Fair Political Practices Commission MEMORANDUM

To: Chair Ravel and Commissioners Eskovitz, Garrett, Montgomery

and Rotunda

From: Lynda Cassady, Chief of Technical Assistance Division

Subject: Approval of Campaign Forms

Date: November 20, 2012

Attached for your approval are several campaign forms. The changes address legislative and proposed regulatory campaign disclosure measures. An Interested Persons meeting was held on November 13, 2012, and many comments have been incorporated.

Instruction page changes to the Form 501 (Candidate Intention Form) and Form 470 (Campaign Statement-Short Form) incorporate information relative to the electronic filing programs for local agencies (AB 2452) and the exemption from reporting for most individuals that seek a political party central committee office (AB 2191).

Instruction pages were also re-written to incorporate information from the Commission sponsored bill, AB 481, relative to extending the campaign disclosure 24 hr reporting period from 16 days to 90 days for both state and local elections. The changes will result in only one form for reporting contributions (Form 497) and one form for reporting independent expenditures (Form 496). Currently there are separate forms for state and local elections. In addition, a proposed regulatory change also will require the cumulative amount of independent expenditures made in connection with a measure or candidate to be reported in the description field of the Form 496. This addition will save considerable amount of time for persons that follow the amount of independent expenditures made in an election.

Significant changes were made to the Form 410 (Statement of Organization). First, the form instructions note that a \$50 annual fee is now required (SB 1001). The form was also revised to address provisions in AB 481 that require all committees to list information on the campaign bank account. As this memo is being prepared, a form field was also changed so that the jurisdiction of a committee is clearly identified. The instructions also include a proposed regulatory change to require more information from committees active in circulating state ballot measure initiatives.

A new form (Form 462) is proposed to address provisions in AB 481 that require a principal officer of a committee to verify that the independent expenditures made by the committee are--in fact--not coordinated with the relevant candidate or measure and that the committee is reporting all contributions and reimbursements. The verification statement was originally proposed in AB 481 to be part of the current forms. However, the cost estimate to include the information in Secretary of State's Cal Access system was prohibitive. Therefore, a new form was created and will be filed with the FPPC. My staff and the FPPC IT staff are working together to ensure that the filings will provide voters the information quickly and easily accessible while also providing campaign committees a format that is simple and easy to comply with the new law. I expect with the upcoming local elections and state special elections, independent expenditure reporting will occur in early 2013.

The following forms are attached:

Form 501 - Candidate Statement of Intention

Form 410 - Statement of Organization

Form 496 - Independent Expenditure Report

Form 497 - Contribution Report

Form 470 - Officeholder/Candidate Short Form

Form 462 - Verification of Independent Expenditures

I ask for your approval.

CALIFORNIA 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 offices that do not raise or spend \$1,000 or more in a calendar year.

Bank Account:

A separate campaign bank account must be established including campaigns that are self funded by the candidate. Exception: A bank account is not required if a candidate will not receive contributions or make personal expenditures of less than \$1,000. The filing and statement of qualification fees are not included in calculating the \$1,000.

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

Local Candidates:

Generally your county election office or city clerk. Electronic filing may be required.

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 for campaign disclosure filing schedules.

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 State Public Employees Retirement Board and the Teachers' Retirement Board 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), and political party affiliation, if seeking a partisan office.
- Check the appropriate box regarding the office's jurisdiction.

Part 2. Voluntary Expenditure Ceiling

This section applies to certain candidates for elective state offices, 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 ballot pamphlet (statewide candidates) or the voter information portion of the sample ballot (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 made 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.

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FPPC Form 501 (Apr/2011)
FPPC Form 501 Instructions - Rev. 1 (Dec/2012)FPPC
Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Candidate Intention Statement	CALIFORNIA FORM 501
Check One:	For Official Use Only
1. Candidate Information:	
NAME OF CANDIDATE (Last, First, Middle Initial) DAYTIME TELEPHONE NUMBER FAX N	IUMBER (optional)
STREET ADDRESS CITY	
OFFICE SOUGHT (POSITION TITLE) AGENCY NAME	
OFFICE JURISDICTION	
State (Complete Part 2.)	
City County Multi-County:	(Year of Election)
2. State Candidate Expenditure Limit Statement:	
(CalPERS and CalSTRS candidates, judges, judicial candidates, and candidates for local offices do not complete Part 2.)	
(Year of Election) Primary/general election (Year of Election) Special/runoff election	
(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: O 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
(Mark if applicable) On/, I contributed personal funds in excess of the expenditure ceiling for the election state	ed above.
3. Verification:	
I certify under penalty of perjury under the laws of the State of California that the foregoing is true and co	rrect.
Executed on, Signature(Candidate)	

When to File

File this form within 10 days of receiving \$1,000 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 group qualifies as a committee.

The committee's FPPC ID number will be posted at www.sos.ca.gov. Read instructions carefully as a Form 410 will be rejected if all applicable sections are not completed. All committees must now disclose the financial institution and bank account number used by the committee.

Where to File

All Committees: Original

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

County & City

Committees: Also file a copy with

local filing officer who will receive the original campaign statements

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 preelection 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 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.)

Who Files: Recipient Committees

Persons (including an officeholder or candidate), organizations, groups, or other entities that raise contributions from others totaling \$1,000 or more in a calendar year to spend on California elections qualify as a recipient committee. 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.

Existing nonprofit organizations, federal and out-ofstate PACs, and other multipurpose organizations that receive contributions from others and make occasional expenditures in California elections must also register as a recipient committee with the Secretary of State. They must report the amount of their expenditures on California candidates or ballot measures and disclose the sources of those funds. (FPPC Reg. 18215.)

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 \$1,000 threshold.

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 <u>Campaign Disclosure Manual</u>.

Statement of Organization Receipt Committee					Date Stamp		CALIFORNIA 410	
Statement Type	☐ Initial Not yet qualified ☐ or	Amendment List I.D. number: #	Termination – See P List I.D. number: #	rart 5 		Fo	r Official Use Only	
1. Committee I	nformation	(If applicable)	2. Treasu	rer and Other Principa	al Officers			
NAME OF COMMITTEE			NAME OF T					
STREET ADDRESS (NO P.	O. BOX)		STREET ADDI	RESS (NO P.O. BOX)				
CITY	STATE	ZIP CODE AREA CO	DDE/PHONE CITY		STATE	ZIP CODE	AREA CODE/PHONE	
MAILING ADDRESS (IF D	IFFERENT)		NAME OF AS	SISTANT TREASURER, IF ANY				
FAX / E-MAIL ADDRESS			STREET ADDI	RESS (NO P.O. BOX)				
COUNTY OF DOMICILE	JURISDICTION WHE	RE COMMITTEE IS ACTIVE	СІТУ		STATE	ZIP CODE	AREA CODE/PHONE	
Attach additional	I information on appropriatel	y labeled continuation sh	STREET ADD	RESS (NO P.O. BOX)				
			CITY		STATE	ZIP CODE	AREA CODE/PHONE	
	reasonable diligence in prepa ury under the laws of the Stat				l herein is true	e and complete	. I certify under	
Executed on	DATE By		CIONITURE OF TREASURED OR					
Executed on	By	7	SIGNATURE OF TREASURER OR	ASSISTANT TREASURER				
Executed on	DATE By	SIGNAT	URE OF CONTROLLING OFFICEHOLDER, CA	NDIDATE, OR STATE MEASURE PROPONEN	Т			
	DATE	SIGNAT	TURE OF CONTROLLING OFFICEHOLDER, CA	NDIDATE, OR STATE MEASURE PROPONEN	Т			
Executed on	DATE By	SIGNA	TURE OF CONTROLLING OFFICEHOLDER, CA	ANDIDATE, OR STATE MEASURE PROPONEN	IT			

Statement Type:

Initial

The "date qualified" as a committee is the date that the committee received contributions totaling \$1,000 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 another term of the same office (re-election). 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 identification number and indicate the date of termination.

1. Committee Information:

Provide the full name of the committee. A committee may use only one name.

The committee's street address 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 committee's 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 (including ballot measure 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 also 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). 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 __).
- The name must include the economic or other special interests of its major donors of \$50,000 or more, in descending order based on the amount contributed to the committee. The list of these economic or special interests may not be interspersed with constituencies such as "concerned citizens, or consumers."
- The name of any state or local candidate that contributes \$50,000 or more.
- Prior to the designation of the ballot measure number, a primarily formed ballot measure committee controlled by a state candidate must also state that it is a ballot measure committee (e.g., Senator Gomez's Ballot Measure Committee).

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 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 Receipt Committee		CA	ALIFORNIA 4	10
INSTRUCTIONS ON REVERSE		Page	2	
COMMITTEE NAME		I.D. NI	JMBER	
All committees must list the financial institution where the campaign bank a	account is located.			
NAME OF FINANCIAL INSTITUTION	AREA CODE/PHONE BANK ACCOUNT NUM	IBER		
ADDRESS	CITY	ZIP CODE		
4. Type of Committee Complete the applicable sections.				
Controlled Committee				
 List the name of each controlling officeholder, candidate, or state meadistrict number, if any, and the year of the election. 	asure proponent. If candidate or officeholder contro	olled, also list the electiv	ve office sought or he	eld, and
 List the political party with which each officeholder or candidate is aff 	filiated or check "nonpartisan."			
If this committee acts jointly with another controlled committee, list t	the name and identification number of the other con	trolled committee.		
NAME OF CANDIDATE/OFFICEHOLDER/STATE MEASURE PROPONENT	ELECTIVE OFFICE SOUGHT OR HELD (INCLUDE DISTRICT NUMBER IF APPLICABLE)	YEAR OF ELECTION	PARTY	
			Nonpartisan	
			Nonpartisan	
Primarily Formed Committee Primarily formed to support or oppose	se specific candidates or measures in a single election	n. List below:	•	
CANDIDATE(S) NAME OR MEASURE(S) FULL TITLE (INCLUDE BALLOT NO. OR LETTER)	CANDIDATE(S) OFFICE SOUGHT OR HELD OR (INCLUDE DISTRICT NO., CITY OR COU		СНЕСК	CONE
			SUPPORT	OPPOSE
			SUPPORT	OPPOSE

2. Treasurer and Other Principal Officers:

The 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 committee communications, authorizing the committee's contributions and other expenditures, and determining the committee's campaign 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:

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.

New Requirements

 List the name and address of the financial institution where the campaign bank account is located and the bank account number.

If a committee has more than one bank account, only one account must be listed.

If a campaign bank account is not open at the time of filing an initial Form 410, amend the Form 410 within 10 days of opening the bank account.

- 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.

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 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 or disputes 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.

Recall Committees: A committee supporting or opposing a recall must list the committee measure's title, and the officeholder's name and office. A recall committee will mark whether it supports or opposes the officeholder.

Statement of Organization Receipt Committee

INSTRUCTIONS ON REVERSE	Page 3
COMMITTEE NAME	I.D. NUMBER

4. Type of Committee	(Continued)		
General Purpose Committee	Not formed to support or oppose specific CITY Committee COUNTY Comm	candidates or measures in a single election. Checittee STATE Committee	k only one box:
PROVIDE BRIEF DESCRIPTION OF ACTIVITY			
Sponsored Committee	st additional sponsors on an attachment.		
NAME OF SPONSOR		INDUSTRY GROUP OR AFFILIATION OF SPONSOR	
STREET ADDRESS NO. AND S	TREET CITY	STATE	ZIP CODE
Small Contributor Committee	Date qualified		

5. Termination Requirements

By signing the verification, the treasurer, assistant treasurer and/or candidate, officeholder, or proponent 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.

california 410

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 (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 status as 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

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.

Use this form for:

- State Elections
- Local Elections

State Elections

- Independent expenditures of \$1,000 or more to support or oppose a single candidate for elective state office or a single state ballot measure must be reported during the 90-day election cycle.
 - "Election cycle" means the period of time beginning 90 days prior to the candidate's or measure's election and ending on the date of the election.
- File Form 496 electronically with the Secretary of State within 24 hours of making the independent expenditure(s). No paper copies are required and no copies are required to be filed with other filing officers.
- A committee that makes independent expenditures in connection with a CalPERS or CalSTRS election must also file a copy with the relevant board office.
- Ballot measure reports: At all times other than the 90-day election cycle, independent expenditures that total in the aggregate \$5,000 or more to support or oppose a single state ballot measure must be reported within 10 business days of making the independent expenditure. File Form 496 electronically with the Secretary of State.

Local Elections

- Independent expenditures that total in the aggregate \$1,000 or more to support or oppose a single candidate for elective local office or a single local ballot measure must be reported as 24-hour independent expenditures during the 90 days immediately preceding the election in which the candidate or measure will be voted on.
- File Form 496 within 24 hours of making the independent expenditure(s) with the filing officer(s) who would receive your campaign statements if you were a committee primarily formed to support or oppose the candidate or ballot measure.
- File Form 496 by fax, guaranteed overnight delivery, or personal delivery. Regular mail may not be used.
 A local ordinance also may require this form to be filed electronically.

Additional Requirements

Form 462: New Verification Requirements

The principal officer, or in the case of a controlled committee, the candidate or state measure proponent who controls the committee, must verify that he/she has not received any unreported money or reimbursement to make the independent expenditures and has not coordinated with the candidate or the opponent of the candidate or the proponent or the opponent of the state measure that is the subject of the expenditure. Form 462 must be filed with the Fair Political Practices Commission.

Form 465 (Supplemental Independent Expenditure Report)

A Supplemental Independent Expenditure Report (Form 465) must be filed for each candidate or ballot measure identified in a communication, if \$1,000 or more was spent to support or oppose that particular candidate or measure. Such expenditures must also be reported on the next regular campaign statement (e.g., Form 460 or Form 461).

Fast Facts:

What is an "independent expenditure"?

An "independent expenditure" is an expenditure made in connection with a communication (e.g., a billboard, advertisement, mailing) that expressly advocates the nomination, election, or defeat of a clearly identified candidate or the qualification, passage, or defeat of a clearly identified measure. An independent expenditure is a payment that is not made to—or at the behest of—the affected candidate or committee.

Candidates: This form is not required for expenditures supporting your election that are made from your committee, including expenditures opposing an opponent. In addition, campaign funds of a candidate or officeholder may not be used to make independent expenditures to support or oppose candidates in other elections.

Reporting examples: A committee makes an independent expenditure by paying for an advertisement opposing two candidates. The ad costs \$4,000 and features the candidates equally. The committee must file a separate Form 496 for each candidate and disclose \$2,000 for each candidate.

A committee makes a \$500 independent expenditure 60 days before the election and a second independent expenditure of \$600, 20 days before the election. A Form 496 is required 24 hours after the second payment.

A candidate controlled committee for elective office and a primarily formed ballot measure committee do not file this form for expenditures made in support of their campaign.

Campaign filing deadlines, forms, and other informational materials are available on the FPPC website (www.fppc.ca.gov.)

How to Complete Form 496

Report Number. Assign a unique identifying number to each Form 496.

Part 1. Candidate or Measure. Identify the candidate or ballot measure supported or opposed. Include the candidate's district number (if any) or the letter or number of the ballot measure. Use a separate form for each candidate or measure.

Part 2. Independent Expenditures. Provide the date, and in the description field the type (e.g., radio advertisement, billboard, mailing) and the cumulative to date total for that candidate or measure. In the amount field, list the amount of the specific expenditure(s) disclosed in the description field.

Part 3. Contributions Received. Disclose contributions of \$100 or more received since the closing date of your last campaign statement (Form 450 or 460) through the date of the independent expenditure. Start with January 1 if no statement has been filed.

Disclose the name and address of the contributor and, if the contributor is an individual, his or her occupation and the name of his or her employer. If the contributor 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. Enter the interest rate if the contribution is a loan.

Once you have disclosed a contribution on this form (Form 496), it is not necessary to report that contribution on any additional Form 496 filings you make.

Amendments. Describe the amendment. If the cumulative to date total is accurate on the most recent Form 496 filed, the committee is not required to amend the cumulative to date total amount on previous reports.

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 <u>Campaign</u> Disclosure Manual.

CALIFORNIA 497

Use this form for:

- State and local committees making or receiving contribution(s) that total in the aggregate \$1,000 or more in the 90 days before an election.
- Committees reporting contributions of \$5,000 or more in connection with a state ballot measure.
- State candidates and state ballot measure committees that receive \$5,000 or more at any time other than a 90-day election cycle.

State Committees

State committees must file a Form 497 in the following situations:

- Contributions that total in the aggregate \$1,000 or more within the 90-day election cycle that are either:
 - made to a state candidate, officeholder or ballot measure committee; or
 - received by a state candidate, officeholder or ballot measure.
- Contributions that total in the aggregate \$1,000 or more received by a committee primarily formed to support or oppose a state candidate(s) or measure(s) within the 90 day election cycle.
- Contributions that total in the aggregate \$1,000 or more made to and received by a state or county political party committee within 90 days before any state election.
- Contributions that total in the aggregate \$1,000 or more made to a candidate in a CalPERS or CalSTRS election 90 days before an election.

- Contributions made by a recipient committee that total \$5,000 or more to support or oppose a single state ballot measure.
 - Required of State E-filers only
 - Complete Part 1 and 2 of this form
 - Not required when a primarily formed ballot measure committee makes a contribution to another primarily formed committee formed for the same measure or another measure on the same ballot. (Refer to FPPC Reg. 18466.)
- A single contribution received by a state candidate's committee or a state primarily formed ballot measure committee of \$5,000 or more from a single contributor at any time other than during a 90-day election cycle.

State committees file this form with the Secretary of State. No paper copies of this report are required, and no copies are required to be filed with other filing officers.

Local Committees

Local committees must file a Form 497 in the following situations:

- Contributions that total in the aggregate \$1,000 or more within the 90-days before an election that are either:
 - made to a local candidate or ballot measure committee; or
 - received by a local candidate or ballot measure committee.
- Contributions that total in the aggregate \$1,000
 or more made to committees primarily formed
 to support or oppose a local candidate(s) or
 measure(s). A measure includes certain LAFCO
 proceedings 90 days before an election.
- Contributions that total in the aggregate \$1,000 or more made to a state or county political party committee 90 days prior to any state election.
- Contributions that total in the aggregate \$1,000 or more are made to a candidate in a CalPERS or CalSTRS election 90 days before an election.

File Form 497 at the same locations you regularly file campaign statements. Regular mail may not be used. The Form 497 must be filed by fax, guaranteed overnight delivery service, or personal delivery. Some jurisdictions require electronic submissions. Check with your local elections office.

Filing Deadlines:

24-hour Deadline

The Form 497 is due within 24 hours of receiving or making contributions of \$1,000 or more.

Exceptions:

- Reports due on a weekend or state holiday, other than the weekend before an election, are extended to the next business day.
- Those who receive a late non-monetary or inkind contribution must file Form 497 within 48 hours of the date the contribution was received.

10 Business Day Deadline

- A recipient committee that makes contributions totaling \$5,000 or more to support or oppose a single state ballot measure must file Form 497 within 10 business days. If all required information is reported on a 90-day election report, this 10 business day report is not required.
- If any of a state candidate's committees or a state primarily formed ballot measure committee receives a contribution of \$5,000 or more from a single contributor at any time other than during a 90-day election cycle, a Form 497 must be filed within 10 business days.

Fast Facts:

Refer to the FPPC filing schedule for deadlines, and the local jurisdiction's filing schedule, where applicable.

Contributions that must be reported include monetary and non-monetary contributions, a loan, or any combination of monetary and non-monetary contributions and loans, including contributions or loans from a candidate's personal funds to his or her campaign and contributions to a legal defense committee.

The donor of a non-monetary contribution must notify the recipient of the contribution's value within 24 hours of the date the contribution was made.

Contributions of \$5,000 or more received from a non-recipient committee require a major donor notification to be sent to the donor.

The \$1,000 reports are required for contributions that total in the aggregate \$1,000 during the 90-day election cycle. For example, during the 90 day period before an election, a Form 497 is required if a single source made two \$500 contributions to the same candidate.

The \$5,000 reports are required only if a single contribution of \$5,000 or more is made. It is not cumulated with other contributions from the same source.

Form 497 is not required when a transfer is made between two campaign for elective office committees controlled by the same candidate.

How to Complete

Report Number: A unique identifying number to each Form 497 is required and amendments to a report must clearly identify the original report and the reason for the amendment.

Date of Election: If the contribution was made to a city or county committee, you must enter the date of the election.

Contributions Received:

Complete Part 1.

Contributions Made:

Complete Part 2.

State Ballot Measure Contribution Reports:

Complete Parts 1 and 2. In Part 1, report all contributions of \$100 or more received since the closing date of the last campaign statement (Form 450 or 460) filed.

Contributions listed on this form must also be reported on the next regular campaign statement (Form 450 or 460).

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 <u>Campaign Disclosure Manual</u>.

Who Uses Form 470:

Form 470 is for use by officeholders and candidates who:

- do not have a controlled committee:
- do not receive contributions totaling \$1,000 or more during the calendar year; and
- do not spend \$1,000 or more during the calendar year.

Officeholders and candidates who have a controlled committee or who have raised or spent \$1,000 file the Recipient Committee Statement – Form 460.

Exception:

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 \$1,000 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).

\$1,000 Threshold:

To determine if \$1,000 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 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 be filed for that calendar year as long as total contributions received remain less than \$1,000 and total expenditures made remain less than \$1,000. 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 \$1,000 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
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 multicounty agencies 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 the candidate's county of domicile.
- Elected county officeholders and candidates for county offices file an original and one copy with the election 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 including electronic filing.

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 <u>Campaign</u> Disclosure Manual.

	ficeholder and Candidate Impaign Statement -		1	Date Stamp	CALIFORNIA 470
Sh	nort Form	Date of election if applicable: (Month, Day, Year)	Amendment (Explain Below)		For Official Use Only
1.	Statement Covers Calendar Year	20			
2.	Officeholder or Candidate Inform	nation	3. Office Sought	or Held	
	NAME OF OFFICEHOLDER OR CANDIDATE		OFFICE SOUGHT OR H	ELD	
	STREET ADDRESS		JURISDICTION (LOCATIO	N)	DISTRICT NUMBER (IF APPLICABLE)
	CITY	STATE ZIP COD	DE		•
	AREA CODE/DAYTIME PHONE NUMBER	OPTIONAL: FAX / E-MAIL.	ADDRESS		
4.	Committee Information List all committees of which you have kn	owledge that are primarily form	med to receive contributions or to make	e 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 used all reasonable diligence in preparing this	best of my knowledge I anticipate to statement. I certify under penalty	hat I will receive less than \$1,000 and that I y of perjury under the laws of the State of C	will spend less than \$1,000 alifornia that the foregoing i	during the calendar year and that I have strue and correct.
	Executed on	ΤΕ	Ву	SIGNATURE OF OFFICEHO	DI DER OR CANDIDATE
	DA	··-		SIGNATURE OF OTTIOLIN	ALDER OF WINDING

FPPC Form 470/470 Supplement (Jan/2008)
FPPC Form 470/470 Supplement Instructions - Rev. 2 (Dec/2012)
FPPC Advice: advice@fppc.ca.gov (866/275-3772)
www.fppc.ca.gov

Officeholder and Candidate Campaign Statement - Form 470 Supplement	Amendment (Explain Below)	Date Stamp	CALIFORNIA 470
SEE INSTRUCTIONS ON REVERSE			For Official Use Only
This form is written notification that the officeholder/candidate listed below has rece or has made expenditures of \$1,000 or more during the calendar year.	eived contributions totaling \$1,000 or more		
1. Officeholder or Candidate Information			
NAME OF OFFICEHOLDER OR CANDIDATE			
STREET ADDRESS			
CITY STATE	ZIP CODE		
AREA CODE/DAYTIME PHONE NUMBER OPTIONA	AL: FAX / E-MAIL ADDRESS		
2. Office Sought			
OFFICE SOUGHT	DISTRICT NUME (IF APPLICABLE		
DATE OF ELECTION (MONTH, DAY, YEAR)	'		
3. Date Contributions Totaling \$1,000 or More Were Receive	d or Date Expenditures of \$1,000	or More Were Made	

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 \$1,000 or more or makes expenditures totaling \$1,000 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 \$1,000 or more or making expenditures of \$1,000 or more.

Note: The 48-hour notice requirement is applicable only when the Form 470 is filed with a declaration of candidacy or as a first pre-election statement.

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 \$1,000 or more (including the candidate's personal funds) were received or the date expenditures of \$1,000 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 \$1,000 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.

Form 462 Verification of Independent Expenditures



This verification form identifies an individual respective expenditures were not coordinated with the liste committee will report all contributions and reimbushect to state or local contribution limits.	d candidate or measure committee (or the opponent) and that th	ne	Explain)
1. Name of Committee: NAME OF RECIPIENT COMMITTE, ENTITY OR INDIVIDUAL				COMMITTEE ID #
BUSINESS STREET ADDRESS		CITY		
STATE	ZIP CODE	E-MAIL		TELEPHONE NUMBER
2. Candidates or Measures:				
This committee has reported independent exper reporting of an independent expenditure may occode Sections 84204 and 85500.)				
NAME OF CANDIDATE (First/Last)/BALLOT MEASURE	SUPPORT OPPOSE OFFICE SOI	JGHT OR HELD JURISDIC	CTION AND DISTRICT, IF ANY	ELECTION DATE
NAME OF CANDIDATE (First/Last)/BALLOT MEASURE	SUPPORT OPPOSE OFFICE SO	JURISDIO	CTION AND DISTRICT, IF ANY	ELECTION DATE
NAME OF CANDIDATE (First/Last)/BALLOT MEASURE	SUPPORT OPPOSE BALLOT NO	/LETTER JURISDIC	CTION AND DISTRICT, IF ANY	ELECTION DATE
NAME OF CANDIDATE (First/Last)/BALLOT MEASURE	SUPPORT OPPOSE BALLOT NO	/LETTER JURISDIC	CTION AND DISTRICT, IF ANY	ELECTION DATE
3. Verification (Check One): Prin	cipal Officer	☐ Candidate/Officeholder	State Bal	lot Measure
I have not received any unreported contributions reporting period with the candidate or the opposubject of the expenditure, or with the agents of under the laws of the State of California that the	nent of the candidate who is the sub the candidate or the opponent of th	ect of the expenditure, witl	n the proponent or the oppon	ent of the state measure that is the
Signature	Printed Name		Sig	ned on(month, day, year)

Who Files

A committee's principal officer or in the case of controlled committees, the candidate, officeholder or state ballot measure proponent, must sign an independent expenditure verification, under penalty of perjury. The verification states that the independent expenditure(s) was not coordinated with the affected candidate or measure committee or their opponent and the committee reported all contributions and reimbursements. (Section 84213, effective January 1, 2013).

Where to File

This form must be filed with the Fair Political Practices Commission ("FPPC") by email. The originally signed form must be maintained with the committee's campaign records.

When to File

The form is required within 10 days from the date of an independent expenditure that totals, in the aggregate, \$1,000 or more to support or oppose a candidate or measure in a calendar year. A candidate or measure is listed only once for each election.

If a change must be made to a previously filed form (e.g. addition of ballot measure number) the amendment must be filed within 10 days.

File: www.fppc.ca.gov

Deadline: 10 days from the date of the committee's

first independent expenditure

The FPPC will provide a public portal on its website for committees to file and for the public to view reports.

How to Complete

Part 1: Identify the name and street address of the committee that is making the independent expenditure(s). Provide, if applicable, the committee's assigned FPPC ID number.

The address should be the same as the address reported on a Statement of Organization (Form 410) or the Form 461 Major Donor/Independent Expenditure Report.

- Part 2: List the name of the candidate or measure, mark support or oppose, list the office sought or held for a candidate, the candidate's or measure's jurisdiction (and district if applicable) and the date of the election.
- Part 3: Check one of the boxes to identify whether the individual signing the statement is a principal officer, candidate or state ballot measure proponent. If a committee has more than one principal officer, only one individual must sign this form. A principal officer signing the statement for a recipient committee must be listed on the committee's Statement of Organization (Form 410). In the case of a controlled committee, a candidate, officeholder or state ballot measure proponent must sign the form.

FAOs

- Q: A recipient committee has five principal officers. May any of the officers sign the form?
- A: Yes. As long as the individual is listed on the committee's Statement of Organization, Form 410. The same principal officer is not required to sign each form.

- **Q:** How frequently must the Form 462 be filed?
- A: A form is required to identify the candidates/ measures supported or opposed for each election. Once a candidate/measure is listed on Form 462 no further filings are required for that election.

Examples:

- A committee made independent expenditures to support a candidate in the 2014 primary election. A form is required for that election. An additional form is required if the committee later decides to make independent expenditures for the candidate in the 2014 general election.
- A committee filed a form listing a candidate. Several days later the committee made an independent expenditure in connection with a measure on the same ballot. The committee must file another Form 462.

Note: do not file this form each time an independent expenditure is made.

- Q: May a treasurer sign this form?
- A: A treasurer or assistant treasurer may sign only if the individual is also a principal officer responsible for approving the political activities of the committee. For example, an individual must be specifically listed as a principal officer on the Statement of Organization, Form 410.

Note: Campaign funds of a candidate or officeholder may not be used to make independent expenditures to support or oppose other candidates.

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 <u>Campaign Disclosure</u> Manual.