

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

§ 18428. Reporting of Contributions and Independent Expenditures Required to be Aggregated.

(a) Whenever a monetary threshold identified in Chapter 4 and Chapter 5 of the Act has been met or exceeded, contributions and independent expenditures from different sources that are aggregated and treated as if received from a single person shall be reported as follows:

(b) Major Donor and Independent Expenditure Committees:

(1) Any committee pursuant to Section 82013(b) or (c) that is required to aggregate contributions under Section 82015.5 or independent expenditures under Regulation 18225.4 shall file its campaign statement reflecting the total aggregated amount of the contributions or independent expenditures made for the required reporting period. The campaign statement shall be filed in the name of an individual or one of the contributing entities that directs and controls the making of the payments of the entity or entities whose contributions or independent expenditures are required to be aggregated. The filer shall indicate in the campaign statement under the “name of filer” that the campaign statement includes the aggregated activities of other entities directed and controlled by the filer (e.g., (name of filer) “including aggregated contributions/independent expenditures”). In itemizing the amount of each contribution or independent expenditure made, the campaign statement must also identify the name of the entity making the contributions or independent expenditures for each itemized payment made. The filer shall also identify on each campaign statement it is required to file the addition or deletion of any entity, other than a committee pursuant to Section 82013(a), with which the filer is required to aggregate contributions or independent expenditures. If the committee has filed a previous

campaign statement that did not require aggregation and it was filed in a name other than the required name of the filer for reporting aggregated contributions or independent expenditures as set forth above, the subsequent report shall include under the name of filer the former name under which the report was filed (e.g., (name of filer) formerly (name of individual only) or (name of entity only)).

(2) Whenever any person identified in this subdivision makes a contribution that is subject to aggregation to a committee that is required to report the contribution on its own campaign statements, the person making the contribution shall notify the recipient committee of the “name of filer” under which the contribution is being reported on that person's statement.

(c) Recipient Committees:

(1) Contributions Received: Whenever any person that is a committee pursuant to Section 82013(a) files its campaign statement under the reporting provisions of Chapter 4 or Chapter 5 of the Act disclosing a contribution received from a committee described in subdivision (b) of this regulation, it shall report the contribution as received from the contributor and additionally include the “name of filer” of the major donor committee that will report this contribution as provided under subdivision (b)(2) above (e.g., (name of contributor/name of filer)).

(2) Reporting Contributions and Independent Expenditures Made: Whenever any person who is a committee pursuant to Section 82013(a) files any campaign statement that is required under the reporting provisions of Chapter 4 or Chapter 5 of the Act disclosing contributions or independent expenditures made by that committee, and the contributions or independent expenditures are subject to aggregation, those contributions or independent expenditures shall be identified on its report as a payment that is subject to aggregation and reported to the recipient in

the same manner as set forth for major donor and independent expenditures committees in subdivision (b) above. (See Section 84211(k)(5).)

(d) The notification requirements of subdivision (b)(2) of this regulation are not applicable to contributions made by a sponsor to its sponsored committee.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82013, 82015, 82015.5, 84211 and 85311, Government Code.

HISTORY

1. New section filed 6-1-79; effective thirtieth day thereafter (Register 79, No. 22).
2. Amendment of section title and subsections (a) and (c) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
3. Amendment of section heading filed 2-17-82; effective thirtieth day thereafter (Register 82, No. 8).
4. Amendment of subsection (c) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
5. Amendment filed 11-10-97; operative 11-10-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 46).
6. Amendment of subsections (a) and (b), repealer of subsection (c), subsection relettering and amendment of Note filed 12-27-2001 as an emergency; operative 12-27-2001 (Register 2001, No. 52). A Certificate of Compliance must be transmitted to OAL by 4-24-2002 or emergency language will be repealed by operation of law on the following day.
7. Amendment of subsections (b)-(e) and new subsection (f) filed 5-13-2002; operative 4-25-2002 (Register 2002, No. 20).

8. Repealer and new section heading and amendment of section filed 4-4-2006; operative 5-4-2006 (Register 2006, No. 14).
9. Editorial correction of subsection (b)(2) (Register 2006, No. 19).
10. Amendment of section and Note filed 9-14-2020; operative 10-14-2020 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 2020, No. 38).