

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18110. Duties of Filing Officers - Campaign Statements.

(a) It shall be the duty of a filing officer pursuant to Government Code section 81010(b) in connection with the filing of candidate and committee campaign statements pursuant to Chapter 4 or 5 of the Political Reform Act to determine whether required documents have been filed.

(1) In order to fulfill the duty to determine whether required documents have been filed, if the filing officer is aware that a candidate or committee has an obligation to file a campaign statement and has failed to do so, the filing officer shall notify the candidate or committee of the obligation to file a statement.

(2) In determining whether required documents have been filed, the filing officer shall not be required to conduct any investigation to determine whether a committee or candidate has an obligation to file a campaign statement. This subdivision is not intended to prevent the filing officer from performing such an investigation.

(b) It shall be the duty of the filing officer pursuant to Government Code section 81010(b) in connection with the filing of candidate and committee campaign statements to determine whether original documents filed conform on their face with the requirements of the Political Reform Act and regulations adopted pursuant to the Act.

(1) The filing officer, in determining whether campaign statements conform on their face with the Political Reform Act and the regulations adopted pursuant to the Act, shall not be required to:

(A) Seek or obtain information to verify entries on a campaign statement.

(B) Examine previously filed statements, copies of statements filed, or statements filed in other jurisdictions in order to verify the accuracy of current statements.

(C) Review copies of statements where the original is filed with another agency. This subdivision (1) is not intended to prevent the filing officer from performing the tasks specified in this subdivision.

(2) In determining whether original documents filed conform on their face, the filing officer shall review:

(A) All statements to insure that they contain the full name, residential or business address and phone number of the filer or if a committee is the filer, the name, street address and phone number of the committee and of the committee treasurer.

(B) All statements to insure that they have been signed and dated by the proper person as outlined below:

1. Statements of recipient committees signed and dated by the treasurer, and statements of all other committees signed and dated by the filer or the filer's designated agent.

2. Statements of controlled committees signed and dated by the treasurer and the candidate or state measure proponent.

3. Candidate statements signed and dated by the candidate.

(C) All statements to insure that they are legible, are printed in ink or typewritten, and that readable reproductions can be made.

(D) All statements to insure that beginning and closing dates for the statement which are prescribed by law are accurate.

(E) All statements to insure that the following information is contained in the statement:

1. The total amount of contributions received during the period and the cumulative total amount of contributions. Government Code section 84211(a).
2. The total amount of expenditures made during the period and the cumulative total amount of expenditures. Government Code section 84211(b).
3. The total amount of contributions received from persons who have given \$100 or more. Government Code section 84211(c).
4. The total amount of contributions received from persons who have given less than \$100. Government Code section 84211(d).
5. The total amount of expenditures disbursed to persons who have received \$100 or more. Government Code section 84211(i).
6. The total amount of expenditures disbursed to persons who have received less than \$100. Government Code section 84211(j).
7. The balance of cash and cash equivalents on hand at the beginning and end of the period. Government Code section 84211(e).
8. For each person listed as contributor or lender of a cumulative amount of \$100 or more, the complete name, address, occupation and employer, if any (or name of business if described as self-employed), cumulative amount contributed, date and amount of contribution, and if the contribution is a loan, the interest rate for the loan. Government Code section 84211(f).
9. For each recipient committee listed as a contributor or lender of a cumulative amount of \$100 or more, in addition to the information specified in subdivision 8, above, the identification number assigned to the committee by the Secretary of State or, if no identification number has been assigned, the full name and address of the treasurer of the committee. Government Code section 84211(m).

10. For each person listed as a recipient of expenditures of \$100 or more during the period, the complete name of the payee, the address, the amount of each expenditure, a brief description of the consideration for which the expenditure was made and, if the statement indicates a person other than the payee provided the consideration, the complete name and address of the person providing the consideration. Government Code section 84211(k).

11. For each committee listed as a recipient of an expenditure of \$100 or more, in addition to the information specified in subdivision 10, above, the identification number assigned to the committee by the Secretary of State or, if no identification number has been assigned, the full name and address of the treasurer of the committee. Government Code section 84211(m).

12. If the statement is filed by a candidate, the name and street address of committees which are primarily formed to make contributions or expenditures on behalf of the candidate, along with the name, street address and phone number of the treasurer of each such committee and whether such committee is controlled by the candidate and the same information for any other committee controlled by the candidate. Government Code section 84211(p).

13. In a campaign statement filed by a candidate who is a candidate in both a state primary and general election, the candidate's controlled committee, or a committee primarily formed to support or oppose such a candidate, the total amount of contributions received and the total amount of expenditures made for the period January 1 through June 30 and the total amount of contributions received and expenditures made for the period July 1 through December 31. Government Code section 84211(n).

(F) All statements to insure that there are no gross or readily apparent errors in arithmetical calculations.

(c) It shall be the duty of the filing officer pursuant to Government Code section 81010(c) in connection with the filing of candidate and committee campaign statements:

(1) To accept for filing any campaign statement which the Act requires to be filed with the filing officer.

(2) To datestamp on the day of receipt, any campaign statement or report required to be filed with the filing officer.

(3) In those cases where the filing officer discovers in the reviewing of campaign statements that a candidate or committee has filed an incorrect, incomplete or illegible campaign statement or a campaign statement which cannot be reproduced, the filing officer shall promptly notify the candidate or committee of the error or omission. However, no notification is required in those cases in which the errors or omissions are minor ones which do not recur throughout the campaign statement. An error or omission is minor if it does not result in omission of the amount of an individual contribution or expenditure. An error or omission in connection with the identification of a donor or intermediary is minor if such person is identified by name and either street address, occupation, employer or principal place of business. An error or omission in connection with the identification of the recipient of an expenditure or person providing consideration for an expenditure is minor if such person is identified by name.

Note: Authority cited: Section 83112, Government Code. Reference: Section 81010, Government Code.

HISTORY

1. New section filed 3-31-78; effective thirtieth day thereafter (Register 78, No. 13).
2. Amendment of subsection (b)(2)(E) filed 1-25-80; effective thirtieth day thereafter (Register 80, No. 4).

3. Amendment filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Editorial correction of subsection (b)(2)(E) (Register 81, No. 9).
5. Amendment of section heading filed 10-29-81; effective thirtieth day thereafter (Register 81, No. 44).
6. Amendment filed 7-14-83; effective thirtieth day thereafter (Register 83, No. 29).
7. Amendment filed 11-13-85; effective thirtieth day thereafter (Register 85, No. 46.).
8. Editorial correction filed 12-13-85 (Register 85, No. 50). Ed. Note: No change in text.
9. Amendment of subsection (c) filed 10-24-88; operative 11-23-88 (Register 88, No. 45).
10. Editorial correction of subsection (b)(2)(E)8.-9. (Register 96, No. 43).
11. Amendment of subsections (a)(2), (b)(2)(A), (b)(2)(B)1.-2., (b)(2)(E), (b)(2)(E)9., and (b)(2)(E)11., and repealer of subsection (b)(2)(F) and subsection relettering, filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
12. Amendment of subsection (a) filed 5-26-98; operative 5-26-98. Submitted to OAL for printing only pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, Linda Stockdale Brewer, Sacramento Superior Court, Case No. 51275 (1991) (Register 98, No. 22).
13. Amendment filed 9-12-2002 as a change without regulatory effect. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2002, No. 37).

14. Amendment of subsections (a)(1), (b)(2)(B)1., (b)(2)(E)13. and (c)(3) filed 5-12-2021; operative 6-11-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2021, No. 20).