

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

§ 18227.5. General Purpose Committees: State, County or City.

(a) A “general purpose” committee is defined in Section 82027.5 to include all committees formed under Sections 82013(b) and (c), and recipient committees formed under Section 82013(a) that support or oppose multiple candidates or ballot measures, except as provided in Section 82047.5. (In contrast, a “primarily formed” committee, as defined in Section 82047.5 and Regulation 18247.5, supports or opposes a single candidate or measure, or a group of specific measures or local candidates on the same ballot.)

(b) Filing. Under Section 84215 and other provisions contained in Chapter 4, general purpose committees file their semi-annual and preelection statements as follows:

(1) A state general purpose committee files with the Secretary of State's office.

(2) A county general purpose committee files with the county elections official.

(3) A city general purpose committee files with the office of the city clerk.

(c) State, County or City. Under this regulation a committee is considered a state committee unless it qualifies as a city or county committee. To determine whether a general purpose committee is a state, county or city committee under Section 82027.5, the following definitions apply:

(1) City General Purpose Committee. A “city general purpose committee” is a committee that makes more than 70 percent of its contributions and expenditures to support or oppose candidates or measures voted on in only one city, or in one consolidated city and county, including contributions to city general purpose committees in the same city or the same consolidated city and county.

(2) County General Purpose Committee. A “county general purpose committee” is a committee that makes more than 70 percent of its contributions and expenditures to support or oppose candidates or measures voted on in only one county, or in more than one jurisdiction within one county, including contributions to county general purpose committees in the same county.

(3) State General Purpose Committee. A “state general purpose committee” is a committee that meets the criteria in subparagraph (c)(3)(A), (c)(3)(B) or (c)(3)(C):

(A) The committee makes contributions or expenditures to support or oppose candidates or measures voted on in state elections, including making contributions to other state general purpose committees, or in more than one county, and does not meet the criteria for a city or a county committee set forth in subdivisions (c)(1) or (c)(2) above.

(B) The committee is a political party committee, as defined in Section 85205.

(C) The committee is a major donor or independent expenditure committee under Section 82013(c) or (b) that has made any amount of contributions or expenditures during the calendar year to support or oppose candidates or measures voted on in state elections, including contributions to other state committees.

(4) Calculation for 70 Percent Threshold. For purposes of calculating “70 percent of its contributions and expenditures” in paragraphs (c)(1) and (2), a committee includes only those contributions to a candidate, elected officer, or committee and independent expenditures made to support or oppose a candidate or measure requiring supplemental disclosure pursuant to Section 84211(k)(5).

(d) Review.

(1) A general purpose committee shall verify its filing jurisdiction quarterly at the end of March, June, September and December. An existing general purpose committee that has not made contributions and/or expenditures of \$5,000 or more to support or oppose candidates or measures in the preceding quarterly time period is not required to review or change its status.

(2) Newly organized committees. A recipient committee under Section 82013(a) that files its initial statement of organization within six months of an election in connection with which the committee makes contributions or expenditures shall verify its filing jurisdiction at the end of each month prior to the election, unless the committee has not made contributions and/or expenditures of \$1,000 or more to support or oppose candidates or measures during that month.

(3) For purposes of determining where to file under subdivision (c), a recipient committee formed pursuant to Section 82013(a) shall count contributions and expenditures made to support or oppose candidates or measures during whichever of the following time periods most accurately reflects the current and upcoming activities of the committee:

(A) The immediately preceding 24 months; or

(B) The current two-year period, beginning with January 1 of an odd-numbered year and ending with December 31 of the following even-numbered year.

(4) For purposes of determining where to file under subdivision (c), a major donor or independent expenditure committee formed under Sections 82013(c) or (b) qualifies anew as a committee each year, and accordingly shall count contributions and expenditures made to support or oppose candidates or measures during the current calendar year.

(5) In determining its status, a contributing committee may rely on the jurisdiction stated in the receiving committee's most recent statement of organization on file with the California Secretary of State's office at the time the contribution is made.

(e) Change of Status.

(1) Amend Statement of Organization. A recipient committee whose status changes from one jurisdiction to another, or between general purpose and primarily formed shall amend its statement of organization pursuant to Section 84103 to reflect the change. If, after filing reports with one jurisdiction, a committee changes jurisdiction, in addition to filing reports with a new filing officer, the committee must continue filing reports with the original filing officer through the end of the calendar year under Section 84215(g).

(2) Local Committee Contributing to State Candidates from its Area. A city or county general purpose committee that makes up to four contributions per calendar year to candidates for elective state office whose districts include part of that jurisdiction, but which committee would otherwise still qualify as a local committee, is not required to change its status to a state committee based on those contributions.

(f) Avoidance of Disclosure. A committee shall not knowingly file in an incorrect jurisdiction or as an incorrect type of committee, with the intention of avoiding the appropriate legal disclosure of campaign contributions and expenditures to the public.

Credits

Note: Authority cited: Section 83112, Government Code. Reference: Section 82027.5, Government Code.

History

1. New section filed 1-5-2012; operative 2-4-2012. 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 2012, No. 1).

2. Amendment of subsections (c)(1)-(2), new subsection (c)(4) and amendment of subsection (d)(4) filed 6-13-2024; operative 7-13-2024 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 2024, No. 24).