.

## 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 his or her campaign, the institution is reported as the source of the loan. The candidate does not have to be reported as the guarantor, even if he or she is 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;

### 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.

- Name of the officeholder or candidate and the office and district he or she holds or for which he or she seeks 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.

## 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 he or she is 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 he or she is 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.

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.

### 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.

## 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 his or her 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

- 18401 Required Recordkeeping for Chapters 4 & 5.
- 18402.1 Principal Officers.
- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18421.2 Street Address.
- 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.
- 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.

The Act does not contain contribution limits for local candidates; however, many cities and counties have adopted campaign ordinances that include contribution limits and other restrictions. Check with your local elections or ethics agency.

Please note that legislation that will go into effect on January 1, 2021, will impose a contribution limit on local candidates in local jurisdictions that have not enacted local limits. Please see AB 571 (2019).

## 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).
- 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 his or her 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.

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.

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 he or she:

- Guarantees, furnishes security for, endorses or cosigns a loan.
- Makes and delivers a post-dated check.

**Ex 3.1** - 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 3.2** - 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 his or her 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.



- Establishes 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 his or her 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 his or her 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 his or her 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.

**Quick Tip**

A state lobbyist may not hold a fundraiser for a local candidate/officeholder who is seeking election to a state office.

**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 his or her 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.

**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.

**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 or personal purposes; therefore, they are not considered

**Ex 3.3 -** Your neighbor holds a fundraiser in his 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 3.4 -** 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.

**Ex 3.5 -** 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.

contributions or gifts. 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.

The following examples provide general guidance regarding aggregation of contributions. The FPPC may be contacted for advice related to your specific facts.

**Ex 3.6** - Sally Perez contributed \$98 from her personal funds and another \$98 from the funds of her wholly-owned business, Flowers by Sally Perez, to the Anderson Committee. Because contributions from an individual and his or her business, or from any other account he or she directs and controls, are considered to be from a single contributor, the Anderson Committee must itemize both contributions and report a cumulative amount received from Sally and her business of \$196 on its committee campaign statement.

### Quick Tip

The term "person" includes an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, and association.

**Ex 3.7** - 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 3.8** - William Smith is a developer with four separate corporations. William makes political contributions from his personal funds and directs and controls the contributions of each of his corporations. William made a contribution of \$1,000 from his personal funds and contributions of \$2,000 from the funds of each of his corporations to the committee. Because he 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 3.9** - Southwest TeleCom has a greater than 50 percent ownership interest in American TeleCom. Each entity, entirely on its own and with separate decisionmaking 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 his/her 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.

**Failure to disclose the true source of a contribution is considered one of the most serious violations of the Political Reform Act.**

**Ex 3.10** - 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 3.11** - 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 he or she is 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 his/her 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.

### 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.

**Ex 3.12** - 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.

- 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.

**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.

**Ex 3.13** - 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 Ms. 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).

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.

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.

**Minor Children:** A contribution made by a child under the age of 18 is presumed to be a contribution from his or her 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.

**Ex 3.14** - 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.

**Ex 3.15** - Barbara Taylor was defeated in a June election. In order to use the leftover funds for a future election, she 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.



**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.

**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 his or her 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.

**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.

**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.

**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.

**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 his or her 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,

**Ex 3.16** - 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).

**Ex 3.17** - An accounting firm provides your committee with the services of an accountant. The accountant spends 25 percent of her time working for the campaign. This percentage of her gross compensation is \$2,000. The amount of the nonmonetary contribution reported from the accounting firm is \$2,000.

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.

**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.

**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.

**Ex 3.18** - 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.

**Ex 3.19** - 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.

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.

**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.

**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

**Ex 3.20** - 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.

**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.

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.

| Age of Data        | Value      |
|--------------------|------------|
| 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.

**Ex 3.21** - 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.

## 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, his or her 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 next door neighbor spends \$1,000 on an event to help raise funds for two different candidates and the event is held in her home, has she 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 his or her 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 his or her 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.  |
| 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.
- 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.
- 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 his or her 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.

Please note that legislation that will go into effect on January 1, 2021 will impose a contribution limit on local candidates in local jurisdictions that have not enacted local limits. 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.

### Quick Tip

Check with your local elections office to determine if local campaign finance rules apply to your campaign.

## 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.

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.

**Ex 4.1** - 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.

## 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.”

## 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.

### 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.



## 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 his or her 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 his or her 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.

## **Cryptocurrency**

No contribution may be made or received in cryptocurrency.

## 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.

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.)

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

Generally, campaign contributions received in connection with an elective office do not serve as the basis for disqualifying an official from voting on a matter affecting the contributor. However, if an elected official or candidate also holds a position on an appointed

### Quick Tip

Using public resources for campaign purposes is prohibited.

**Ex 4.2** - 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.

board or commission, he or she may be restricted from soliciting or receiving campaign contributions from persons with business before the board or commission. He or she may be subject to Government Code Section 84308 which:

- 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 three months following the date of that decision. This prohibition applies even when the contribution is for another candidate.
- Requires disclosure of all such campaign contributions and also requires an official's disqualification from making decisions in certain proceedings in which the official is acting in an appointed position if the official has received more than \$250 in campaign contributions from a party or participant within 12 months preceding the decision.

### 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:

- Planning Commissioners
- Local Agency Formation Commission (LAFCO) members
- Members of redevelopment agencies which 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 4.3** - 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 4.4** - Sarah is a city council candidate. She also is an appointed member of the city's planning commission. Christopher has a permit request pending before the planning commission. Under Section 84308, Sarah is prohibited from soliciting or receiving any contribution of more than \$250 from Christopher or Christopher's agent.

**Ex 4.5** - Sarah wins the election and resigns her position on the planning commission. Since she is now serving solely in an elected position, she is not required to disqualify herself from making decisions on the city council by virtue of receiving contributions of more than \$250 from any person.

## Exempted Agencies

Section 84308 does not apply to the following agencies:

- Judicial branch
- Legislature
- Board of Equalization (Gov. Code Section 15626 applies)
- Constitutional officers
- Local agencies whose members are elected by the voters (e.g., board of supervisors, city council, or school board)
- Committees of an agency that are comprised solely of elected members of the same agency (e.g., city councilmembers who serve on the city's budget and finance committee)
- Elected members of an agency, all of whom also serve as the governing body of another agency (i.e., city councilmembers who also serve on the city's redevelopment agency board)

In determining whether a board or commission is exempt for purposes of Section 84308, the focus should be on the actual make-up of the board or commission. For example, the governing board of a sanitation district may consist of both elected and appointed members, but which, in fact, consists solely of the board of supervisors, is exempt under Section 84308.

## 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.
- 18215.4 Cryptocurrency Contributions.
- 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).

## 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:

#### 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.

- 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 5.1** - 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 his 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
- Nannying 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.

## 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 5.2** - A candidate has been asked to attend a formal event honoring the mayor. Since he does not own a tuxedo, he may rent one with campaign funds since the event is directly related to a political purpose.

**Ex 5.3** - 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 5.4** - 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.

## 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)

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.

**Ex 5.5** - 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.

**Ex 5.6** - 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.

“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 5.7** - 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 her 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** so long as the funds are not “surplus funds.” 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 his or her 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.

## 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, his or her 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.)

## 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. The committee may pay for

**Ex 5.8** - Paula Greene, a member of Supervisor Howard's staff, is also the treasurer of the Supervisor's campaign committee. Ms. Greene does all recordkeeping for the committee and completes the committee's campaign reports. She also has authority to approve committee expenditures. Campaign funds may be used to pay Ms. Greene for services she provides as committee treasurer. Funds may not be used to supplement or pay her government salary.

professional services such as an accountant, however, even if the accountant 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 his or her physical safety because of his or her 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.

## Tickets to Political Fundraisers

A committee may purchase tickets to political fundraisers (subject to any applicable contribution limits) for the candidate, officeholder, or his or her immediate family, or an officer, director, employee, or staff of the committee or the officeholder's governmental agency.

**Ex 5.9** - 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.

## 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 his or her 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.                    |
| 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 his or her 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.

Communications paid for by a candidate’s controlled committee to support his or her own candidacy, or to oppose his or her 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 his or her committee pays for a communication that is coordinated with or “made at the behest” of the candidate or his or her 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:

#### 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.

- 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.
- **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.

**Quick Tip**

When a communication that expressly advocates support of a candidate is paid for by someone other than the candidate or his or her committee, and the communication is “made at the behest” of the affected candidate, the candidate must report the payment as a nonmonetary contribution.



- **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.

## 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 6.1** - 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 6.2** - 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 Ms. Gomez's campaign headquarters. Ms. 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 Ms. Gomez's campaign.

On the other hand, if the committee contacted Ms. Gomez and arranged for a professional photographer to meet with her for the purpose of taking photographs for the mailer, the committee would be making a nonmonetary contribution to her campaign.

### 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.

**Ex 6.3** - During Curt Anthony's campaign, two newspaper advertisements supporting Mr. Anthony were published without his knowledge or consent. Because the payments for these communications were not coordinated with him or made at his behest, they were independent expenditures by the person(s) funding the ads and were not reportable by Mr. 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 his or her 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 his or her 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 6.4** - 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 him. Because the mailing was made at the behest of the candidate, the association has now made a nonmonetary contribution to John Law.

**Ex 6.5** - A city council candidate paid for a mailing which quoted the mayor's verbal endorsement of his candidacy. Although the mayor was also on the ballot, the flyer was not a contribution to the mayor.

**Ex 6.6** - Emmelyn Chin, a city council member running for reelection, sent out a flyer to registered voters in her district asking them to support her candidacy. The flyer also encouraged the voters to vote for Lorraine Sweet for Governor, although this endorsement was not made at Ms. Sweet's behest. Because the gubernatorial election and city council election would appear on the same ballot for those living in Ms. 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 Ms. 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.

## 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.

**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

### 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.

**Ex 6.7** - John is running for school board and his neighbor George posts his support for John's candidacy on Facebook. In his Facebook post, George includes a picture of John that he got from John's website. The communication is not reportable because George was not paid for his Facebook post.

**Ex 6.8** - Camille is running for local office and she 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.

report payments to that individual. The safe harbor also does not apply to a blogger who receives a majority of his or her advertisement revenue from a single candidate or committee because he or she is not considered to be providing uncompensated personal services.

## D. Non-Contributions

There are some communications that are not considered to be contributions to the candidate or the candidate's controlled committee.

### 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.

### 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;

**Ex 6.9** - 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.

**Ex 6.10** - 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.

- Does not refer to the candidate’s election campaign, or his or her 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.

## 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 6.11** - 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 6.12** - 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.

**Ex 6.13** - 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 his or her 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. For a complete list of advertisement disclosure requirements see the charts later in this chapter.

### 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 which the committee pays the online platform. An “online platform disclosed advertisement” does not include a video, audio, or email advertisement. 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 must be shown clearly so they may be easily understood by the public. Written disclosures must be printed clearly and legibly. Spoken disclosures must be clearly audible and intelligible. Disclosures must also be written or spoken in the same language used in the advertisement. The charts on the following pages specify requirements for color contrast, print font size, placement location, and the amount of time the disclosure is required to appear on screen.

## **C. Advertisement Disclosures for Communications by Candidate Committees for their own Election**

The disclosure on a communication made by a candidate's committee for his or her own election must include "Paid for by [committee name]," unless otherwise noted in the chart below.

| Communication  | Disclosure and Manner of Display   |
|--|--|
| <p><b>All mass mailings – more than 200 substantially similar pieces of mail sent within a calendar month</b></p>  | <ul style="list-style-type: none"> <li>• <b>Candidate’s committee name and address</b> (on file with Form 410) on outside of mailing (if no Form 410 on file, use candidate’s name and address).</li> <li>• <b>“Paid for by”</b> must be in the same color and font as the committee name and address and immediately in front of or above the name and address.</li> <li>• If sent by more than one candidate or committee: <ul style="list-style-type: none"> <li>◦ Also on at least one insert in the mailing.</li> </ul> </li> <li>• No less than 6-point type and in a contrasting print or color.</li> <li>• Return envelopes (if included in solicitation) – committee’s name, address and ID number are recommended but not required.</li> </ul> |
| <p><b>All mass electronic mail – more than 200 substantially similar emails sent within a calendar month</b></p>   | <ul style="list-style-type: none"> <li>• <b>“Paid for by [name of candidate or committee]”</b> must be in at least the same size font as a majority of the text (no address is required on mass electronic mailings).</li> </ul>   |
| <p><b>Newspaper ads</b></p>  | <ul style="list-style-type: none"> <li>• Refer to the Elections Code for newspaper ad disclosure requirements.</li> </ul>  |
| <p><b>Telephone calls advocating candidate’s own election - 500 or more calls similar in nature and made by:</b></p> <ul style="list-style-type: none"> <li>• Vendors (“robo” calls); or</li> <li>• Paid individuals other than the candidate, campaign manager or volunteers</li> </ul> | <ul style="list-style-type: none"> <li>• Must identify the candidate’s committee that authorized or paid for the call or an organization authorizing the call that files campaign reports.</li> <li>• Must state that the call is “paid for by” or “authorized by” the identified candidate or organization. <ul style="list-style-type: none"> <li>◦ <i>Examples: This call was paid for by Senator Jones;</i><br/><i>This call was authorized by [name of committee].</i></li> </ul> </li> <li>• Any time during the call.</li> <li>• No ID required on telephone calls personally dialed by candidate, campaign manager or volunteers.</li> </ul>   |
| <p><b>Radio and television ads</b></p>   | <ul style="list-style-type: none"> <li>• <b>Radio:</b> “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.</li> <li>• <b>Television:</b> “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. If the television ad is shorter than the required disclosure display time, the disclosure may be displayed for the length of the advertisement.</li> </ul>  |

| Communication  | Disclosure and Manner of Display  |
|--|---|
| <p><b>Electronic media ads (non-social media)</b><br/>(Websites, blogs, graphics, images, animated graphics, or animated images.)</p> <p><b>Social media ads</b></p> | <ul style="list-style-type: none"> <li>• “Paid for by <i>committee name</i>” and committee ID number are recommended but not legally required.</li> <br/> <li>• <b>“Ad paid for by,”</b> disclosure in a contrasting color that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee’s profile, landing page, or similar location; disclosures are not required on each individual post or comment.</li> <br/> <li>• The disclosures must be visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media including, but not limited to, a computer screen, laptop, tablet or smart phone. If this is impracticable only a hyperlink, icon, button, or tab to an internet website containing the required <b>“Ad paid for by,”</b> disclosure is permissible.</li> <br/> <li>• Not required when the only expense or cost of the communication is compensated staff time unless the social media account was created only for the purpose of ads under the Act.</li> </ul> |
| <p><b>Billboards, signs (including yard signs), faxes, business cards, door hangers, flyers, and posters</b></p>   | <ul style="list-style-type: none"> <li>• “Paid for by <i>committee name</i>” and committee ID number are recommended but not legally required.</li> </ul>   |
| <p><b>Text messages sent using mass distribution technology</b></p>  | <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the candidate followed by <b>“For”</b> followed by the name of the office sought.</li> <li>• If <b>“With”</b> is used: <ul style="list-style-type: none"> <li>◦ The individual sending the text shall identify themselves by including: “(name of the individual) with (name of the candidate) for (name of elective office).”</li> <li>◦ A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> <li>• For text message exchanges consisting of a sequence of multiple text messages sent on the same day the disclosure is only required on the first text message in the sequence that supports or opposes a candidate or measure.</li> <li>• Text required to be included in a text message must be in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> </ul>   |



## **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 chart below 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 his or her contributions to support or oppose candidates if the committee does not use such contributions to support or oppose candidates.

| Communication   | Disclosure and Manner of Display  |
|---|---|
| <p><b>Print ads designed to be individually distributed including mailings, door hangers, flyers, faxes, posters, newspaper and magazine ads and oversized campaign buttons and bumper stickers</b> (buttons 10 inches in diameter or larger and stickers 60 square inches or larger)</p> | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410) (Note: a printed letter ad may use “Paid for by” instead of “Ad paid for by”) followed by:</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> each listed on a separate horizontal line, in descending order, beginning with the largest contributor. <ul style="list-style-type: none"> <li>◦ Newspaper, magazine or other print advertisements that are 20 square inches or less must only disclose the single top contributor of \$50,000 or more.</li> </ul> </li> <li>• Below the top contributor information (if any), <b>a statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> <li>• <b>Disclosure Format:</b> All text must be 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. <ul style="list-style-type: none"> <li>◦ <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</li> </ul> </li> </ul> |
| <p><b>Print ads larger than those designed to be individually distributed, such as billboards and signs (including yard signs)</b></p>  | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410) followed by:</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> Top contributors must be displayed either on: (1) separate horizontal lines, centered horizontally or (2) adjusted so it does not appear on separate horizontal lines with top contributors separated by commas.</li> <li>• Below the top contributor information (if any), <b>a statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> <li>• <b>Disclosure Format:</b> All text must be in contrasting color and in Arial equivalent font. The font must be a height of at least five percent of the advertisement, meaning that each line must be at least five percent of the advertisement, in a printed or drawn box with a solid white background on the bottom of the advertisement that is set apart from any other printed matter and shall not be condensed to be narrower than a normal non-condensed Arial equivalent type. The text in the disclosure area may be adjusted so it does not appear on separate lines, but top contributors’ names must be separated by commas. <ul style="list-style-type: none"> <li>◦ The <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</li> </ul> </li> </ul>  |

| Communication  | Disclosure and Manner of Display  |
|--|---|
| Radio ads, telephone calls and audio only electronic media ads | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> in descending order, beginning with the largest contributor.</li> <li>• <b>A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> <li>• <b>Disclosure Format:</b> Must be spoken clearly for at least three seconds at the beginning or end of the ad or call, in a pitch and tone substantially similar to the rest of the advertisement. <ul style="list-style-type: none"> <li>◦ Radio and 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.</li> </ul> </li> </ul> |

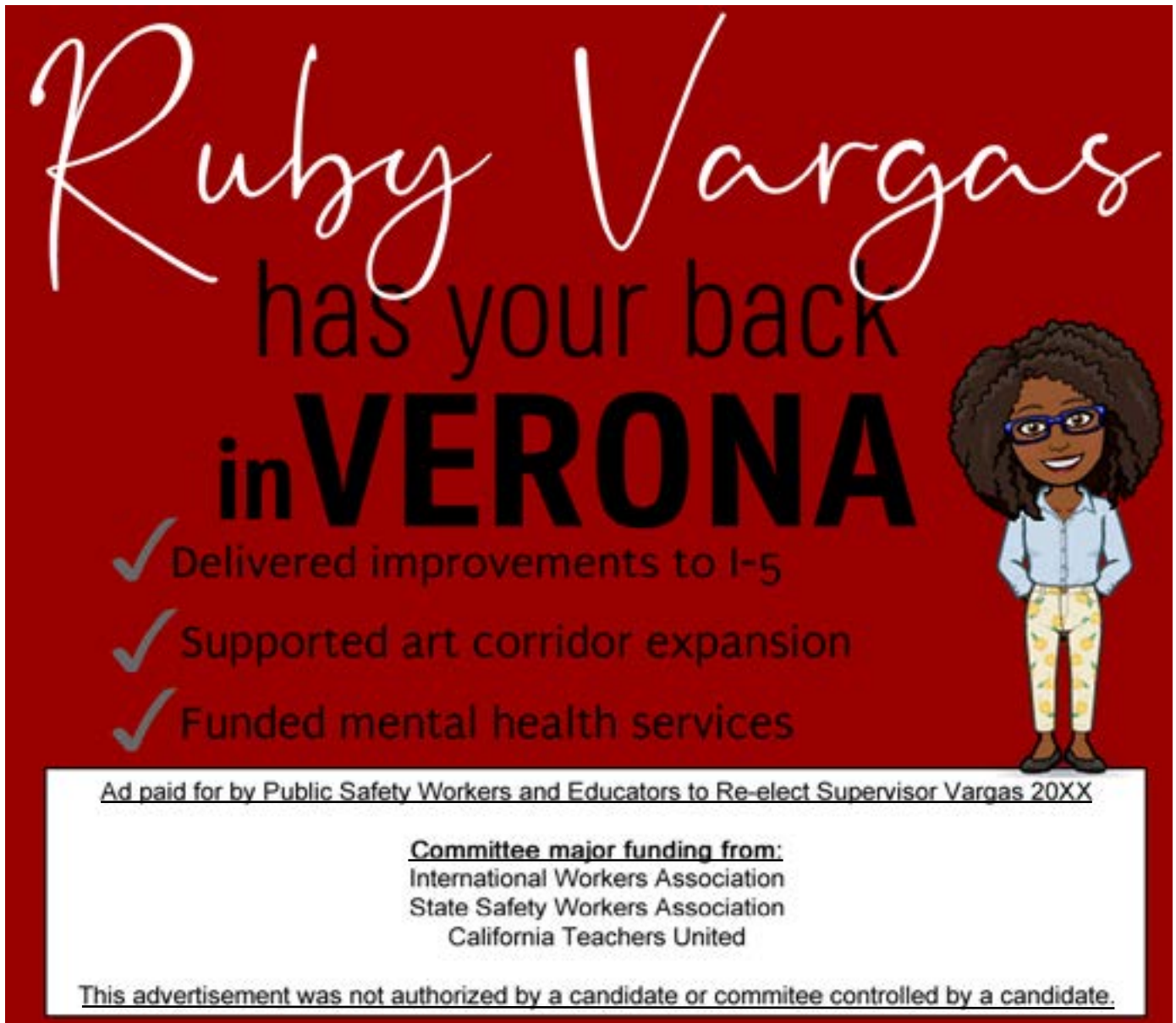
| Communication  | Disclosure and Manner of Display   |
|--|--|
| <p><b>Television and video ads (including those disseminated over the Internet)</b></p>  | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by [committee’s name]”</b> (on file with Form 410).</li> <li>• <b>“Committee major funding from [names of top three contributors of \$50,000 or more]”</b> in descending order, beginning with the largest contributor.</li> <li>• <b>A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> <li>• <b>Disclosure Format:</b> All text must be centered horizontally in the disclosure area, in a contrasting color, in Arial equivalent type and, if there are top contributors, must be underlined except as specified below.</li> </ul> <p>The size for the smallest letters must be four percent of the height of the display screen and must be displayed at the beginning or end of the ad for at least five seconds of a broadcast of 30 seconds or less or for at least 10 seconds of a broadcast longer than 30 seconds. If a video is distributed as an electronic media advertisement and is longer than 30 seconds, the disclosures must be displayed at the beginning of the advertisement. If the television or video ad is shorter than the required disclosure display time, the disclosure may be displayed for the length of the advertisement.</p> <p>Disclosure must appear on a solid black background on the entire bottom one-third of the display screen, or bottom one-fourth if no top contributors.</p> <p>Each top contributor must be disclosed on a separate horizontal line separate from other text, may not be underlined and may not be condensed or have the spacing between characters reduced to be narrower than a normal non-condensed Arial equivalent type, unless doing so is necessary to keep the name of a contributor from exceeding the width of the screen.</p> <p>The <b>“Not authorized by”</b> disclosure must appear below all other text in no less than 2.5 percent of the height of the display screen. If this causes the disclosures to exceed one-third of the display screen then it may be printed immediately above the background with sufficient contrast that is easily readable and is not required to be underlined.</p> <p>The <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</p> |
| <p><b>Electronic media ads that are a graphic, image, animated graphic, or animated image that an online platform hosting the ad allows to link to an internet website not covered below (except video ads, see above)</b></p> | <ul style="list-style-type: none"> <li>• <b>“Who funded this ad?” or “Paid for by” or “Ad paid for by”</b> text included or displayed as a hyperlink, icon, button or tab in a contrasting color and font size that is easily readable by the average viewer for the duration of the advertisement.*</li> <li>• Must link to a website containing the <b>“Ad paid for by,” “Committee major funding from,”</b> and <b>“Not authorized by”</b> disclosures in a contrasting color and in no less than 8-point font.</li> <li>• <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</li> <li>• An internet website that is hyperlinked to the ad shall remain online and available to the public until 30 days after the date of the election.</li> </ul> <p>*This text is not required if including it in 8-point font would take up more than one-third of the graphic or image. In such circumstances the ad need only include a hyperlink to a website containing the website disclosures.</p>   |

| Communication                                   | Disclosure and Manner of Display  |
|---|---|
| <b>Social media ads</b>                         | <ul style="list-style-type: none"> <li>• <b>“Ad paid for by,” “Committee major funding from,” and “Not authorized by”</b> disclosures in a contrasting color that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee’s profile, landing page, or similar location; disclosures are not required on each individual post or comment.</li> <li>• The disclosures must be visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media including, but not limited to, a computer screen, laptop, tablet or smart phone. If this is impracticable only a hyperlink, icon, button, or tab to an internet website containing the required <b>“Ad paid for by,” “Committee major funding from,” and “Not authorized by”</b> disclosures is permissible.</li> <li>• <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</li> <li>• Not required when the only expense or cost of the communication is compensated staff time unless the social media account was created only for the purpose of ads under the Act.</li> </ul> |
| <b>Website and email</b>                        | <ul style="list-style-type: none"> <li>• <b>“Paid for by,” “Committee major funding from,” and “Not authorized by”</b> 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 and every publicly accessible page of the website.</li> <li>• <b>“Committee major funding from”</b> and <b>“Not authorized by”</b> disclosures may not appear in all capital letters.</li> </ul>   |
| <b>Electronic media ads that are audio only</b> | <ul style="list-style-type: none"> <li>• See disclosure requirements for radio ads above.</li> </ul>  |

| Communication   | Disclosure and Manner of Display  |
|---|---|
| Text messages sent using mass distribution technology | <ul style="list-style-type: none"> <li>• <b>“Paid for by”</b> or <b>“With”</b> followed by the name of the committee, or followed by a hyperlink or URL for an internet website containing the following disclosures: <ul style="list-style-type: none"> <li>• <b>“Paid for by” or “With” [committee’s name]”</b> (on file with Form 410). <ul style="list-style-type: none"> <li>◦ <b>“Committee major funding from [names of top three contributors of \$50,000 or more].”</b></li> <li>◦ <b>A statement that the advertisement was not authorized by a candidate or a committee controlled by a candidate.</b></li> <li>◦ The text of the disclosures on the internet website shall be in a color that reasonably contrasts with the background on which it appears and in no less than 8-point font.</li> </ul> </li> </ul> </li> <li>• If <b>“With”</b> is used: <ul style="list-style-type: none"> <li>◦ The individual sending the text shall identify themselves by including: <b>“(name of the individual) with (name of committee or hyperlink or URL).”</b></li> <li>◦ A disclosure using <b>“With”</b> may appear anywhere in the text message, including conversational content, and need not appear as a separate statement apart from the content of the message.</li> </ul> </li> <li>• <b>Top Contributors:</b> A committee that has top contributors must comply with the following: <ul style="list-style-type: none"> <li>◦ Immediately following the name of the committee or the hyperlink or URL, the text message shall also include the text <b>“Top funders:”</b> followed by the names of the top two contributors of \$50,000 or more to the committee paying for the advertisement, separated by <b>“&amp;”</b> or <b>“and.”</b></li> <li>◦ The names of the top two contributors may be spelled using acronyms, abbreviations, or other shorthand in common usage or parlance. If the contributor is an individual their first and last name shall both be used.</li> </ul> </li> </ul> |

| Communication | Disclosure and Manner of Display   |
|---------------|--|
|               | <ul style="list-style-type: none"> <li>◦ If the disclosure would exceed 35 characters, the text should disclose only the single top contributor of \$50,000 or more to the committee paying for the advertisement.</li> <li>◦ The text message is not required to include the name of a top contributor after the text “<b>Top funders:</b>” If the text message includes the name of the committee paying for the advertisement and the committee’s name includes the name of that top contributor.</li> <li>◦ The text shall be in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</li> <li>◦ For a committee that has top contributors and uses individuals who are unpaid volunteers to send text messages with the assistance of mass distribution technology, the text message sent by these individuals are not required to disclose the top two contributors, but the text message shall include a disclosure stating that the text message is being sent by a volunteer.</li> </ul> <ul style="list-style-type: none"> <li>• An internet website that is hyperlinked shall remain online and available to the public until 30 days after the election.</li> <li>• For text message exchanges consisting of a sequence of multiple text messages sent on the same day the disclosure is only required on the first text message in the sequence that supports or opposes a candidate or measure.</li> </ul> <p>Text required to be included in a text message must be in a color that reasonably contrasts with the background on which it appears and in a font size that is readable by the average viewer.</p> |

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

Committee major funding from:  
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, for which the committee pays the online platform. An “online platform disclosed advertisement” does not include a video, audio, or email advertisement.

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, for which the committee pays the online platform. |

| 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 “committee major funding from” 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 “committee major funding from” 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.

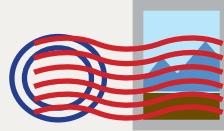
From: Rreynolds@yahoo.com  
To: Voter1@gmail.com  
Cc:  
Subject: Reynolds for City Council 20XX

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]”
- “Committee major funding from [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.

**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.

#### 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.

## 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 7.1** - City Councilmember Reitz pays a vendor to make calls to 1,500 local voters to encourage them to reelect her 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 7.2** - 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

The Act does not require a specific disclosure on some electronic media ads, such as those on non-social media websites paid for by a candidate's committee for his or her own election. However, the FPPC recommends placing "paid for by [committee name]" and the committee ID number on all public campaign materials.

Committees primarily formed to support or oppose a candidate making independent expenditures for electronic media ads are subject to the "Ad paid for by [committee name]" requirement and additional disclosure requirements as described in the chart earlier in this chapter.

Additionally, as noted at the beginning of this chapter, "online platform disclosed advertisements" have their own separate disclosure requirements. Please refer to the Online Platform Disclosed Advertisements chart in this chapter for those requirements.

## 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 chart earlier in this chapter.

## 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 his or her 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.

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.

**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.

## 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).

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.

### 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.



## **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). 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 his or her 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, he or she 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<br>Friends Supporting Alvarez for Mayor 20XX | I.D. NUMBER<br>12399XX   |
| NAME OF TREASURER<br>Karen Lucci                            | CONTROLLED COMMITTEE?<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| COMMITTEE ADDRESS<br>10 Main Street                         | STREET ADDRESS (NO P.O. BOX)   |
| CITY<br>Oakmont   | STATE ZIP CODE AREA CODE/PHONE<br>CA 95443 707-111-2222                                      |

|                   |   |
|-------------------|---|
| COMMITTEE NAME    | I.D. NUMBER   |
| NAME OF TREASURER | CONTROLLED COMMITTEE?<br><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<br><input type="checkbox"/> 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 | <input type="checkbox"/> SUPPORT<br><input type="checkbox"/> OPPOSE |
| NAME OF OFFICEHOLDER OR CANDIDATE | OFFICE SOUGHT OR HELD | <input type="checkbox"/> SUPPORT<br><input type="checkbox"/> OPPOSE |
| NAME OF OFFICEHOLDER OR CANDIDATE | OFFICE SOUGHT OR HELD | <input type="checkbox"/> SUPPORT<br><input type="checkbox"/> OPPOSE |
| NAME OF OFFICEHOLDER OR CANDIDATE | OFFICE SOUGHT OR HELD | <input type="checkbox"/> SUPPORT<br><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 his or her 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<br>from <u>7/1/XX</u> | <b>CALIFORNIA<br/>FORM 460</b> |
| through <u>12/31/XX</u>                       |                                |
| Page <u>XX</u> of <u>XX</u>                   | I.D. NUMBER<br>12344XX         |

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Manuel Alvarez for Mayor 20XX

|  | <b>A</b><br>Column A<br>TOTAL THIS PERIOD<br>(FROM ATTACHED SCHEDULES) | <b>B</b><br>Column B<br>CALENDAR YEAR<br>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   |

| Calendar Year Summary for Candidates<br>Running in Both the State Primary and<br>General Elections |                  |             |
|--|------------------|-------------|
|  | 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 |

| Expenditure Limit Summary for State<br>Candidates                                |               |  |
|--|---------------|--|
| 22. Cumulative Expenditures Made*<br>(If Subject to Voluntary Expenditure Limit) |               |  |
| Date of Election<br>(mm/dd/yy)   | Total to Date |  |
| / /  | \$ _____      |  |
| / /  | \$ _____      |  |

|  |           |  |  |
|--|-----------|--|--|
| <b>3 Current Cash Statement</b>  |           |  |  |
| 12. Beginning Cash Balance..... Previous Summary Page, Line 16             | \$ 39,500 |  | 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). |
| 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>           |           |  |  |

\*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.

## **1** Lines 1-5 (Contributions Received)

Collectively, these lines represent contributions received: monetary, nonmonetary, and loans.

### Quick Tip

Loans and accrued expenses must be reported on each campaign statement until the amounts are paid off or forgiven.

## **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 8.1** -Sarah Gomez made a \$500 contribution to your committee and notified you that she would later be reimbursed by her 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.

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.

**Ex 8.2** - 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.

## 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, his or her 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)  |  |
| <p><b><u>Complete</u></b></p> <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> | <p><b><u>Incomplete</u></b></p> <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>   |  |

**Ex 8.3** - 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.

### 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.

### 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<br>from <u>7/1/XX</u> |  | <b>CALIFORNIA<br/>FORM 460</b> |
| through <u>12/31/XX</u>                       |  |                                |
|   |  | Page <u>XX</u> of <u>XX</u>    |

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

1 Manuel Alvarez for Mayor 20XX

I.D. NUMBER

12344XX

| 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) |
|--------------------|--|---|--|-----------------------------|---|------------------------------------|
| 9/2/XX             | Joey's Super Market<br>500 North Mesa Street<br>Oakmont, CA 95443                            | <input type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input checked="" type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC |  | \$5,000                     | \$5,000   |                                    |
| 10/15/XX           | Martin Developers<br>1650 Wingfield Road<br>Oakmont, CA 95443                                | <input type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input checked="" type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC |  | \$198                       | \$198   |                                    |
|                    | Intermediaries:<br>Marcus Brown \$99<br>325 Richmond Road, Oakmont, CA 95443                 | <input checked="" type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC | Bookkeeper,<br>Martin Developers   |                             |   |                                    |
|                    | Ashley Green \$99<br>448 Harbor Drive<br>Oakmont, CA 95443                                   | <input checked="" type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC | Sales Representative,<br>Martin Developers   |                             |   |                                    |
| 12/15/XX           | Angel Trujillo<br>6688 Fourth Avenue<br>Oakmont, CA 95443                                    | <input checked="" type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC | Requested  | \$75                        | \$300   |                                    |
| <b>SUBTOTAL \$</b> |  |   |  | 5,273                       |   |                                    |

**8 Schedule A Summary**

|  |                       |
|--|-----------------------|
| 1. Amount received this period – itemized monetary contributions.<br>(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.<br>(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.

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 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.)

## 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.)

**Ex 8.4** - 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 his 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. His name, address, occupation, and employer must also be disclosed.

#### **4 Occupation and Employer Information**

If the contributor is an individual, provide the individual's occupation and the name of his or her employer. If the individual is self-employed, provide the name of his or her 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.

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, his or her 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.

#### **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.

## **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 7/1/XX  
through 12/31/XX

**CALIFORNIA FORM 460**

Page XX of XX

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<br>350 South Park Street<br>Oakmont, CA 95443<br><br>† <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<br><input type="checkbox"/> FORGIVEN \$ 0                | \$ 10,000<br>7/1/XX<br>DATE DUE             | \$ 250<br>5 %<br>RATE     | \$ 10,000<br>7/1/XX<br>DATE INCURRED | \$ N/A<br>N/A<br>PER ELECTION**   |
| Manuel Alvarez<br>4245 McDow Street<br>Oakmont, CA 95443<br><br>† <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<br><input type="checkbox"/> FORGIVEN \$ 0 | \$ 1,000<br>N/A<br>DATE DUE                 | \$ -0-<br>0 %<br>RATE     | \$ 2,000<br>1/15/XX<br>DATE INCURRED | \$ 2,000<br>N/A<br>PER ELECTION** |
| <b>3</b> SUBTOTALS  |  | \$  | \$ 10,000                   | \$ 1,000  | \$ 11,000                                   | \$ 250                    |                                      |                                   |

**Schedule B Summary**

(Enter (e) on Schedule E, Line 3)

|  |                            |
|--|----------------------------|
| 1. Loans received this period.....   | \$ 10,000                  |
| (Total Column (b) plus unitemized loans of less than \$100.)   |                            |
| 2. Loans paid or forgiven this period.....   | \$ 1,000                   |
| (Total Column (c) plus loans under \$100 paid or forgiven.)<br>(Include loans paid by a third party that are also itemized on Schedule A.) |                            |
| 3. Net change this period. ( <b>Subtract</b> Line 2 from Line 1.).....   | <b>NET \$ 9,000</b>        |
| Enter the net here and on the Summary Page, Column A, Line 2.  | (May be a negative number) |

†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.)

### 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 his or her committee), provide the individual’s occupation and the name of his or her employer. If the individual is self-employed, provide the name of his or her 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.)

### 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.

#### 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.

#### Quick Tip

A candidate or officeholder who deposits personal funds into his or her 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.

### **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).

### **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.

#### 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.

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<br>from <u>7/1/XX</u><br>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

1 Manuel Alvarez for Mayor 20XX

| 1  | 2   | 3  | 4   | 5                             | 6  | 7                           |
|--|---|--|---|-------------------------------|--|-----------------------------|
| FULL NAME, STREET ADDRESS AND ZIP CODE OF GUARANTOR (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<br>445 C Street<br>Oakmont, CA 95443  | <input checked="" type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC | Realtor, Alvarez and Mitchell Realty   | LENDER<br>American Credit Union<br><br>DATE<br>7/1/XX | \$10,000                      | CALENDAR YEAR<br>\$ 10,000<br>PER ELECTION (IF REQUIRED)<br>\$ 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.

**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 his or her employer. If the individual is self-employed, provide the name of his or her 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.

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.

#### 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.

## 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 8.5** - 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
- Compensation paid by an employer to an employee who spends more than 10 percent of his or her 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.

**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.

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<br>from <u>7/1/XX</u><br>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

| 1<br>DATE RECEIVED   | 2<br>FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | 3<br>CONTRIBUTOR CODE *   | 4<br>IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | 5<br>DESCRIPTION OF GOODS OR SERVICES         | 6<br>AMOUNT/ FAIR MARKET VALUE | 7<br>CUMULATIVE TO DATE CALENDAR YEAR (JAN 1 - DEC 31) | 8<br>PER ELECTION TO DATE (IF REQUIRED) |
|--|---|---|---|---|--------------------------------|--|---|
| 9/25/XX  | Genesis Insurance Company<br>850 F Street<br>Oakmont, CA 95443                                    | <input type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input checked="" type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC |   | Food for Fundraiser                           | \$1,500                        | \$1,500  | N/A                                     |
| 10/1/XX  | Citizens for Improving Oakmont<br>(ID 116787XX)<br>1275 Main Street, Oakmont, CA 95443            | <input type="checkbox"/> IND<br><input checked="" type="checkbox"/> COM<br><input type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC |   | Employee Compensation for Campaign Activities | \$5,000                        | \$5,000  | N/A                                     |
| <i>Attach additional information on appropriately labeled continuation sheets.</i> |   |   |   |   | <b>SUBTOTAL \$</b>             | 6,500  |   |

|  |                       |  |
|--|-----------------------|--|
| <b>9 Schedule C Summary</b>  |                       | *Contributor Codes<br>IND – Individual<br>COM – Recipient Committee (other than PTY or SCC)<br>OTH – Other (e.g., business entity)<br>PTY – Political Party<br>SCC – Small Contributor Committee |
| 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 |  |

**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 8.6** - 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. 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 his or her employer. If the individual is self-employed, provide the name of his or her 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.

### 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.

#### Quick Tip

If an individual donates his or her personal or professional services to a campaign (including his or her travel expenses), no contribution has been made or received as long as the individual is not paid or reimbursed.

## 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 his or her 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 his or her 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.

SCHEDULE D

|  |                             |
|--|-----------------------------|
| Statement covers period<br>from <u>7/1/XX</u><br>through <u>12/31/XX</u> | <b>CALIFORNIA FORM 460</b>  |
|  | Page <u>XX</u> of <u>XX</u> |
|  | I.D. NUMBER<br>12344XX      |

SEE INSTRUCTIONS ON REVERSE  
NAME OF FILER

Manuel Alvarez for Mayor 20XX

| 1                  | 2   | 3  | 4                         | 5                  | 6   | 7                                  |
|--------------------|---|--|---------------------------|--------------------|---|------------------------------------|
| 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) |
| 10/1/XX            | Committee for Bike Lanes in Oakmont Yes on Measure E (ID 12456XX)<br>City of Oakmont<br><br><input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose | <input checked="" type="checkbox"/> Monetary Contribution<br><input type="checkbox"/> Nonmonetary Contribution<br><input type="checkbox"/> Independent Expenditure | Loan                      | \$1,000            | \$1,000   | N/A                                |
| 10/12/XX           | Del Norte County Independent Central Committee (ID 11852XX)<br><br><input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose                          | <input checked="" type="checkbox"/> Monetary Contribution<br><input type="checkbox"/> Nonmonetary Contribution<br><input type="checkbox"/> Independent Expenditure |                           | \$500              | \$500   | N/A                                |
|                    | <br><br><input type="checkbox"/> Support <input type="checkbox"/> Oppose  | <input type="checkbox"/> Monetary Contribution<br><input type="checkbox"/> Nonmonetary Contribution<br><input type="checkbox"/> Independent Expenditure            |                           |                    |   |                                    |
| <b>SUBTOTAL \$</b> |   |  |                           | 1,500              |   |                                    |

|  |                           |
|--|---------------------------|
| <b>8</b>   | <b>Schedule D Summary</b> |
| 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.)..... <b>TOTAL..</b> | \$ 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.

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.

## 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.

## 3 Type of Payment

Check the appropriate box to indicate whether the payment was a monetary contribution, nonmonetary contribution, or independent expenditure.

**Ex 8.7** - 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).

### 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.

**Ex 8.8** -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.

#### **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 he or she makes personal contributions to his or her controlled election campaign committee of \$10,000 or more?**

No. A candidate's contributions to his or her 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 his or her own controlled committees.

**B. Must the spouse of a candidate file the Form 461 if he or she makes personal contributions to his or her 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 he or she makes personal contributions to his or her 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. She also contributed \$3,000 to her 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.

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.

### **Quick Tip**

Expenditures of campaign funds must have a political, legislative, or governmental purpose. (See Chapter 5.)

**Ex 8.9** - 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.

### 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.

**Ex 8.10** - 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.

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, including individuals paid \$500 or more;
- Robocalls;
- Printing and literature; and
- Design or management of campaign literature or advertising.

### Quick Tip

Payments made to subvenders 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.

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.

**Ex 8.11** - 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).

## 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.

## 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;

**Ex 8.12** - 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.

- 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 his or her 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 8.13** -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 8.14** -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 his or her 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 8.15** - 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<br>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<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)               | CODE OR | DESCRIPTION OF PAYMENT        | AMOUNT PAID |
| Del Norte County Bank (Visa)<br>8995 Pine Street, Crescent City, CA 95531         |         |                               | \$15,000    |
| Subvendor:<br>Mailings and More \$14,500<br>855 Redwood Street, Oakmont, CA 95443 | LIT     |                               |             |
| Lam and Pettit Consultants<br>2720 P Street<br>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 \$</b> 40,950 |

**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<br>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<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)   | CODE OR | DESCRIPTION OF PAYMENT      | AMOUNT PAID |
|---|---------|-----------------------------|-------------|
| Del Norte County Independent Central Committee (ID 11852XX)<br>18885 Ocean Blvd.<br>Crescent City, CA 95531 | CTB     |                             | \$500       |
| Manuel Alvarez<br>4245 McDow Street<br>Oakmont, CA 95443  |         | Reimbursement of filing fee | \$1,500     |
| Nelson Legal Group, LLC<br>4950 Professional Blvd.<br>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.

### 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.

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.

#### 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

Campaign funds may be used only for certain types of legal payments. See Chapter 5 for information about the permissible uses of campaign funds.



### **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<br>from <u>7/1/XX</u><br>through <u>12/31/XX</u> | <b>CALIFORNIA<br/>FORM 460</b> |
|  | Page <u>XX</u> of <u>XX</u>    |
|  | I.D. NUMBER<br>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<br>NAME AND ADDRESS OF CREDITOR<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)   | 2<br>CODE OR<br>DESCRIPTION OF PAYMENT | 3<br>(a)<br>OUTSTANDING<br>BALANCE BEGINNING<br>OF THIS PERIOD | (b)<br>AMOUNT INCURRED<br>THIS PERIOD | (c)<br>AMOUNT PAID<br>THIS PERIOD<br>(ALSO REPORT ON E) | (d)<br>OUTSTANDING<br>BALANCE AT CLOSE<br>OF THIS PERIOD |
|---|--|--|---------------------------------------|---|--|
| Nelson Legal Group, LLC<br>4950 Professional Blvd.<br>Crescent City, CA 95531 | PRO                                    | \$2,000  | 0                                     | \$200   | \$1,800  |
| Tri Cities Bank (Mastercard)<br>9650 Main Street<br>Crescent City, CA 95531   |  | 0  | \$1,750                               | 0   | \$1,750  |
| Subvendor:<br>Home Depot \$750<br>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>  | <b>Schedule F Summary</b>                                      |
| 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                                |
| 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                                      |
| 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<br><small>May be a negative number</small> |

**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.

### 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.

**Ex 8.16** - 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).

## Outstanding Accrued Expenses (Summary Page, Column B, Line 9)

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.

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.

|   |                            |
|---|----------------------------|
| Statement covers period<br>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<br>12344XX                        |                            |

SEE INSTRUCTIONS ON REVERSE  
 NAME OF FILER  
 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<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER) | 2 CODE OR | 3 DESCRIPTION OF PAYMENT  | AMOUNT PAID |
|---|-----------|---|-------------|
| KXTL Radio<br>5656 Westside Way<br>Oakmont, CA 95443                              | RAD       |   | \$2,000     |
| Good Day Oakmont<br>2620 H Street<br>Oakmont, CA 95443                            | TEL       |   | \$7,000     |
| Northwest Airlines<br>2500 Crosby Circle<br>Chicago, IL 60606                     | TRC       | 10/15/XX: Sacramento, Airfare to Attend Meeting (1, Consultant) | \$155       |
| Albino's Italian Eats<br>1325 Sicily Street<br>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.

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

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.

#### 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<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)   | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER<br>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | a   | b                             | c  | d   | e                      | f  | g                            |
|------------------|---|---|---|-------------------------------|--|---|------------------------|--|------------------------------|
|                  |   |   | (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 |
|                  | Manuel Alvarez for Mayor 20XX<br><br>Committee for Bike Lanes in Oakmont, Yes on Measure E (ID 12456XX)<br>1500 D Street<br>Oakmont, CA 95443 |   | \$ 0  | \$ 1,000                      | <input type="checkbox"/> PAID<br>\$ 0<br><input type="checkbox"/> FORGIVEN<br>\$ 0 | \$ 1,000<br><br>None<br>DATE DUE                | 5%<br>RATE<br><br>\$ 0 | \$ 1,000<br><br>7/15/XX<br>DATE INCURRED | \$ 1,000<br><br>N/A          |
| <b>SUBTOTALS</b> |   |   | \$ 0  | \$ 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<br>(Total Column (b) plus unitemized loans of less than \$100.)                                    | \$ 1,000   |
| 2. Payments received on loans<br>(Total Column (c) plus unitemized payments of less than \$100.)                             | \$ 0   |
| 3. Net change this period. (Subtract Line 2 from Line 1.)<br>(Enter the net here and on the Summary Page, Column A, Line 7.) | <b>NET \$ 1,000</b><br><small>(May be a negative number)</small> |

\*\*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 his or her employer. If the individual is self-employed, provide the name of his or her 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.

### 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.

**Ex 8.17** - 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.

**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

Manuel Alvarez for Mayor 20XX

I.D. NUMBER  
12344XX

| 1 DATE RECEIVED | 2 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<br>225 Presley Street<br>Oakmont, CA 95443 | Transferred funds<br>(ID 12257XX) | \$3,000                      |

Attach additional information on appropriately labeled continuation sheets.

**SUBTOTAL \$** 3,000

**5 Schedule I Summary**

|  |                       |
|--|-----------------------|
| 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.  |
| 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.
- 18401 Required Recordkeeping for Chapters 4 & 5.
- 18421 Cash Equivalents.
- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18421.2 Street Address.
- 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.
- 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.

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.

### 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.

**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.

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.

**Ex 9.1** - 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 9.2** - 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.

## 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.

## Exception: Candidates Not on a Ballot

A candidate who will not appear on the ballot because he or she is 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.

### 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.

## 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.

### 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.

**Ex 9.3** - The local district attorney is the subject of a recall election being held in September. In March, he 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.

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.

| <b>Candidate/Officeholder/<br/>Primarily Formed Committee</b>                           | <b>Where to File</b>   | <b>What to File</b>  |
|---|--|--|
| <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><br>Local agencies with jurisdiction in more than one county | County with the largest number of registered voters in the jurisdiction<br>County of Domicile, if different                    | Original and one copy<br><br>One copy  |
| <b>Judges and Judicial Candidates</b>   | <b>Electronic Filers</b><br>Secretary of State<br><br><b>Non-Electronic Filers</b><br>Secretary of State<br>County of Domicile | Electronically and one paper original<br><br>Original and one copy<br>One copy |

## 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 his or her 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 he or she is 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, he or she must file campaign statements for all committees he or she controls 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 9.4** - 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 her city. As an incumbent school board member and a candidate for mayor, she 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
  
- School Board Committee
  - County Elections Office – Original and one copy
  - City Clerk – One copy

**Ex 9.5** - 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
  - Secretary of State – One copy (the copy must be filed **electronically** if the Assembly Committee is an electronic filer)

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, he or she 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 his or her 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:

- **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

#### Quick Tip

When aggregating contributions from a single source, monetary contributions, nonmonetary contributions, and loans are included.

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 10.1** - 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.

**Ex 10.2** - 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.

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.

**Quick Tip**

If a committee makes a nonmonetary contribution, it must notify the recipient of the contribution's value within 24 hours.

**Quick Tip**

The 90-day, 24-Hour/10-Day reporting period includes 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

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.

|   |   |                   |  |
|---|---|-------------------|--|
| <p><b>A</b> NAME OF FILER<br/>Manuel Alvarez for Mayor 20XX</p> <p>AREA CODE/PHONE NUMBER: 707-555-6868<br/>I.D. NUMBER (if applicable): 12344XX</p> <p>STREET ADDRESS: 225 Presley Street</p> <p>CITY: Oakmont STATE: CA ZIP CODE: 95443</p> | <p><b>B</b> Date of This Filing: 11/01/20XX</p> <p>Report No.: 1</p> <p><input type="checkbox"/> Amendment to Report No. _____<br/>(explain below)</p> <p>No. of Pages: 1</p> | <p>Date Stamp</p> | <p><b>CALIFORNIA FORM 497</b></p> <p>For Official Use Only</p> |
|---|---|-------------------|--|

**1 Contribution(s) Received**

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR<br>(IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE *  | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER<br>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED   |
|---------------|---|---|---|---|
| 10/30/XX      | Loretta Stone<br>28 Hemlock Street<br>Oakmont, CA 95434   | <input checked="" type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC | Nurse - Oakmont Hospital  | <b>\$2,000</b><br><input type="checkbox"/> Check if Loan<br>_____%<br>Provide interest rate |
| 10/30/XX      | ABC Company<br>220 R Street<br>Oakmont, CA 95434  | <input type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input checked="" type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC |   | <b>\$3,000</b><br><input type="checkbox"/> Check if Loan<br>_____%<br>Provide interest rate |

## 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.
- 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, his or her 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, she loans her 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), she transfers campaign funds totaling \$1,000 or more from a campaign committee established for a prior office to the campaign committee established for the office she is 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 10.3** - 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 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 his or her own election, or to oppose his or her opponent, are direct campaign expenditures, not contributions or independent expenditures.

If a candidate pays for a communication supporting his or her 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.

## 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 10.4** - 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.

**Ex 10.5** - 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.

## 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.

| Jurisdiction of Candidate or Measure Supported/ Opposed |  |
|---|--|
| Statewide   | Secretary of State – Electronically only |
| Senate or Assembly District                             | Secretary of State – Electronically only |

**Ex 10.6** - 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.

**Ex 10.7** - 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<br>Friends Supporting Alvarez for Mayor 20XX<br>AREA CODE/PHONE NUMBER<br>707-111-2222<br>STREET ADDRESS<br>10 Main Street<br>CITY STATE ZIP CODE<br>Oakmont CA 95443 | <b>B</b> Date of This Filing<br>11/1/20XX<br>Report No. 2<br><input type="checkbox"/> Amendment to Report No. _____<br>(explain below)<br>No. of Pages _____ | Date Stamp | <b>CALIFORNIA FORM 496</b><br>For Official Use Only |
|--|--|------------|---|

|  |  |
|--|--|
| <b>1</b> List Only One Candidate or Ballot Measure<br>NAME OF CANDIDATE SUPPORTED OR OPPOSED<br>Manuel Alvarez<br>OFFICE SOUGHT OR HELD DISTRICT NO. SUPPORT OPPOSE<br>Mayor _____ X _____ | NAME OF BALLOT MEASURE SUPPORTED OR OPPOSED<br>_____<br>BALLOT NO./LETTER JURISDICTION SUPPORT OPPOSE<br>_____ _____ _____ |
|--|--|

| 2 Independent Expenditures Made <i>Attach additional information on appropriately labeled continuation sheets.</i> |  |         |
|--|--|---------|
| DATE   | DESCRIPTION OF EXPENDITURE                             | AMOUNT  |
| 10/31/20XX   | Newspaper Advertisement<br>(cumulative total: \$6,000) | \$2,000 |

| 3 Contributions of \$100 or More Received* |  |   |  |                 |   |
|--|--|---|--|-----------------|---|
| DATE RECEIVED                              | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR<br><small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small> | CONTRIBUTOR CODE **   | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER<br><small>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</small> | AMOUNT RECEIVED | INTEREST RATES                                    |
| 10/28/20XX                                 | Joe Brown<br>1800 Second Street<br>Oakmont, CA 95443   | <input checked="" type="checkbox"/> IND<br><input type="checkbox"/> COM<br><input type="checkbox"/> OTH<br><input type="checkbox"/> PTY<br><input type="checkbox"/> SCC | Retired  | \$200           | If loan,<br>enter interest rate, if any<br>_____% |

|                 |  |
|-----------------|--|
| CalPERS/CalSTRS | Secretary of State – Electronically only<br><br>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.<br><br>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.

### **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, his or her occupation and the name of his

#### Quick Tip

Generally, the "cumulative amount" means the amount of independent expenditures made in the current calendar year.



or her 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).

### 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.

### 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 10.8** - 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.

**Ex 10.9** - 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.

**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

**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). The originally signed form must be maintained with the committee's campaign records for four years.

## 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.

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).

| Period Covered              | Filing Deadline |
|-----------------------------|-----------------|
| 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 his or her appearance in a ballot measure advertisement in the following situations:

**Ex 10.13** - 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.

**Ex 10.14** - 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 his or her appearance in an advertisement to support or oppose the qualification, passage, or defeat of a state or local ballot measure.

**Payments of Any Amount:** The committee makes expenditures of any amount to an individual for his or her 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.).

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.

**Ex 10.15** - 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.

#### 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.

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.  |
| 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

- 18421.1 Disclosure of the Making and Receipt of Contributions.
- 18425 24-Hour Contribution Reports.
- 18428 Reporting of Contributions and Independent Expenditures Required to be Aggregated.
- 18450.11 Spokesperson Disclosure.
- 18465.1 Verification of Online Filers.
- 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 he or she was 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 his or her 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 his or her 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, he or she 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 in his or her community (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 donations made to a charity or a government agency at the request of an elected officer for a legislative, governmental or charitable purpose. These payments are not made 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.
- 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 11.1** - 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 payment is made in response to a fundraising solicitation from a charitable organization requesting a payment where the solicitation does not “feature an elected officer,” even if the solicitation includes an elected officer’s name. A solicitation “features an elected officer” when it includes the officer’s photograph or signature, or singles out the elected officer. 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 18215.3 for additional information.
- 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.

# Behested Payment Report

# A Public Document

Behested Payment Report

|   |  |   |   |
|---|--|---|---|
| <b>1. Elected Officer or CPUC Member</b> <i>(Last name, First name)</i><br>Alvarez Manuel   |  | Date Stamp  | <b>California Form 803</b><br>For Official Use Only |
| <b>Agency Name</b><br>City of Oakmont   |  |   |   |
| <b>Agency Street Address</b><br>225 Presley Street, Oakmont, CA 95443                       |  |   |   |
| <b>Designated Contact Person</b> <i>(Name and title, if different)</i><br>Madeline Richards |  | <input type="checkbox"/> <b>Amendment</b> <i>(See Part 5)</i>               |   |
| <b>Area Code/Phone Number</b><br>707-555-6868   | <b>E-mail</b> <i>(Optional)</i><br>mrichards@oakmontmail.com | <b>Date of Original Filing:</b> <u>6/30/XX</u><br><i>(month, day, year)</i> |   |

## 2. Payor Information

*(For additional payors, include an attachment with the names and addresses.)*

Wildwood Insurance Company  
Name

|                  |         |       |          |
|------------------|---------|-------|----------|
| 1022 Main Street | Oakmont | CA    | 95443    |
| Address          | City    | State | Zip Code |

## 3. Payee Information

*(For additional payees, include an attachment with the names and addresses.)*

Boys and Girls Club of California  
Name

|                 |            |       |          |
|-----------------|------------|-------|----------|
| 555 10th Street | Sacramento | CA    | 95814    |
| Address         | City       | State | Zip Code |

## 4. Payment Information

*(Complete all information.)*

**Date of Payment:** 6/24/XX **Amount of Payment:** *(In-Kind FMV)* \$ 5,000  
*(month, day, year)* *(Round to whole dollars.)*

**Payment Type:**  Monetary Donation **or**  In-Kind Goods or Services *(Provide description below.)*

**Brief Description of In-Kind Payment:** \_\_\_\_\_

**Purpose:** *(Check one and provide description below.)*  Legislative  Governmental  Charitable

**Describe the legislative, governmental, charitable purpose, or event:** Charitable fundraiser to support the Boys and Girls Club.

## 5. Amendment Description and/or Comments

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 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/XX  
DATE

By [Signature Required]  
SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

## 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 he or she currently holds) 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.



## 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.

### 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 may redesignate his or her 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.

### 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:

**Ex 11.2** - John Davis lost the city council election in November. John has \$3,500 remaining in his 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 his 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.

- 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.

## 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.

## E. Terminating the Committee

There is no deadline for terminating a committee controlled by a local candidate or officeholder 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.

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

**Ex 11.3** - Jayna Chacon is a city council member who plans to run for county supervisor in the next election. She would like to use the remaining funds in her city council committee bank account for the county election. Jayna must file a new Form 501 before she solicits or receives contributions for the county supervisor election. She 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.

**Ex 11.4** - 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.

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.

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.

**Ex 11.5** - At the end of November, after winning her election, Arlene decides to terminate her committee. To do so, she 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, she 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.

## 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 11.6** - A candidate was defeated in a November election and closed her campaign committee in December. In February of the following year, she received a \$1,500 refund from the county elections office for an overpayment of her 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, she 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 his or her 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.

## 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.  |
| 18215.3  | Behested Payments Reporting.   |
| 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. |
| 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 five divisions: Executive, Administration and Technology, Enforcement, Legal, and External Affairs and Education.

## 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 3000  
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

### **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

### **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  
Email: 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 3000  
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.



# Limitations and Restrictions on Gifts, Honoraria, Travel and Loans

## *A Fact Sheet For*

- ♦ Local Elected Officers and Candidates for Local Elective Offices
- ♦ Local Officials Specified in Government Code Section 87200
- ♦ Judicial Candidates
- ♦ Designated Employees of Local Government Agencies

## California Fair Political Practices Commission

Toll-free advice line: 1 (866) ASK-FPPC

Email advice: [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)

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

February 2019

# Introduction

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The Political Reform Act<sup>1</sup> (the “Act”) imposes limits on gifts, prohibits honoraria payments, and imposes limits and other restrictions on the receipt of travel payments received by:

- Local elected officers and other local officials specified in Government Code Section 87200,<sup>2</sup> excluding judges;<sup>3</sup>
- Designated employees of local government agencies (i.e., individuals required to file statements of economic interests under a local agency’s conflict of interest code); and
- Candidates<sup>4</sup> for any of these offices or positions and judicial candidates. (Sections 89502 and 89503.)

The Act also imposes limits and other restrictions on personal loans received by certain local officials.

This fact sheet summarizes the major provisions of the Act concerning gifts, honoraria, travel, and loans. It contains highlights of the law, but does not carry the weight of law. For more information, contact the Fair Political Practices Commission at (866) 275-3772 or [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov). Commission advice letters are available on our website. Public officials may also be subject to local restrictions on gifts, honoraria, or travel.

## Enforcement

**Failure to comply with the laws related to gifts, honoraria, loans, and travel payments may, depending on the violation, result in criminal prosecution and substantial fines, or in administrative or civil monetary penalties for as much as \$5,000 per violation or three times the amount illegally obtained. (See Sections 83116, 89520, 89521, 91000, 91004 and 91005.5.)**

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

<sup>2</sup> Local officials specified in Government Code Section 87200 include: members of boards of supervisors and city councils, mayors, city/county planning commissioners, city/county chief administrative officers, city/county treasurers, district attorneys, county counsels, city managers, city attorneys, court commissioners and public officials who manage public investments.

<sup>3</sup> The gift limits and honoraria ban in the Political Reform Act do not apply to a person in his or her capacity as judge. However, candidates for judicial offices are subject to the restrictions contained in the Political Reform Act. (Sections 89502 and 89503.)

<sup>4</sup> For purposes of the gift limit and honoraria prohibition, an individual becomes a “candidate” when he or she files a statement of organization (Form 410) as a controlled committee for the purpose of seeking elective office, a candidate intention statement (Form 501), or a declaration of candidacy, whichever occurs first. If an individual is an unsuccessful candidate, he or she will no longer be subject to the gift limit and honoraria prohibition when he or she has terminated his or her campaign filing obligations, or after certification of election results, whichever is earlier. (Sections 89502(b) and 89503(b).)

# Gifts

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## Limitations

Local elected officers, candidates for local elective office, local officials specified in Government Code Section 87200, and judicial candidates, may not accept gifts from any single source totaling more than \$500 in a calendar year. (Section 89503.)<sup>5</sup>

Employees of a local government agency who are designated in the agency's conflict of interest code may not accept gifts from any single source totaling more than \$500 in a calendar year if the employee is required to report receiving income or gifts from that source on his or her statement of economic interests (Form 700). (Section 89503(c).)

## What is a "Gift"?

A "gift" is any payment or other benefit that confers a *personal* benefit for which a public official does not provide payment or services of equal or greater value. A gift includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public. (Section 82028.) (See Regulation 18946 for valuation guidelines.)

Except as discussed below, a public official has "received" or "accepted" a gift when he or she has actual possession of the gift or when he or she takes any action exercising direction or control over the gift, including discarding the gift or turning it over to another person. This includes gifts that are accepted by someone else on the official's behalf and gifts made to others at the direction of the official. (Regulation 18941.)

## Gifts to Family Members

Under certain circumstances, a gift to an official's family member\* is considered a gift to the official. (Regulation 18943.) Anything given to a family member is presumed to be a gift to the official if: (1) there is no established relationship between the donor and the family member where it would generally be considered appropriate for the family member to receive the gift or; (2) the donor is someone who lobbies the official's agency, is involved in an action before the official's agency in which the official may foreseeably participate, or engages in business with the agency in which the official will foreseeably participate. (Wedding gifts are treated differently, see below.)

\*For purposes of this rule, an official's "family member" includes the official's spouse; registered domestic partner; any minor child of the official who the official can claim as a dependent for federal tax purposes; and a child of the official who is aged 18 to 23 years old, attends school, resides with the official when not attending school, and provides less than one-half of his or her own support.

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<sup>5</sup> The gift limit is adjusted biennially to reflect changes in the Consumer Price Index. For 2019-2020, the gift limit is \$500. (Section 89503; Regulation 18940.2.) Gifts from a single source aggregating to \$50 or more must be disclosed, and gifts aggregating to \$500 or more during any 12-month period may subject an official to disqualification with respect to the source. (Section 87103(e).) Designated employees should obtain a copy of their conflict of interest code from their agency. Some conflict of interest codes require very limited disclosure of income and gifts. Gifts from sources that are not required to be disclosed on the Form 700 are not subject to the \$500 gift limit but still may subject the public official to disqualification.



## Source of Gift

Under most circumstances, it is clear who the source of a gift is, but if the circumstances indicate that the gift is being provided by an intermediary, the public official must determine both the donor and the intermediary in reporting the gift. Regulation 18945 provides the rules for determining the source of the gift.

## Gifts from Multiple Sources

In determining the cumulative value of any reportable gifts, separate gifts from an individual and an entity that the individual controls must be aggregated as one source to comply with the reporting and limit requirements. For example, separate gifts from the owner of a company and from the company itself would be treated as if from one source if the owner has more than a 50 percent interest in the company, unless the making of the gift was determined by someone else in the company. In that case, the gift from the company would be aggregated with any gifts made by that determining individual. (Regulation 18945.1.)

Group gifts, where a public official receives a single gift from multiple donors (such as a retirement gift from coworkers), need not be reported unless any person contributes \$50 or more to the total cost of the gift. In that case, the public official would only report a gift from each of those persons. (Regulation 18945.2.)

## Valuing Gifts

The general rule for determining the value of a gift is to apply the fair market value at the time the gift is received. Fair market value can be determined by finding any local or Internet advertisement for the item. Special exceptions to the fair market value rule are contained in Regulations 18946.1 through 18946.5 covering admission to ticketed and invitation-only events, wedding gifts, attendance at nonprofit and political fundraisers, and air travel. (Regulation 18946.) For example, for ticketed events, the value is the face value of the ticket.

## General Gift Exceptions

| Form 700 Reporting | C/I § 87100 | Honoraria Ban | \$500 Gift Limit |
|--------------------|-------------|---------------|------------------|
| No                 | No          | No            | No               |

The following payments are exceptions to the definition of gift and are not considered gifts or income.

- 1. Return or Reimbursement of Gift.** Items that are returned (unused) to the donor, or for which the public official reimburse the donor, within 30 days of receipt. (Section 82028(b)(2); Regulation 18941.)
- 2. Donation of Gift to Nonprofit Group.** Items that are donated (unused) to a non-profit, tax-exempt (501(c)(3)) organization in which the official (or immediate family member) does not hold a position, or to a government agency, within 30 days of receipt without claiming a deduction for tax purposes. (Section 82028(b)(2); Regulation 18941.)
- 3. Gifts from Family.** Gifts from the public official's spouse (or former spouse), child, parent, grandparent, grandchild, brother, sister, current or former parent-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin or the spouse of any such person, unless he or she is acting as an agent or intermediary for another person who is the true source of the gift. (Section 82028(b)(3); Regulation 18942(a)(3).) This exception includes great grandparents, great uncles and aunts, great nieces and nephews, and first cousins once removed.
- 4. Informational Material.** Informational material provided to assist the public official in the performance of his or her official duties, including books, reports, pamphlets, calendars, periodicals, videotapes, or free admission or discounts to informational conferences or seminars.

“Informational material” may also include scale models, pictorial representations, maps, and other such items. However, if the item’s fair market value is more than \$-500, the public official has the burden of demonstrating that the item is informational. In addition, on-site demonstrations, tours, or inspections, including air flights over an area that is the subject of the information and designed specifically for public officials, are considered informational material. However, this exception does not apply to meals or lodging. Furthermore, the exception generally does not apply to transportation to the site, except for any portion of the transportation that is not commercially available. (Section 82028(b)(1); Regulations 18942(a)(1) and 18942.1.)

5. **Inheritance.** A devise or inheritance. (Section 82028(b)(5); Regulation 18942(a)(5).)

6. **Campaign Contributions.** Campaign contributions to an official, including rebates or discounts received in connection with campaign activities (Section 82028(b)(4); Regulations 18942(a)(4), 18950(a) and 18950.3(a)) and permissible expenditures of campaign funds for campaign-related expenses, including payments for transportation, lodging or food (Regulations 18950(a) and 18950.3(b)), provided they comply and are properly reported in accordance with applicable campaign finance laws.

7. **Plaques.** Personalized plaques and trophies with an individual value of less than \$250. (Section 82028(b)(6); Regulation 18942(a)(6).)

8. **Ceremonial Role.** Free admission to a ticketed event (including any benefits included in the price of the ticket such as a free meal) for the official and one guest at an event where the official performs a ceremonial role, such as throwing out the first pitch at a Dodgers’ game, so long as the official’s agency complies with the posting provisions set forth in Regulation 18944.1(d). (Regulation 18942(a)(13); Regulation 18942.3; also see discussion of Form 802 below under “Gifts Exceptions Requiring Alternate Reporting.”)

9. **Event Where Official Makes a Speech.** Free admission, and 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. (Regulation 18942(a)(11).)

10. **Attending Wedding Reception.** Benefits received as a guest attending a wedding reception where the benefits are the same as those received by the other guests at the reception. (Regulation 18942(a)(15).)

11. **Bereavement Offerings.** Bereavement offerings, such as flowers at a funeral received in memory of a close family member. (Regulation 18942(a)(16).)

12. **Acts of Neighborliness.** Benefits received as an act of neighborliness such as the loan of an item, an occasional ride, or help with a repair where the act is consistent with polite behavior in a civilized society and would not normally be part of an economic transaction between like participants under similar circumstances. (Regulation 18942(a)(17).)

13. **Campaign or Nonprofit Fundraiser.** Two tickets for admission, for use by only the official and one guest, 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(s) must be received from the organization or committee holding the fundraiser. (Regulation 18946.4.)

14. **Unused Passes or Tickets.** Passes or tickets that provide admission or access to facilities, goods, services, or other benefits (either on a one-time or repeated basis) that the public official does not use and do not give to another person. (Regulation 18946.1.)

15. **Items Provided to Government Agency.** Subject to certain conditions, items provided to a government agency and used by public officials in the agency for agency business. This may include

passes or tickets to (see Regulation 18944.1) or payments for other types of items or activities (see Regulation 18944). An agency must disclose specified payments on a form provided by the FPPC and post the form on its website. (See discussion of Forms 801 and 802 below under “Gift Exceptions Requiring Alternate Reporting.”) Contact the FPPC for detailed information.

**16. Emergency Leave Credits.** Leave credits (e.g., sick leave or vacation credits) received under a bona fide catastrophic or emergency leave program established by the public official’s employer and available to all employees in the same job classification or position. Donations of cash are gifts and are subject to limits and disclosure. (Regulation 18942(a)(9).)

**17. Disaster Relief.** Food, shelter, or similar assistance received in connection with a disaster relief program. The benefits must be received from a governmental agency or charity and must be available to the general public. (Regulation 18942(a)(10).)

**18. Agency Raffle.** Items awarded in an agency raffle received by the agency from an employee who is not acting as an intermediary for another donor. This exception applies when an agency holds an employee raffle and the item awarded in the raffle has been obtained with agency funds, or is otherwise an asset of the agency and not donated to the agency by a non-agency source. This exception does not apply to passes or tickets of the type described in Regulation 18944.1. (Regulation 18944.2(a) and (b).)

**19. Employee Gift Exchange.** Items received by an employee during an employee gift exchange, so long as the items received are provided by another employee of the agency and the gifts are not substantially disproportionate in value. (Regulation 18944.2(c).)

**Limited Gift Exceptions**

| Form 700 Reporting | C/I § 87100 | Honoraria Ban | \$500 Gift Limit |
|--------------------|-------------|---------------|------------------|
| No                 | No          | No            | No               |

**1. Home Hospitality.** Gifts of hospitality including food, drink or occasional lodging that an official receives in an individual’s home when the individual or a member of his or her family is present. (Regulation 18942(a)(7).) For this exception to apply, the official must have a relationship, connection or association with the individual providing the in-home hospitality that is unrelated to the official’s position and the hospitality must be provided as part of that relationship. Generally, this means functions like children’s birthday parties, soccer team parties, neighborhood barbeques, etc., where other guests attend who are not part of the lobbying process. (Regulation 18942.2.)

**2. Reciprocal Holiday Gifts.** Gifts commonly exchanged between an official and another individual on holidays, birthdays, or similar occasions to the extent that the gifts exchanged are not substantially disproportionate in value. (Regulation 18942(a)(8)(A).)

**3. Reciprocal Exchanges.** Reciprocal exchanges between an official and another individual that occur on an ongoing basis so long as the total value of payments received by the official within the calendar year is not substantially disproportionate to the amount paid by the official and no single payment is \$500 or more. For example, if two people get together regularly for lunches and rotate picking up the lunch tab so that each pays approximately half the total value over the course of the calendar year, no gift need be reported. (Regulation 18942(a)(8)(B).)

**4. Dating Relationship.** Personal benefits commonly received from a dating partner. These gifts are not disclosable or limited but are subject to disqualification under the conflict of interest laws if the dating partner has certain business before the official as set forth in Regulation 18942(a)(18)(D). (Regulation 18942(a)(18)(A).)

**5. Acts of Human Compassion.** Assistance, financial or otherwise, to offset family medical or living expenses that the official can no longer meet without private assistance because of an accident, illness, employment loss, death in the family, or other unexpected calamity; or to defray expenses associated with humanitarian efforts such as the adoption of an orphaned child, so long as the source of the donation is an individual who has a prior social relationship with the official of the type where it would be common to provide such assistance, or the payment is made without regard to official status under other circumstances in which it would be common to receive community outreach. (Regulation 18942(a)(18)(B).) This exception does not apply if the person providing the benefit to the official is an individual who otherwise has business before the official as set forth in Regulation 18942(a)(18)(D).

**6. Long-Time Friend.** Benefits received from a long-time personal friend where the gift is unrelated to the official's duties. The exception does not apply if the individual providing the benefit to the official is involved in some manner with business before the official. (Regulation 18942(a)(18)(C).) This exception does not apply if the person providing the benefit to the official is an individual who otherwise has business before the official as set forth in Regulation 18942(a)(18)(D).

**7. Existing Personal Relationship.** Benefits received from an individual 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 that the official makes or participates in the type of governmental decisions that may have a reasonably foreseeable material financial effect on the individual who would otherwise be the source of the gift. (Regulation 18942(a)(19).)

**Very Limited Gift Exception**

| Reporting             | C/I § 87100 | Honoraria Ban | \$500 Gift Limit |
|-----------------------|-------------|---------------|------------------|
| Yes - ½ value as gift | Yes         | No            | No               |

**Wedding Gifts.** Wedding gifts are not subject to the \$500 gift limit. However, wedding gifts are reportable, but for purposes of valuing wedding gifts, one-half of the value of each gift is attributable to each spouse. (Regulation 18946.3.)

**Gift Exceptions Requiring Alternate Reporting**

| Form 700 Reporting | C/I § 87100 | Honoraria Ban | \$500 Gift Limit |
|--------------------|-------------|---------------|------------------|
| Yes - As Income    | Yes         | No            | No               |

**Prize or Award.** A prize or award received in a bona fide contest or competition, or game of chance. **Note: Unlike the other exceptions, payments that fall into this exception must be reported as income if valued at \$500 or more.** To qualify for this exception the contest or competition must be unrelated to the official's duties. (Regulation 18942(a)(14).)

**Agency Reports**

| Reporting           | C/I § 87100 | Honoraria Ban | \$500 Gift Limit |
|---------------------|-------------|---------------|------------------|
| Yes - On 801 or 802 | No          | No            | No               |

The following exceptions are also applicable to payments made to a government agency that are used by officials in the agency under certain conditions to conduct agency business. These types of payments are not treated as gifts or income to the officials who use them, so long as the payments meet certain conditions and they are reported by the officials' agency. These reports must appear on either a Form 801 or Form 802, instead of the official reporting the items on a statement of economic interests (Form 700).

**Form 801 – Payment to Agency Report:** This form covers gifts or donations made to an agency and used by one or more officials in the agency for agency business. This may include travel payments, reimbursements, or other uses by an official, but does not cover tickets or passes providing admission to an entertainment or sporting event, which are reported on the Form 802 (discussed below). If the payment meets the requirements of Regulations 18944 or 18950.1, the agency must report it on a Form 801 and the item is not reported on the individual’s statement of economic interests (Form 700). (Regulations 18944 and 18950.1.)

**Form 802 – Agency Report of Ceremonial Role Events and Ticket/Pass Distributions:** This form covers gifts or donations made to an agency that provide tickets or passes to an agency official for admission to an entertainment or sporting event. For the ticket or pass to be exempt from reporting on the individual’s statement of economic interests (Form 700), the agency must have a written policy stating the public purpose for distribution of the tickets. The ticket or pass cannot be earmarked by the original source for use by a particular agency official and the agency must determine, in its sole discretion, which official may use the ticket or pass. (Regulation 18944.1.) The Form 802 is also used to report tickets provided for officials who perform a ceremonial role on behalf of the agency.

**Behested Payments Reports**

| Reporting                          | C/I § 87100 | Honoraria Ban | \$500 Gift Limit |
|------------------------------------|-------------|---------------|------------------|
| Yes - Form 803<br>Behested Payment | No          | No            | No               |

**Behested Payments.** Generally, payments made at the behest of an official that do not confer a personal benefit on an official such as those made by a third party to co-sponsor an event, or that are principally legislative, governmental or charitable in nature, are not gifts. However, when a local elected officer is making the behest, in some cases these payments may be considered “behested payments” under Section 82015(b)(2)(B)(iii) and (b)(3) and require disclosure by that elected officer.

**Form 803 – Behested Payment Report**

- Behested payments are payments made principally for legislative, governmental, or charitable purposes. These payments are not for personal or campaign purposes. For example, a local elected official may ask a third party to contribute funds to a school in her district, or to a job fair or health fair.
- Generally, a donation will be “made at the behest” if it is requested, solicited, or suggested by the elected officer or member of the Public Utilities Commission, or otherwise made to a person in cooperation, consultation, coordination with, or at the consent of, the elected officer or PUC member. This includes payments behested on behalf of the official by his or her agent or employee.
- A behested payment does not include payments to an official from a local, state, or federal government agency for use by the official to conduct agency business. For example, free parking provided by a governmental entity to an official for agency business is not a behested payment and is not subject to reporting.
- Behested payments totaling \$5,000 or more from a single source in a calendar year must be disclosed by the official on a Form 803, which is filed with the official’s agency within 30 days of the date of the payment(s). (Section 82015; Regulation 18215.3.)

# Honoraria

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## What is an “Honorarium”?

An “honorarium” is any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. An honorarium includes gift cards or any gift of more than nominal benefit provided in connection with an activity described above. An honorarium does not include items of nominal value such as a pen, pencil, note pad, or similar item. (Section 89501; Regulation 18932.4(e).)

A “speech given” means a public address, oration, or other form of oral presentation, including participation in a panel, seminar, or debate. (Regulation 18931.1.)

An “article published” means a nonfictional written work: 1) that is produced in connection with any activity other than the practice of a bona fide business, trade, or profession; and 2) that is published in a periodical, journal, newspaper, newsletter, magazine, pamphlet, or similar publication. (Regulation 18931.2.)

“Attendance” means being present during, making an appearance at, or serving as host or master of ceremonies for any public or private conference, convention, meeting, social event, meal, or like gathering. (Regulation 18931.3.)

The Act and Commission regulations provide certain exceptions to the prohibition on honoraria. (Section 89501(b); Regulations 18932 –18933.).

## The Prohibition

Local officials specified in Section 87200 (see page 2) are prohibited from receiving any honoraria payments. Officials and employees of local agencies who file statements of economic interests (Form 700) under the agency’s conflict of interest code (“designated employees”) may not receive honoraria payments from any source if the employee would be required to report income or gifts from that source on the Form 700, as outlined in the “disclosure category” portion of the conflict of interest code. (Section 89502.)

## Honoraria Exceptions that also apply to gifts and income

1. **Returned.** An honorarium that the public official returns (unused) to the donor or the donor’s agent or intermediary within 30 days. (Section 89501(b); Regulation 18933.)
2. **Donated to General Fund.** An honorarium that is delivered to the official’s local agency within 30 days for donation to the agency’s general fund and for which the public official does not claim a deduction for income tax purposes. (Section 89501(b); Regulation 18933.)
3. **Made to Nonprofit Organization.** A payment that is not delivered to the public official but is made directly to a bona fide charitable, educational, civic, religious, or similar tax-exempt, non-profit organization. However:
  - The official may not make the donation a condition for his or her speech, article, or attendance;
  - The official may not claim the donation as a deduction for income tax purposes;
  - The official may not be identified to the non-profit organization in connection with the donation; and
  - The donation may have no reasonably foreseeable financial effect on the public official or on any member of his or her immediate family. (Regulation 18932.5.)

**4. Payment from Family Member.** A payment received from the public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person. However, a payment that would be considered an honorarium is prohibited if one of these persons is acting as an agent or intermediary for someone else. (Regulation 18932.4(b).)

**5. Payment for Performance or Book.** Payments received for a comedic, dramatic, musical, or other similar artistic performance, and payments received for the publication of books, plays, or screenplays. (Regulations 18931.1 and 18931.2.)

**6. Reimbursement for Travel Where Official Provides Consideration.** Reimbursements for reasonable travel expenses provided to the public official by a bona fide non-profit, tax-exempt (501(c)(3)) entity for which the public official provides equal or greater consideration. The payment would also be exempt from the definition of income under Section 82030(b)(2). (See discussion under "Travel Payments" below.)

**Honoraria Exceptions where the payment may still be considered income (or a gift, if consideration of equal or greater value is not provided by the official)**

**1. Admission to Event Where Official Gives Speech.** Free admission, and refreshments and similar non-cash nominal benefits, provided to an official during the entire event at which he or she gives a speech, participates in a panel or provides a similar service, and in-California transportation and necessary lodging and subsistence provided directly in connection with the speech, panel or service, including meals and beverages on the day of the activity. (Regulation 18932.4(e).)

**2. Earned Income from a Business.** Income earned and payments for travel made in connection with personal services rendered by the official if the services are provided in connection with a bona fide business, trade, or profession — such as teaching, practicing law, medicine, insurance, real estate, banking, or building contracting — and the services are customarily provided in connection with the business, trade, or profession. (Section 89506(d)(3) and Regulations 18950(a) and 18950.2.)

This exception does not apply if the sole or predominant activity of the business, trade, or profession is making speeches. In addition, the public official must meet certain criteria to establish that he or she is conducting or in a bona fide business, trade, or profession (such as maintenance of business records, licensure, proof of teaching position) before a payment received for personal services which may meet the definition of honorarium would be considered earned income and not an honorarium. (Section 89501(b); Regulations 18932 –18932.3.) Earned income is required to be reported. Contact the FPPC for detailed information.

**3. Travel from a Government Agency.** Travel payments provided to the public official by his or her government agency or by any state, local, or federal government agency which would be considered income and not a gift. (Section 89506(d)(2).) See discussion under "Travel Payments" below.

# Travel Payments Exceptions

Generally, when an official receives a payment (including reimbursement) for his or her travel, that payment is a reportable gift or income under the Act. The term “travel payment” includes payments, advances, or reimbursements for travel, including actual transportation, parking and related lodging and subsistence. (Section 89506(a).)

If the payment is a gift, it is also normally subject to the Act’s \$500 gift limit. If the payment is income, it may, in some cases, be an honorarium. Whether a payment is a gift or income, the official may be required to disqualify him or herself from any decision that will have a foreseeable materially financial effect on the source.

## Certain Travel Payments are not a Gift, Income or Honorarium

| Reporting | C/I § 87100 | Honoraria Ban | \$500 Gift Limit |
|-----------|-------------|---------------|------------------|
| No        | No          | No            | No               |

The following travel payments are not a gift, income or honorarium under the Act and Commission regulations and are thus not reportable, potentially disqualifying, or subject to any of the Act’s gift limits or the honorarium ban.

- 1. Travel from a Non-Reportable Source.** A payment for travel from a source that is not reportable on the official’s statement of economic interests (Form 700) based on the provisions of the conflict of interest code of the official’s agency.
- 2. Travel from Government Agency for Training.** 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. (Regulation 18950(a) and (c)(2).)
- 3. Sharing a Ride with Another Official.** A payment for travel provided to the official in a vehicle or aircraft owned by another official or agency when each official is traveling to or from the same location for an event as a representative of their respective offices. (Regulation 18950(a) and (c)(3).)
- 4. Certain Travel from a Government Agency or 501(c)(3).** Travel payments provided to the official by any state, local, or federal government agency as part of the official’s employment with that agency or provided to the official by a bona fide non-profit, tax-exempt (501(c)(3)) entity for which the official provides equal or greater consideration. (Section 82030(b)(2).) Any person who claims to have provided consideration has the burden of proving that the consideration received is of equal or greater value.
- 5. Travel for Official Agency Business.** Certain payments made to an agency to cover the travel expenses of an employee who travels in the course of carrying out agency business are not gifts to the official because these payments do not provide a “personal benefit” to the official. For this exception to apply, the agency must report the payment on a Form 801 and the amount and purpose for using the payments are restricted by the provisions set forth in Regulation 18950.1.
- 6. Campaign Contribution.** A payment for travel that constitutes a campaign contribution to an official (Sections 82015, 82028(b)(4); Regulations 18215, 18942(a)(4), 18950(a) and 18950.3(a)), and permissible expenditures of campaign funds for campaign-related travel (Regulations 18950(a) and 18950.3(b)), provided they comply and are properly reported in accordance with applicable campaign finance laws.



**7. Travel Payments Fulfilling Terms of Contract.** Payments made to a governmental entity for travel expenses that are required to fulfill the terms of a contract. Neither the governmental entity nor the public official has a reporting obligation because consideration has been provided. (Section 82028; *Ratto* Advice Letter, No. I-14-057.)

**Certain Travel Payments are Reportable and may Subject the Official to Possible Conflicts of Interest, but are not Subject to the \$500 Gift Limit or Honoraria Ban of the Act.**

| Reporting | C/I § 87100 | Honoraria Ban | \$500 Gift Limit |
|-----------|-------------|---------------|------------------|
| Yes       | Yes         | No            | No               |

**Travel for a Public Purpose Under Section 89506(a).** Any payments for actual transportation expenses and related lodging and subsistence that are made for a purpose reasonably related to: (1) A legislative or governmental purpose, or (2) An issue of state, national, or international policy so long as the travel is either

(a) *Travel for Speech.* In connection with a speech given by the official and the lodging and subsistence expenses are limited to the day immediately proceeding, the day of, and the day immediately following the speech and the travel is within the United States, or

(b) *Travel paid for by government agency or 501(c)(3) organization.* Provided by a government agency or authority, (including a foreign government), a bona fide public or private educational institution as defined in Section 203 of the Revenue and Taxation Code, or a nonprofit organization that qualifies under Section 501(c)(3) of the Internal Revenue Code or a foreign organization that substantially satisfies the criteria of that section.

These payments are still reportable on the Form 700 and may create a conflict of interest issue for the official.

**Payments for Travel in Connection with a Business**

| Reporting       | C/I § 87100 | Honoraria Ban | \$500 Gift Limit |
|-----------------|-------------|---------------|------------------|
| Yes - as Income | Yes         | No            | No               |

Payments for travel made in connection with personal services rendered by the official if the services are provided in connection with a bona fide business, trade, or profession — such as teaching, practicing law, medicine, insurance, real estate, banking, or building contracting — and the services are customarily provided in connection with the business, trade, or profession. (Section 89506(d)(3) and Regulations 18950(a) and 18950.2.)

# Loans

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Personal loans received by certain local officials are subject to limits and other restrictions, and in some circumstances, a personal loan that is not being repaid or is being repaid below certain amounts may become a gift to the official who received it.

## Limitations on Loans from Agency Officials, Consultants, and Contractors

**Officials Must Not Receive Loans from Agency Staff.** If the public official is a local elected officer or an official specified in Section 87200 (see page 2), he or she may not receive a personal loan that exceeds \$250 at any given time from an officer, employee, member, or consultant of his or her government agency or an agency over which his or her agency exercises direction and control. (Section 87460(a) and (b).)

**Officials Must Not Receive Loans from Agency Contractors.** In addition, the public official may not receive a personal loan that exceeds \$250 at any given time from any individual or entity that has a contract with his or her government agency or an agency over which his or her agency exercises direction and control. This limitation does not apply to loans received from banks or other financial institutions, and retail or credit card transactions, made in the normal course of business on terms available to members of the public without regard to his or her official status. (Section 87460(c) and (d).)

## Loans to Elected Officials Must be in Writing

In addition to the limitations above, if the public official is elected, he or she may not receive a personal loan of \$500 or more unless the loan is made in writing and clearly states the terms of the loan. The loan document must include the names of the parties to the loan agreement, as well as the date, amount, interest rate, and term of the loan. The loan document must also include the date or dates when payments are due and the amount of the payments. (Section 87461.)

## The following loans are not subject to these limits and documentation requirements:

1. **Campaign Loans.** Loans received by an elected officer's or candidate's campaign committee.
2. **Loans from Family Members.** Loans received from the public official's spouse, child, parent, grandparent, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person unless he or she is acting as an agent or intermediary for another person not covered by this exemption.

## Loans as Gifts

Under the following circumstances, a personal loan received by **any** public official (elected and other officials specified in Section 87200, as well as any other local official or employee required to file statements of economic interests) may become a gift and subject to gift reporting and limitations:

1. If the loan has a defined date or dates for repayment and has not been repaid, the loan will become a gift when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, the loan will become a gift if it remains unpaid when one year has elapsed from the later of:
  - The date the loan was made;
  - The date the last payment of \$100 or more was made on the loan; or
  - The date upon which the public official have made payments aggregating to less than \$250 during the previous 12 months. (Section 87462.)

**The following loans will not become gifts:**

- A loan made to an elected officer's or candidate's campaign committee. This loan would, however, be a campaign contribution and must be reported accordingly.
- A loan described above on which the creditor has taken reasonable action to collect the balance due.
- A loan described above on which the creditor, based on reasonable business considerations, has not undertaken collection action. (However, except in a criminal action, the creditor has the burden of proving that the decision not to take collection action was based on reasonable business considerations.)
- A loan made to an official who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

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# **SECTION VII**

## **CODE OF FAIR CAMPAIGN PRACTICES**

## **Code of Fair Campaign Practices Code of Fair Campaign Practices- E.C.§20400 et. seq.**

The Code of Fair Campaign Practices is a voluntary form. If you wish to subscribe to it, fill out the form (download a copy – Attachment A and submit it) include it and file it with your nomination documents. The basis of this pledge is an acknowledgement by the candidate to uphold the basic principles of decency, honesty, and fairness in the conduct of an election campaign. If the candidate signs and submits the Code, the candidate is pledging that he or she will follow the rules of conduct as outlined in the Code. The rules of conduct include, but are not limited to: conducting an open and public campaign; not defaming the character of any candidate; not using dishonest or unethical practices; not coercing contributions from employees; upholding the electoral process; identifying candidate and/or committee as sender of campaign advertising; and providing to the candidate's opponent and the City Clerk any campaign advertising or communication, which names directly or refers to an opponent eight (8) days prior to dissemination of the advertising or communication.

All Code of Fair Campaign Practices forms filed by candidates will be available for public inspection at the City Clerk's office until 30 days after the election.

### **Timing for Filing the Code**

The Code is filled with, and at the same time, as nomination documents. Any candidate who does not sign and submit the document with the filing of the nomination documents shall be deemed to have refused to sign the Code. Code of Fair Campaign Practices see enclosed the Code of Fair Campaign Practices, Division 20, Chapter 5, Elections Code – Attachment B.

# CODE OF FAIR CAMPAIGN PRACTICES

(Division 20, Chapter 5, Elections Code.)

## Chapter 5. Fair Campaign Practices

### Article 1. General Intent

20400. The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

### Article 2. Definitions

20420. As used in this Chapter, "Code" means the Code of Fair Campaign Practices.

### Article 3. Code of Fair Campaign Practices (summary)

20440. At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure, as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee.

The text of the Code shall read, as follows: **(See "CODE OF FAIR CAMPAIGN PRACTICES" on reverse side).**

20442. The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443. Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. In no event shall a candidate for public office be required to subscribe to or endorse the code.

## CODE OF FAIR CAMPAIGN PRACTICES

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.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date of Election



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# **SECTION VIII**

## **CANDIDATE'S STATEMENT OF QUALIFICATIONS**

## **Candidate's Statement of Qualifications E.C. §13307(a)(1) & 13308**

Candidate's Statement for Official Sample Ballot A candidate's statement contains the name, age and occupation of the candidate, and a brief description of the candidate's education and qualifications as expressed by the candidate. This statement is printed in the official sample ballot in both English and Spanish and is provided to all voters. This statement is optional.

### **Candidate's Statement Agreement**

The law permits nonpartisan candidates to file a candidate's statement to be mailed with the sample ballot. Filing of a statement is not mandatory but is permissive if the candidate desires to file and pays the appropriate fee. If a candidate's statement is not filed, a waiver to that effect on the Candidate's Statement Agreement Form must be signed and filed with the declaration of candidacy. Candidate's statements are confidential until the filing period ends, at which time they become public information. The Candidate Statement Form must be filed regardless of whether a statement is submitted.

The candidate's choice regarding whether a candidate's statement will be printed in the sample ballot must be indicated. The candidate must sign this form. (Attachment C) Cost of Statement If a candidate elects to submit a statement, the candidate must pay "in advance" for the cost of including the information in the official sample ballot. The cost is estimated to be to be determined. If the final cost is less than the estimate, the candidate will be refunded the difference, but if more than the estimate, the candidate will be requested to pay the remaining balance. The City Clerk's Office will accept cash or check made payable to the "City of Solvang". COST FOR THE CANDIDATE'S STATEMENT ARE PAID AT THE TIME THE NOMINATION PAPERS ARE FILED.

### **Content**

The statement is an opportunity for the candidate to inform the voters about his/her education and qualifications. The statement shall be prepared on a form provided by the City Clerk's Office. A paper copy must be filed with the declaration of candidacy. It should be TYPED in upper and lower case, single spaced. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organization. If the statement contains the name of an endorsee, the candidate must submit written approval from that individual to use his/her name in the statement. When a quote is used, the candidate must provide the original document in which the quote is used, the candidate must provide the original document in which the quote was printed or a handwritten statement from the person who was quoted.

In addition, the statement shall not in any way refer to other candidates for that office or to another candidate's qualifications, character, or activities. Statement authors may be held liable for any false, slanderous, or libelous statements offered for printing or contained in the voter's pamphlet. The City Clerk shall reject any statement which contains any obscene, vulgar, profane, scandalous, libelous, or defamatory matter and any language or matter which is prohibited through the U.S. Mail. THE REGISTRAR OF VOTERS OFFICE WOULD GREATLY APPRECIATE RECEIVING AN ELECTRONIC COPY OF THE STATEMENT.

Please provide a hardcopy and CD or thumb drive (with the "Candidate's Statement of Qualifications" form provided) when filing nomination papers.

**Candidate Statement Style Guidelines: (See enclosed format for example – Attachment A & B)**

- The statement may include the name, age, and occupation of the candidate a description of no more than 200 words, of the candidate’s education and qualifications as expressed by the candidate. The statement is limited to a recitation of the candidate's own personal background and qualifications and shall not in any way refer to other candidates for that office or to another candidate’s qualifications, character, or activities. The statement shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations. Elections Code 13307(a)(1) and Elections Code 13308.
- The California Elections Code intends uniformity of appearance. Each statement is allowed the same amount of space in the sample ballot. All statements will be printed in uniform style and size of type, in block paragraph form (with no indentations). Outline form is not acceptable.
- It is acceptable for the statement to have four words in bold or underlined or bold and underlined. Four words may also be in ALL CAPITAL LETTERS or in ANY combination of bold, underlined and capitalized. The number emphasized words may not exceed the total number of four per each special characterization. Also acceptable are four standard bullets or numbered items in the statement. Please see example for visual reference.
- Statements will be typeset exactly as submitted – the Elections Office (City Clerk’s Office) will not edit any material contained in the statement for spelling, punctuation, or grammar, so candidates are therefore advised to carefully check their statements for such errors. The Elections Office (City Clerk’s Office) is authorized to make corrections only to the format of the statement, or to strike content which does not adhere to established rules.
- The elections official (City Clerk) shall not cause to be printed or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by this section. Elections Code 13308.
- Only a cursory review of the candidate’s statement will be done at the time of filing to ensure the statement is acceptable in word content and formatting. Corrections can be made, if necessary, by the candidate at the time of filing. Candidate Statement Style Guidelines: (see enclosed format for example – Attachment A & B)
- Each statement is allowed the same amount of space in the sample ballot. Heading and the NAMES, AGE, and OCCUPATION will be printed in 9 pt. type. Body of the text will be printed in 8 pt. type. All statements will be printed in uniform size and size of type, in block paragraph form, Outline form is not acceptable.
- Graphics (pictures, lines, graphs, boxed paragraphs, etc.) and decorative characters such as arrows, stars, asterisks, bullets, and other symbols are not permitted.

### **Word Count – E.C.§9**

The statement is limited to 200 words or less. Once the statement is submitted, no editing will be done by the City Clerk’s Office. Statements that exceed 200 words in length will be shortened by removing words from the end of the statement until the word limit is reached. It is recommended that care be taken to ensure that the word limit is not exceeded. (This section shall not apply to counting words for ballot designations under Section 13107).

The following are the guidelines for computing word count: The title of the office, name, age and occupation and the signature are not included in the word count—only the text is counted. Elections Code

§9 specifies the counting of the number of words submitted on any document whose content is limited by statute. Words shall be counted as follows:

- Punctuation is not counted (free) Each word shall be counted as one word except as specified in this section:
- All geographical names shall be considered as one word; for example, “City and County of San Francisco” shall be counted as one word. County of Santa Barbara, and Carmel-by-the-Sea counted as one word.
- Each abbreviation for a word, phrase or expression shall be counted as one word. For example: UCLA, U.C.L.A., PTA, USMC, U.S.M.C. counted as 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, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
- Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting only of a combination of digits shall be counted as one word. For example: All digits (5/30/05) is one word. Words and digits May 30, 2005 is two words.
- Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as “one,” shall be considered as a separate word or words. “One” shall be counted as one word, whereas “one hundred” shall be counted as two words. “100” shall be counted as one word.
- Monetary amounts (if the dollar sign is used with figures-\$1,000) is one word. Spelled out (one thousand dollars) is counted as one for each word.
- Website and telephone numbers shall be counted as one word.
- Internet web site addresses shall be counted as one word.
- Limit of four all CAP words
- The Registrar of Voters is not permitted to edit any material contained in candidate statements. Candidates are responsible for proofreading spelling, punctuation, and grammar. Since the statement cannot be changed after it is submitted, it is important for candidates to carefully prepare and proofread their statements.

### **Public Viewing Period**

To view candidate statements, occupations (your own as well as other candidates), during the 10-day viewing period. To act during this time, to reduce errors and resolve differences BEFORE sample ballots are printed and distributed. California Elections Code 13313 and E.C. 9295 allows a 10-day viewing period of the official voter’s pamphlet prior to submittal for printing. During this 10 day period, any voter of the jurisdiction in which the election is being held, may seek a writ of mandate or an injunction requiring any or all of the material in the voter’s pamphlet to be amended or deleted.

- Procedure:

All candidates will be notified of the importance of viewing their own sample pamphlet content in its typeset form. No changes to what was originally submitted will be allowed. ONLY TYPESETTING ERRORS WILL BE CORRECTED during this period. Candidates will be asked to sign-off on the proof that will be

forwarded to the Registrar of Voters. After the viewing period, the Registrar of Voters office is not responsible for any typesetting errors.

### **Viewing Period for Candidate Statements & Ballot Designations with Incumbent Filing:**

August 17, 2020 through August 24, 2020

### **No Incumbent Filing:**

August 22, 2020 through August 27, 2020.

### **Writ of Mandate-E.C. 13313**

(During viewing period) During the 10-calendar-day public examination period provided by this section, any voter of the jurisdiction in which the election is being held, or the elections official, him/her self, may seek a writ of mandate or an injunction requiring any or all of the material in the candidates statements to be amended or deleted. The writ of mandate or injunction shall be filed no later than the end of the 10-calendar-day public examination period. (This is filed by you to the court).

### **Confidentiality of Statements-E.C. 13311**

The statement shall remain confidential on the deadline for filing nomination documents. The deadline is August 7, 2020, until 5:00 p.m. or August 12, 2020 until close of business where the nomination period was extended because the incumbent did not file. The statement will then become a public record.

### **Withdrawal of Statement – E.C. 13309**

The statement may be withdrawn, but not altered, on the first working day following the close of the nomination period. The statement may be withdrawn on August 10, 2020, by close of business, or August 13, 2020, by close of business if the nomination period was extended. (See Attachment D)

### **False Statements/Fines**

The Elections Code Section 18351 provides that “Any candidate in an election...who knowingly makes a false statement of a material fact in a candidate’s statement, prepared pursuant to EC §11327 or §13307 with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed \$1,000.” Once the statement has been filed, it may not be changed by the candidate, and will be subject to editing by the Elections Office (City Clerk’s Office) to bring it within content, word count, and format requirements. If any statement exceeds the word limit, the candidate must delete or change enough words to bring the statement within the required word limit before the statement is filed.

If the statement is filed without the correction or deletion by the candidate, the statement will be cut off at the 200-word limit by the Elections Office (City Clerk’s Office). Any other unacceptable content will be removed prior to printing.

## Rules for Counting Words

The following guidelines are computing the count candidate Statements. The titles, occupation and age are not included in the word count, only the statement text. The Office of the Registrar of Voters will make final determination. (EC § 9)

| Text  | Word Count                                    |
|---|---|
| Punctuation   | Free  |
| Dictionary words (“I”, “the”, “and”, “an”, etc are counted as individual words)   | One   |
| Abbreviations/Acronyms (Examples: SBSU, PTS, U.S.M.C., S.B.P.D.)  | One   |
| Geographical name<br>Examples: San Bernardino<br>County of San Bernardino<br>Victor Valley  | One<br>One<br>Two                             |
| Numbers/Numerical Combinations/E-mail Addresses:<br>Digits (1,10, or 100, etc)<br>Spelled out (one, ten, or one hundred)’50%, ½, etc.<br>Telephone numbers<br>Internet/E-mail address<br>(Wwwsbcrov.com/jdoe@rov.sbcounty.gov)                | One<br>One for each word<br>One<br>One<br>One |
| Number of letters used to identify a portion of text<br>Examples: (1), (a) will be counted as one word  | One   |
| Dates:<br>All digits (01/01/16)<br>Words and digits (January 1, 2016)   | One<br>Two                                    |
| Characters used in place of word or number (& or #)   | One   |
| Hyphenated words that appear in any generally available dictionary, printed in the United States within the past 10 years, shall be considered as one word.<br>Each part of all other hyphenated words Examples:<br>Mother-in-law<br>One-half | One<br>Two                                    |

If the text exceeds the word limit, the candidate must delete or change a sufficient number of words, or a sentence, to put the statement within the required word limit before the statement is filed.

# ATTACHMENT A

Example of Acceptable Candidate Statement Format

**CANDIDATE FOR EXAMPLE OFFICE**

**SAMPLE DISTRICT**

**NAME: PAT DOE**

**Age: 66**

**OCCUPATION:** Fortune Teller/Comedian

**FORMAT/CONTENT:** This is an example of acceptable format to be used in a candidate's statement of qualifications. The guidelines for the content of the statement are on the preceding page.

**PARAGRAPHS:** The candidate statement is printed in standard block paragraph form, which means each paragraph will start on the left and the margins will be justified (as shown in this example.). No indentations are allowed. If a list is to be printed (clubs, accomplishments, goals, etc.) it will appear as shown in the following paragraph (numbering is optional and will be counted towards word count if used).

I belong to the following organizations: PTA; Chamber of Commerce; Zoological Society; Bridge Club. If elected, I will: 1) lower taxes; 2) increase services; 3) cure the common cold; 4) be your servant.

The Registrar of Voters will make necessary modifications to make the statement conform to these guidelines as well as to fit in the space allotted.



## ATTACHMENT B

Example of Unacceptable Candidate Statement Format

### UNACCEPTABLE

### CANDIDATE FOR MEMBER OF THE STATE ASSEMBLY

### 99TH DISTRICT

**NAME:** John Jones

**Age:** 50

**OCCUPATION:** Businessman

As your Assemblyman, I would be proud to serve the 99th Assembly District for the next two years. I promise to use my experience to improve the quality of life for the residents of our district.

For the past four years our district's assemblyman has failed to fulfill the promises he made when elected to office. Instead of dealing with our resident's concerns and promoting our district to potential businesses, he has been pandering to the whims of his campaign financiers and party "big wigs".

It is now up to district citizens to run for office and provide a free uncompromised voice for the 99th Assembly District.

I have been a businessman in the district for 25 years, on the city council for two terms as well as a school board member between 1995-1999 for Pine Tree School District.

I have been married for 28 years and have two grown children – one a senior in college and the other in the Peace Corps.

If elected as Assembly for the 99th District I will strive to ensure public safety, provide our children with a decent education, and entice businesses back to the area to increase our tax base. I feel qualified to represent our residents and the district and ask that you support me with your vote on June 3<sup>rd</sup>.

Example of Acceptable Candidate Statement Format

**ACCEPTABLE**

CANDIDATE FOR MEMBER OF THE STATE ASSEMBLY

99TH DISTRICT

NAME: John Jones

AGE: 50

OCCUPATION: Business Owner

As your Assemblyman, I would be proud to serve the 99th Assembly District for the next two years. I promise to use my experience to improve the quality of life for the residents of our district.

I have been a businessman in the district for 25 years, on the city council for two terms as well as a school board member between 1995-1999 for Pine Tree School District.

I have been married for 28 years and have two grown Children – one a senior in college and the other in the Peace Corps.

If elected as Assembly for the 99th District I will strive to ensure public safety, provide our children with a decent education, and entice businesses back to the area to increase our tax base. I feel qualified to represent our residents and the district and ask that you support me with your vote on June 3rd.

# CANDIDATE'S STATEMENT INFORMATION SHEET

Complete this form, and submit with your candidate statement. Please use all regular lower case letters (do not use all caps). Provide a brief description of no more than 200 words, of the candidate's education and qualifications. Be sure to include the official title of the office you are a candidate for, your name, age, and occupation.  
(see bottom of reverse side for sample format)

Enter the candidate's name and the office title:

Enter the name of the jurisdiction to which the office belongs, if other than the name of the city (i.e. the name of the school district).

Candidates Name

Male

Female

Jurisdiction Name

Office Title (i.e. Mayor, Member of the City Council, City Clerk, Member of the Board of Education, etc.)

I DO NOT WANT to file a candidate statement.

I DO WANT to file a candidate statement but want to only have it on the city website for electronic distribution.

I DO WANT my English Candidate Statement to be printed in the Voter Information Guide & on the city website for electronic distribution.

I ALSO WANT my English Candidate Statement to be printed in the Voter Information Guide & on the city website for electronic distribution in the following languages:

Spanish/Colloquial (informal)

Chinese/Traditional

Hindi

Khmer

Tagalog

Vietnamese

Spanish/Castillian (formal)

Chinese/Simplified

Japanese

Korean

Thai

Signature of Candidate: \_\_\_\_\_

### STATE LAW PROVIDES (per Election Code Section 13307, 13308, 13311):

1. A Candidate Statement is optional and available to all candidates for nonpartisan offices.
2. The statement may include candidate's age, occupation and a brief description of education and qualifications (expressed by the candidate himself or herself).
3. Each local jurisdiction determines:
  - a. the maximum number of words allowed, usually 200 words
  - b. responsibility for payment, the candidate or the jurisdiction
  - c. whether the costs are to be paid in advance.
4. Reference to political party affiliation or mention of any partisan political membership or activity is not permitted.
5. Reference to other candidates for that office or to another candidate's qualifications, character, or activities are prohibited.
6. No changes of any kind are allowed AFTER the statement is filed.
7. The statement may be withdrawn (in writing) up to 5:00 pm of the next working day after the close of the nomination period.
8. Statements are confidential until after the close of the nomination period.
9. A candidate may request that the statement also be printed in other languages and included in the Voter Information Guide mailed to all voters in the election area. An additional fee may be required to print the additional languages.

### CANDIDATE STATEMENTS MUST BE FILED AT THE TIME NOMINATION PAPERS ARE FILED.

#### COST INFORMATION:

The estimated cost is determined prior to all information being available, therefore, it is an approximation of the actual cost that may be significantly more or less depending on the actual number of candidates filing statements.

For Election Official's use only: Estimated Cost of Printing Candidate's Statement in:

English: \_\_\_\_\_ Spanish: \_\_\_\_\_ Chinese: \_\_\_\_\_ Korean: \_\_\_\_\_ Tagalog: \_\_\_\_\_ Vietnamese: \_\_\_\_\_ Other: \_\_\_\_\_

If applicable, the below estimated cost is for the Translations (and formatting if translation is provided by the candidate) and this cost does not include printing, which cost is noted above:

Spanish: \_\_\_\_\_ Chinese: \_\_\_\_\_ Korean: \_\_\_\_\_ Tagalog: \_\_\_\_\_ Vietnamese: \_\_\_\_\_ Other: \_\_\_\_\_

Election Official: a. Send one copy of this page and the candidate statement to the County  
c. make one copy for candidate

b. keep original set for your files  
d. make one or more copies for the translator(s) if necessary

(More information on reverse side)

EXPIRES:

## CANDIDATE'S STATEMENT INFORMATION SHEET

Please type using regular lowercase letters, do not use all CAPS.  
Type your statement clearly and legibly - DO NOT handwrite or print.

Section 13307 of the Elections Code of the State of California sets forth guidelines for candidate's statements.  
Please follow them:

1. The statement of each candidate shall be printed in type of uniform size and darkness and with uniform spacing.
2. The statement shall not include any party affiliation or membership or activity in partisan political organizations.
3. Reference to other candidates for that office or to another candidate's qualifications, character, or activities are prohibited.
4. Your statement will be printed as submitted; therefore you are advised to carefully check for errors in punctuation and grammar. Spelling however, will be corrected by the computer automatically.
5. Remember to sign this form and any supplemental sheets if used and attach them to your statement. If you wish to have a foreign language translation of your statement prepared for printing in the Voter's Pamphlet, be sure to check the space(s) provided on the front of this form.

---

### WORD COUNT STANDARDS

As stated in Section 9 of the Elections Code.

(a) Counting of words, for purposes of this code, shall be as follows:

- (1) Punctuation is not counted.
- (2) Each word shall be counted as one word except as specified in this section.
- (3) All proper nouns, including geographical names, shall be considered as one word; for example, "City and County of San Francisco" shall be counted as one word.
- (4) Each abbreviation for a word, phrase, or expression shall be counted as one word. *E.G. UCLA, PTA, L.A.P.D.*
- (5) 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 shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
- (6) Dates shall be counted as one word, in either format, i.e. *April 10, 1990* or *4/10/90*.
- (7) Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. "100" shall be counted as one word.
- (8) Telephone numbers shall be counted as one word.
- (9) Internet web site and email addresses shall be counted as one word.

(b) This section shall not apply to counting words for ballot designations under Sections 13107, and 13107.5 ("community volunteer").

---

#### FOR MEMBER OF THE CITY COUNCIL

**JOHN SMITH**

Age: 45

Occupation: Businessman

I have been a 30 year resident of this City and thoroughly enjoy living here. I would like to increase citizen education and police resources to stop the gang and graffiti activity that are overtaking our city.

I would like to implement environmental standards for cleaner water and air quality.

I respectfully ask for your support and thank those of you who cast your vote for me. A vote for me is a vote for a better City Council.

/s/ John Smith

#### SAMPLE OF STATEMENT FORMAT



Please use 10 pt type, uniform style.

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# **SECTION IX**

## **CAMPAIGN PRACTICES REGULATIONS**

## 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) (1) Except as provided in subdivision (b), a candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not 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 that is in a color or print that 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 candidate's, candidate controlled committee established for an elective office for the controlling candidate's, or political party committee's address is a matter of public record with the Secretary of State.

(2) Except as provided in subdivision (b), a committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass mailing that is not required to include a disclosure pursuant to Section 84502 unless the name, street address, and city of the committee is 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 that is in a color or print that 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 committee'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) (1) A candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass electronic mailing unless the name of the candidate or committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(2) A committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass electronic mailing that is not required to include a disclosure pursuant to Section 84502 or 84504.3 unless the name of the committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(d) 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). Page 2 Literature Requirements

(e) For purposes of this section, the following terms have the following meaning:

(1) “Mass electronic mailing” means sending more than two hundred substantially similar pieces of electronic mail within a calendar month.

(2) “Sender” means the candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable pursuant to Sections 84200 to 84217, inclusive.

(3) 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: (A) to any person for the design, printing, postage, materials, or other costs of the mailing, including salaries, fees, or commissions, or (B) as a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(f) This section does not apply to a mass mailing or mass electronic mailing that is paid for by an independent expenditure.

## **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(a). 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.

## **DEFINITION OF MASS MAILING AND SENDER**

### **§18435, California Code 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.

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

## **POLITICAL SIGN REGULATIONS**

### **Political Advertising - E.C.§20008**

Any paid political advertisement contained in or distributed with a newspaper shall bear on each page in type at least half as large as the type of the advertisement or in 10- point roman type, whichever is larger, the words “Paid Political Advertisement,” and such words shall be set apart from any other printed matter.

### **Political Signs-Solvang Municipal Code, Chapter 13 “Sign Regulations.” (Refer to 11-13-4 & 11-13-19).**

Noncommercial signs: A noncommercial sign, not exceeding six (6) square feet totals for each lot in residential districts and twenty-four (24) square feet total for each lot in nonresidential districts. Such a sign shall be erected only with the permission of the property owner or tenant. In each instance and under the same conditions to which this chapter permits any sign, a sign containing an ideological, *political*, or other noncommercial message and constructed to the same physical dimensions and character shall be permitted

The placement of political signs is subject to state, county, and/or city regulations.

### **Political Sign Notification**

The City has prepared a Political Sign Notification sheet required to be filed with Nomination Papers. (Download enclosed copy – Attachment B).

**City of Solvang**  
**OFFICE OF THE CITY CLERK**

To All Prospective Candidates:

RE: TEMPORARY POLITICAL SIGNS ON COMMERCIAL PROPERTY

Enclosed you will find a Statement of Responsibility for Temporary Political Signs and Permission for Placement of Temporary Political Signs on Commercial Property. This form is being provided in the event that you may have temporary political signs in connection with the November 8, 2016, General Municipal Election and must be on file with the City Clerk prior to placement of political signs.

Temporary political signs may be placed on private property provided the following conditions are met:

- Consent of the property owner AND
- Statement of Responsibility for Temporary Political signs is on file with the City Clerk.

Temporary political signs may be placed on commercial property provided the following conditions are met:

- Consent of the property owner AND
- Statement of Responsibility for Temporary Political Signs and Permission for Placement of Temporary Political Signs on Commercial Property is on file with the City Clerk.

If any temporary political signs are placed in commercial property and the Statement of Responsibility for Temporary Political Signs and Permission for Placement of Temporary Political Signs on Commercial Property is not on file with the City Clerk, the City may remove those signs as soon as they are observed without prior notice to the candidate or persons placing the signs. The person or organization for whose benefit the sign, placard or handbill was affixed in violation of City sign ordinance shall be liable to the City for the actual cost of removal.

If I can be of assistance to you in this matter, please do not hesitate to contact my office at (805) 866-5575. Monday through Friday, from 8:00 am to 5:00 pm.

Sincerely,

Xenia Bradford  
City Manager/City Clerk

**City of Solvang**

**STATEMENT OF RESPONSIBILITY FOR TEMPORARY POLITICAL  
SIGNS AND PERMISSION FOR PLACEMENT OF TEMPORARY  
POLITICAL SIGNS ON COMMERCIAL PROPERTY**

Election Date:             \_\_\_\_\_  \_\_\_\_\_  Other: \_\_\_\_\_

Candidate's Name: \_\_\_\_\_

Office Sought: \_\_\_\_\_

**RESPONSIBLE PARTY INFORMATION**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_

The undersigned hereby accepts responsibility for the placement and/or removal of Temporary Political Signs for the abovenamed candidate. It is understood and agreed that any Temporary Political Signs may be placed only on private and/or commercial property with the consent of the owner and placed not sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the City and the responsible party will be billed for any associated removal costs.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(File the originally signed statement with the City Clerk)*

**PERMISSION FOR PLACEMENT OF TEMPORARY POLITICAL SIGNS ON COMMERCIAL  
PROPERTY**

Owner/Representative: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

The undersigned hereby grants permission to the above-named candidate to place temporary political signs at the site address/location described as:

\_\_\_\_\_

\_\_\_\_\_

Signature of Owner/Representative: \_\_\_\_\_ Date: \_\_\_\_\_



**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF TRAFFIC OPERATIONS  
OUTDOOR ADVERTISING PROGRAM



**STATEMENT OF RESPONSIBILITY FOR TEMPORARY  
POLITICAL SIGNS**

Election Date: \_\_\_\_\_ June \_\_\_\_\_ November Other: \_\_\_\_\_

Candidate's Name: \_\_\_\_\_

Office sought or Proposition Number: \_\_\_\_\_

County where sign(s) will be placed: \_\_\_\_\_

Number of signs to be placed: \_\_\_\_\_

**RESPONSIBLE PARTY:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number (Include Area Code) \_\_\_\_\_

The undersigned hereby accepts responsibility for the removal of Temporary Political Signs placed pursuant to Section 5405.3 of the Outdoor Advertising Act for the above candidate or proposition.

It is understood and agreed that any Temporary Political Signs placed sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the Department and the responsible party will be billed for any associated removal costs.

\_\_\_\_\_  
SIGNATURE OF RESPONSIBLE PARTY

\_\_\_\_\_  
DATE

**Mail Statement of Responsibility to:**

Division of Traffic Operations  
Outdoor Advertising Program  
P.O. Box 942874, MS-36  
Sacramento, CA 94274-0001

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# **SECTION X**

## **ELECTION ACTIVITIES IN GENERAL**

## **ELECTION ACTIVITIES IN GENERAL**

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### **Politics in City Hall**

- No campaigning in City Hall
- No solicitation of City Employees or Officers

### **Solicitation of Political Contributions; Offense; Punishment-G.C. §3205**

A. An officer or employee of a local agency shall not, directly or indirectly, solicit a political contribution from an officer or employee of that agency, or from a person on an employment list of that agency, with knowledge that the person from whom the contribution is solicited is an officer or employee of that agency.

B. A candidate for elective office of a local agency shall not, directly or indirectly, solicit a political contribution from an officer or employee of that agency, or from a person on an employment list of that agency, with knowledge that the person from whom the contribution is solicited is an officer or employee of that agency.

C. This section shall not prohibit an officer or employee of a local agency, or a candidate for elective office in a local agency, from requesting political contributions from officers or employees of that agency if the solicitation is part of a solicitation made to a significant segment of the public which may include officers or employees of that local agency.

D. Violation of this section is punishable as a misdemeanor. The district attorney shall have all authority to prosecute under this section.

E. For purposes of this section, the term “contribution” shall have the same meaning as defined in G.C. §82015.

### **False or Misleading Information to Voters**

No candidate shall, in his occupational designation on the ballot, assume a designation that would mislead the voters. (E.C. §13107)

Every candidate is guilty of a misdemeanor who pretends or implies that he or she is an incumbent of a public office or that he or she has acted in the capacity of a public officer when this is not the case. (E.C. §18350)

Any candidate who knowingly makes a false statement of material fact in a candidate’s statement, with the intent to mislead the voters, is punishable by a fine not to exceed \$1,000. (E.C. §18351)

### **Electioneering on Election Day E.C. 18370.**

No person, on Election Day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place or an elections official’s office:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.



(c) Place a sign relating to voters' qualifications or speak to a voter on the subject or his or her qualifications except as provided in Section 14240.

(d) Do any electioneering; or

(e) Photograph, video tape, or otherwise record a voter entering or exiting a polling place.

As used in this section, "100 feet of a polling place or an elections official's office" means a distance 100 feet from room or rooms in which voters are signing the roster and casting ballots. Any person who violates any of the provisions of this section is guilty of a misdemeanor. Accordingly, candidates and those connected with their campaigns are advised as follows:

1. You should not visit polling places to introduce yourself to or shake hands with poll workers or those voting at the polls.

2. You should not give gifts of any kind, including gifts of food, beverage, candy, flowers etc., to poll workers.

3. You should not display any badges, buttons, clothing, hats, kerchiefs, signs, pens, pencils, or anything else that in any way suggests support for or opposition to any candidate or ballot measure at the polls.

4. If you drive to the polls in a vehicle with a sign or bumper sticker suggesting support for or opposition to any candidate or ballot measure, do not drive or park within 100 feet of the polling location. I wish to reiterate that the rules regarding proper conduct will be strictly enforced and that such rules apply within 100 feet of a polling place (i.e., with 100 feet of any building where voting is taking place).

Candidates are strongly advised to only visit their own polling place, and only for the purpose of voting. Candidates and others who fail to comply with these rules run the risk that they may violate state law or be accused of violating state law. Any questions regarding permissible or prohibited activities should be directed to my office, preferably in writing, before Election Day.

You may also contact us by telephone at (805) 865-6675 ext. 206, Monday through Friday, from 8 A.M. to 5:00 P.M.

## **Election Night Activities**

Election results available after 8:00 p.m.: At the Registrar of Voters, 4440-A Calle Real, Santa Barbara, California, 93110 or by telephone: (800) SBC-VOTE or (800) 722-8683 or Website: [www.sbcvote.com](http://www.sbcvote.com).

## **Election Night Results Information**

Candidates are welcome to monitor the Santa Barbara County Registrar of Voters website at: [www.sbcvote.com](http://www.sbcvote.com) on election night. Due to ongoing concerns over the current COVID-19 pandemic, the County discourages candidates and their campaigns from visiting the Santa Barbara County Registrar-Recorder's Office.

Cumulative election results will be available to candidates and the public via telephone at the Registrar of Voters Office. In addition, the results will be on the Internet. The vote by mail ballot count will be reported first at approximately 8:30 p.m. The polls officially close at 8:00 p.m. Election activity then changes, result bulletins are printed and distributed throughout the night, until all precincts are reported in.

## **Canvass**

On Election Day the canvass of the returns will commence at the Registrar of Voters office. The canvass must be completed within 28 days after the election. The official election results will be certified after the completion of the canvass.

## **Certification of Election Results**

After certification of the election results, winners will be presented with a Certificate of Election at the City Council meeting of December 14, 2020.

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# **SECTION XI**

## **NOMINATION PROCESS AND CANDIDATE INTERACTIVE PDF FILLABLE FORMS**

**(To be issued during your  
appointment)**

**Please Review & Read  
Carefully**

## **PROCEDURE FOR ISSUING NOMINATION PAPERS**

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### **Issuance of Nomination Papers**

Candidates who wish to pull papers (nomination papers) will need to call the Office of the City Clerk in advance at 805-866-5575 and set up an appointment to do so. Due to the COVID-19 pandemic walk-ins will not be accepted. When you come to your appointment, please follow all social distance protocols including the wearing of a mask. The Office of the City Clerk will make every effort to accommodate your desire time selection. However, please know that due to limited staff availability appointments may be staggered on specific days and scheduled for an hour every other hour.

If you are picking up papers (nomination papers) for or on behalf of someone else, please ensure to bring a statement signed stating that you are indeed authorized to do so.

### **What to Expect During Your Appointment**

This year the Office of the City Clerk is following a more streamlined process including issuing a paperless nomination candidate binder. Please allocate an hour maximum for your appointment. At the time of your appointment, the City Clerk or his/her Deputy will sit down with you and go over the required and optional nomination documents, answer any procedural questions and issue you your hard copy nomination form as well as provide you with a thumb drive containing all documents in electronic form. The City Clerk is not authorized to give or render legal advice to candidates. Therefore, for questions of a legal nature, please consult with your legal counsel.

In order to utilize the appointment time more efficiently, we ask all prospective candidates to write down questions you may have, and bring to your appointment so that they can be addressed timely and appropriately.

Because of the streamlined process being conducted this election cycle, the City Clerk's Office will not be producing hard copy binders for candidates. Should you desire a hard copy binder, these will be available to all candidates for a fee of \$50.00

### **What Specific Forms Will I Receive to Establish my Candidacy?**

The office of the City Clerk will be providing you with the **required forms** to establish your candidacy in accordance with Elections Code provisions. These forms include:

1. Nomination Paper
2. Ballot Designation Worksheet
3. Candidate Statement form with word count standards
4. A written statement of the regulations with respect to charges for the candidate statement (Copy of Resolution No. 20-1110)
5. Statement of Economic Interest Form (Form 700)
6. A copy of Government Code Section 84305 regarding Mass Mailings
7. Code of Fair Campaign Practices Forms

### **Optional Forms**

The City Clerk or his/her representative will also provide you with the following optional forms:

1. Financial Worth Statement
2. FPPC Forms 700, 410, 501, 497 etc.
3. A guide for selecting ballot designations
4. City Codes regarding campaign signs

## NOMINATION PROCESS

Elective offices of a General Law City may include any one or more of the following: Mayor, Member(s) of the City Council, City Clerk and City Treasurer. Chartered cities may elect other officials pursuant to charter provision.

Government Code § 36502 allows the City Council to sponsor a ballot measure or the voters to propose a ballot measure by petition to limit the number of terms the Mayor and/or Members of the City Council may serve. Any term limit enacted shall apply prospectively only and must be approved by a majority of the registered voters of the city voting at a regularly scheduled election (Resolution/Ordinance R-22). Charter cities may limit terms under the authority of the Government Code or by amending the city charter.

Candidates for elective office of a General Law City must be registered voters of the city at the time nomination papers are issued (§ 201, E.C.). If council members are elected by or from districts, any candidate of a district must be a registered voter of that district. Charter cities may enact other residency requirements which must comply with court decisions which would allow a residency requirement of 30 days before nomination papers are filed. ***A person is eligible to hold an elective civil office if, at the time of election, the person is 18 years of age and a citizen of the state. Notwithstanding any other law, a person, regardless of citizenship or immigration status, is eligible to hold an appointed civil office if the person is 18 years of age and a resident of the state. Notwithstanding any other law, a person appointed to civil office, regardless of citizenship or immigration status, may receive any form of compensation that the person is not otherwise prohibited from receiving pursuant to federal law, including, but not limited to, any stipend, grant, or reimbursement of personal expenses that is associated with carrying out the duties of that office. § 1020, Government Code***

The City Council may establish voluntary campaign expenditure limits. Each candidate who pledges to limit campaign spending to the established limits may receive increased donations from any single source and may have a notation by his or her name on the ballot signifying that voluntary limits are being observed.

The City Council may adopt an ordinance requiring a filing fee, not to exceed \$25.00, to be paid at the time nomination papers are filed. California courts have ruled that you may not refuse to place a candidate's name on the ballot due to an inability to pay the filing fee. If you cannot waive the fee, you must provide an alternative. Court guidelines are similar to Elections Code § 8106 providing for the substitution of three signatures for each one dollar of the filing fee, or an additional one hundred signatures. The council may wish to take appropriate action to enact or repeal the filing fee ordinance sufficiently in advance of the first day of the nomination process. MCADIRECT has a "Petition In Lieu of Filing Fee" form.

### ISSUING NOMINATION PAPERS

The nomination period opens on the 113th day before the election. The City Clerk shall give the following items to each candidate or candidate's representative at the time nomination papers are issued:

#### Required Items:

- Nomination paper;
- Ballot Designation Worksheet,
- Candidates Statement form with word count standards (§ 9);
- A written statement of the regulations with respect to charges for the candidates Statement (Resolution R-3);
- Statement of Economic Interest (State Law requires Mayor and Council filing. City codes may require filing for additional offices);
- A copy of Government Code § 84305.
- Code of Fair Campaign Practices forms.

#### Optional Items:

- Financial Worth Statement,
- FPPC Forms 700-410-501-497, etc.;
- “A Guide for Selecting Ballot Designations” [found elsewhere in this Manual];

-Local information. (Explained in following paragraph:)

- (a) You may wish to give out the Financial Worth forms and information only if requested by the candidate.
- (b) Election Officials have found it useful to give candidates the following items not required by state law:
  - (i) City codes regarding campaign signs in public right-of-way and regarding noise controls; and
  - (ii) precinct maps.
- (c) A notice containing "normal business hours, as posted".

The Election Official may wish to have the candidate sign a receipt for materials provided by the Election Official. Have the candidate initial your office hours on the last day of the nomination period if they are different.

Nomination papers must be issued in the name of a specific candidate for nomination to a specific office and term of office (where long and short terms are to be filled). The City Clerk or a deputy must sign and date the form when it is issued. The nomination paper may be issued to an individual other than the candidate, with or without the candidates' knowledge: A person who is deployed on active military service outside of the state and is unable to appear to file a nomination paper may have that paper completed and filed by an attorney-in-fact, commissioned and empowered in writing for that purpose through a power of attorney. However, state law requires the candidate to certify that he or she will accept the nomination and also accept the office in the event of his or her election before the nomination paper can be accepted for filing.

Candidates in General Law Cities may be nominated by not less than 20 nor more than 30 registered voters in a city of 1,000 registered voters or more, and not less than 5 nor more than 10 voters in a city of less than 1,000 registered voters. Charter Cities may have different requirements.

A voter may sign as many nomination papers as there are seats to be filled. Signatures submitted on subsequent petitions shall not be allowed. § 100.5 allows a voter who is unable to personally affix the information to request another person to affix the voters printed name and address but the voter shall personally affix his or her signature or mark, which shall be witnessed by one person.

**FILING OF NOMINATION PAPERS**

The following items shall all be filed at the same time:

- Filing Fee (if applicable to your city) ..... EC 10228
- Nomination paper ..... EC 10220
- Ballot Designation Worksheet ..... EC 13107.3
- Candidate's Statement Information Sheet
  - showing gender, languages requested or
  - if candidate does not want a candidates statement
 ..... EC 13307(a)(1)
- Candidate's Statement - printed and on cd or email
  - Photo (if applicable to your city)
 ..... EC 13307(d)
- Deposit for Candidate's Statement ..... EC 13309
- Financial Worth Statement (if applicable) ..... EC 13309
- FPPC Form 700 Statement of Economic Interests ..... See [www.fppc.ca.gov/filingschedule](http://www.fppc.ca.gov/filingschedule)

The following can be filed later than the nomination paper, but no later than the FPPC filing schedule:

- FPPC Form 501 Candidate Intention Statement ..... See FPPC
- FPPC Form 410 Statement of Organization ..... See FPPC
  - (for open committees)
- FPPC Form 460 Recipient Committee Campaign Statement ..... See FPPC
  - (if \$2,000 or more, is raised/spent, or anticipated, during a calendar year)
- FPPC Form 470 Officeholder and Candidate Campaign Statement . See FPPC
  - (if \$2,000 or less, is raised/spent, or anticipated, during a calendar year, and candidate does not have a controlled committee)



The following can be filed any time prior to the election:

- Code of Fair Campaign Practices forms signed ..... EC 20442

A candidate shall not file nomination papers for more than one municipal office or term of office for the same municipality in the same election. Any person 18 years of age or older may circulate the nomination paper. Only one person may circulate each nomination paper. (see §§ 9022, 10220, 10226, EC).

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 elections official verifies the signatures on the nomination paper before the end of the filing deadline, and the nomination paper is determined to be insufficient 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 on 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 not later than the last day for filing for that office. The form of the supplemental petition shall be the same as the nomination paper, except that the word "Supplemental" shall be inserted above the phrase "Nomination Paper." (see § 10221, EC)

Election Code § 10223 provides that a candidate may designate the manner in which his or her name and ballot designation are to appear on the ballot. Nicknames and shortened names may appear with legal names or initials. Ballot designations are regulated by Elections Code § 13107 and cannot be changed by the candidate after the final date for filing nomination papers unless required by the Election Official. See "A Guide for Selecting Ballot Designations" [found elsewhere in this Manual]

Candidates must also submit the Ballot Designation Worksheet along with their nomination papers when they are filed. This Ballot Designation Worksheet provides the candidate with the requirements for choosing their ballot designations, and allows them to submit 2 alternative designations in case the first designation is not acceptable under the guidelines of the Ballot Designation Regulations issued by the Secretary of State's office [found elsewhere in this Manual]. If a candidate fails to submit an acceptable designation, or fails to submit the Ballot Designation Worksheet, then there shall be no designation after his/her name on the ballot (per §§ 13107(f)(2) and 13107.3(c)). [A sample letter notifying the candidate of such can be found in the Forms section of the Election Handbook.]

Candidates must file the "Statement of Economic Interest" (when required) before nominations close and the Candidates Statement (optional) at the same time nomination papers are filed (13307(a)(2)). The candidate need not file the nomination papers personally, however, the "Affidavit of Nominee . . ." must be signed.

State law now requires that at the time nomination papers are issued, the Election Official shall give the candidate a copy of the "Code of Fair Campaign Practices" and a copy of §§ 20400 – 20444, Elections Code. Any candidate may subscribe to the code by filing a copy with the Election Official who shall keep it as a public record.

### CLOSE OF NOMINATIONS

The nomination period closes on the 88th day before the election during normal business hours, as posted. Until the 88th day before the election, or the 83rd day for any office requiring an extended filing period, during normal business hours, as posted, but no later than then, a candidate may withdraw his or her nomination paper after it is filed with the Election Official. If nomination papers for an incumbent elective officer of the city are not filed by the 88th day before the election, during normal business hours, as posted, the voters shall have until the 83rd day before the election, during normal business hours, as posted, to nominate candidates other than the incumbent for such elective office. The extended filing period is not applicable where there is no incumbent eligible to be elected.

### Exceptions to Friday deadlines:

- a. **All elections:** Elections Code § 15 allows the deadline to be extended to the following working day if the deadline falls on a holiday specified in § 6700, GC.
- b. **For consolidated elections:** if a reduced work week schedule would have you closed on the last day, you must remain open and post business hours for that day. Post the notice and have the candidate sign a receipt that notification has been made.

c. For standalone elections: if a reduced work week schedule would have you closed on the last day, Election Code Section 10104 allows the deadline to be extended to the next business day with the same effect as if it had been performed upon the day appointed.

**CANDIDATES WITH THE SAME NAME**

The following rules apply when a person who is a candidate for any office believes that another person with a name that is so similar that it may be confused with *the candidate's* who has filed or will file a nomination paper for the same office:

(a) The candidate may, at the time of filing *the candidate's* nomination paper, or within five days after the time for filing nomination papers has expired, file with the elections official a statement that shall be in substance as follows: "I \_\_\_\_\_, believe that another person, whose name is so similar to mine that it may be confused with mine, has filed or will file a nomination paper for the same office for which I have filed a nomination paper, and I therefore request and direct that the elections official assign a number to each candidate with a similar name to be printed on the ballot as a distinguishing mark.

|                                   |      |
|-----------------------------------|------|
|                                   | Name |
| Candidate for the office of _____ |      |

(b) The distinguishing mark shall be a number, commencing with the number "1" and continuing in numerical sequence until each candidate with a similar name has been assigned a distinguishing number, and shall be printed at the right of the name on the ballot.

(c) The first candidate who filed *the candidate's* nomination papers shall have the number "1" and each subsequent candidate, based on the time of filing *the candidate's* nomination papers, shall be assigned the next number in numerical sequence.

(d) In addition to the designated numbers that the elections official shall place on the ballot when the above conditions are met, *the elections official* shall place on the ballot, immediately preceding the names of the candidates to be voted upon, **or on the contest header if there is not sufficient space immediately preceding the name, the following warning-**

"Warning! There are two (or applicable number) candidates for this office with identical names." This warning shall also be included, in a prominent manner, on any voter information guide, ballot pamphlet, or other mailing sent by the elections official, prior to the election, to persons eligible to vote for this office.

(e) To determine the order on the ballot for the candidates with similar names, the elections official shall conduct a drawing of the numbers assigned to the candidates in a similar manner as provided for in Section 13112.

**CANCELLING THE ELECTION**

Elections Code §§ 10229 permits the City Council to appoint to office nominees where there are insufficient candidates to conduct the election.

Please be aware that the timing to use this section is extremely tight since the 5 day waiting period became effective:

|                      |  |                         |
|----------------------|--|-------------------------|
| Nominations close    | E - 88 or E - 83                         |                         |
| Notify Council       | Between E - 88/83 & 80 (Resolution R-11) | _____                   |
| Publish Notice       | Between E - 88/83 & 80 (Notice N-4)      | _____                   |
| Five Day Period Ends | Between E - 83/78 & 75                   | _____                   |
| Cancel election      | By E - 75                                | (Resolution R-12) _____ |

Please note that your publication must occur on or before E - 80 and your council must meet on or before E - 75 in order to make use of this section.

Nominations

The Secretary of State will conduct a drawing for a randomized alphabet on the 82nd day before the election to determine the order of names on the ballot. Elections Code § 13112 governs the randomized alphabet and illustrates how the alphabet is to be used when candidates have similar names.

#### **DEATH OF A CANDIDATE**

Sections 8026, 8027 & 15402, where appropriate, require certain actions to be taken if a nominee dies after the close of the nomination period.

#### **Candidate dies before E-68 (and only one other candidate has qualified to have their name on the ballot):**

(a) Filing of nomination papers for a nonpartisan office, shall be reopened when an incumbent who is a candidate for a nonpartisan citywide office, or for a nonpartisan office that is elected by district which he or she currently holds at an election at which only one other candidate has qualified to have his or her name placed on the ballot for that office and either the challenger or the incumbent dies after the 88th day but before the 68th day before the election.

(b) Any person qualified to be a candidate for the office for which either the deceased challenger or the deceased incumbent was a candidate may circulate and deliver nomination papers commencing the day after the death of either the challenger or the incumbent. Candidates shall be nominated in accordance with this part, except that in-lieu-filing-fee petitions shall not be made available and nomination papers shall be returned to the elections official no later than 5 p.m. on the 68th day before the election. (see EC 8027).

#### **Candidate dies after E-68 (and there are at least two or more other candidates for each seat that have qualified to have their name on ballot):**

Whenever a candidate whose name appears upon the ballot at any election for an office other than a voter-nominated office dies after the 68th day before the election, the votes cast for the deceased candidate shall be counted in determining the results of the election for the office for which the decedent was a candidate. If the deceased candidate receives a majority of the votes cast for the office, he or she shall be considered elected and the office to which he or she was elected shall be vacant at the beginning of the term for which he or she was elected. The vacancy thus created shall be filled in the same manner as if the candidate had died subsequent to taking office for that term. (EC 15402).

#### **Candidate dies after E-68, (and there is only one other candidate that has qualified to have their name on the ballot):**

(a) An election shall not be conducted and no votes cast for the office shall be counted, and if counted the votes shall be null and void, if an incumbent is a candidate for a citywide office, or for an office that is elected by division, area, or district, which he or she currently holds at an election at which only one other candidate, has qualified to have his or her name placed on the ballot for that office, and either the challenger or the incumbent dies after the hour of 12:01 a.m. of the 68th day before the election. (see EC 8026).

(b) A special election shall be called and held when the death of the challenger or the incumbent occurs within the period set in subdivision (a). The special election shall be called by the appropriate governing body within 14 days after the death of the incumbent or challenger. The special election shall be held no later than 88 days after the proclamation or resolution calling for the election. Candidates at the special election shall be nominated in accordance with this part, except that forms for securing signatures in lieu of a filing fee need not be made available until 15 days before the first day for circulating nomination papers, in-lieu-filing-fee petitions shall be filed at least seven days prior to the closing of the nomination period, nomination papers shall be delivered for filing to the elections official not less than 68 days and not more than 87 days before the special election, any candidate's statement shall be filed with the clerk no later than the 68th day before the special election, and the Secretary of State shall conduct the randomized alphabet drawing under procedures similar to Sections 13112 and 13113 on the 67th day before the special election. Any candidate who paid a filing fee in connection with the previously scheduled election shall not be required to pay any additional filing fee, but shall be required to file new nomination papers.

(c) This section not applicable to city elections.

(d) This section applies to a primary election. If a candidate in a runoff election dies under the circumstances prescribed in subdivision (a), Section 15402 (see above) applies to govern the results of that election.

**WRITE IN CANDIDATES**

Write-in candidates must file a declaration of intention to become a write-in candidate and file the same number of signatures as required for regular candidacy. If possible, you may wish to issue a nomination paper clearly marked "write-in" to a prospective write-in candidate. You must also issue a Statement of Economic Interests, a copy of Government Code 84305, and a Code of Fair Campaign Practices from the list of items enumerated on the Nominations section of this Manual.

**RETENTION AND PUBLIC ACCESS OF NOMINATION DOCUMENTS**

All nomination documents shall be held by the Election Official during the term of office for which they are filed and for four years after the expiration of the term. They may thereafter be destroyed unless they have been introduced in evidence in some action or proceeding then pending. (§ 17100, EC)

Public access to the nomination documents shall be limited to viewing the documents only. The public may not copy or distribute copies of the documents described in subdivision (a) that contain signatures of voters. (see § 17100, EC)

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|----------------------------|---------|-------|---------|-------|
| Sections referenced above: |         |       |         |       |
| EC:                        |         | 10221 | 13107.3 | GC:   |
| 9                          | 8026    | 10223 | 13118   | 1020  |
| 15                         | 8027    | 10226 | 13307   | 6700  |
| 100.5                      | 8106    | 10229 | 15402   | 36502 |
| 201                        | 10104   | 10407 | 17100   | 84305 |
| 202                        | 10220.5 | 13107 | 20400   |       |
|                            |         |       | 20444   |       |