

INTRODUCTION

Purpose of this Manual

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 the following:

- Local candidates
- Superior Court judges and candidates for Superior Court
- Local candidate controlled committees
- Committees primarily formed to support or oppose a local candidate(s)

Since the Political Reform 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) contains forms, manuals, and a wealth of other helpful information.

Email Advice	Telephone Advice
advice@fppc.ca.gov	1-866-ASK FPPC (1-866-275-3772)

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 \$1,000, candidates who will raise and spend more than \$1,000, 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 \$1,000

A candidate who does not plan to raise or spend \$1,000 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 \$1,000 or more in a calendar year.

Personal funds used to pay filing or ballot statement fees are not counted toward the \$1,000 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 \$1,000 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.

Exception: A candidate for a county central committee of a qualified political party who receives contributions of less than \$1,000 and who makes expenditures of less than \$1,000 is not required to file any campaign statements, including the Form 501 and Form 470. County central committee candidates who raise or spend \$1,000 or more in a calendar year are subject to the Act's campaign reporting requirements.

B. Candidates Raising and Spending \$1,000 or More

A candidate who plans to raise or spend \$1,000 or more in a calendar year, including the candidate's personal funds, must:

Quick Tip

Personal funds used to pay filing or ballot statement fees are not counted toward the \$1,000 threshold.

- File the **Form 501** (Candidate Intention Statement).
- File the **Form 410** (Statement of Organization).
- Establish a campaign **bank account**.

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 \$1,000 or more, the following reports must also be filed:

- **Form 497** (24-hour Contribution Report). Within 90 days before 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).
- File one **Form 410** (Statement of Organization).
- Establish **one bank account** for the committee (each candidate must deposit all contributions and make all expenditures from this bank account).

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 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 \$1,000 or more, the following reports must also be filed:

Quick Tip

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

Quick Tip

A "primarily formed candidate committee" is a committee not associated with the candidate whose main activity is making independent expenditures for the candidate or against their opponent.

- **Form 497** (24-hour Contribution Report). Within 90 days before 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 Independent Expenditure Report). Within 90 days before 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. Forms 462 (Verification of Independent Expenditures) and 465 (Supplemental Independent Expenditure Statement) must also be filed. See Chapter 10 for additional information about the forms required to be filed in connection with independent expenditures.
- **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 candidate's own committee for election is not a "primarily formed" committee although it supports one candidate – it is a "candidate controlled" committee.

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 \$1,000 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 \$1,000 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.

Exceptions:

- Candidates may use their personal funds to pay a filing fee or a ballot statement 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.

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.

Quick Tip

Campaign funds must be kept separate from personal funds.

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 e-mail 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.

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 \$1,000 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 \$1,000 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 \$1,000 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 \$1,000 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 11 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 (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 \$1,000 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 \$1,000 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 \$1,000 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	CALIFORNIA FORM 470 <small>For Official Use Only</small>
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A Date of election if applicable: (Month, Day, Year) Amendment (Explain Below)

6/6/XX

1 Statement Covers Calendar Year 20 XX.

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@gma

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 ID Number 1533XX	1618 C Street 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 \$1,000 and that I will spend less than \$1,000 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] _____ By _____ [Signature Required] _____
DATE SIGNATURE OF OFFICEHOLDER OR CANDIDATE

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

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 e-mail 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 \$1,000 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 \$1,000 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 \$1,000 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 \$1,000 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 \$1,000 in January?

No. The Form 470 Supplement is only required if you file the Form 470 and subsequently raise or spend \$1,000 in the same calendar year. Since you filed the Form 470 last year, but did not meet the \$1,000 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 \$1,000 or more, or makes expenditures totaling \$1,000 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 \$1,000 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 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 \$1,000 or more or has made expenditures of \$1,000 or more during the calendar year.

1

1. 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

2

2. Office Sought

OFFICE SOUGHT

Oakmont City Council

DATE OF ELECTION (MONTH, DAY, YEAR)

6/6/XX

DISTRICT NUMBER
(IF APPLICABLE)

1

3

3. Date Contributions Totalling \$1,000 or More Were Received or Date Expenditures of \$1,000 or More Were Made

4/1/XX

(MONTH, DAY, YEAR)

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

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 e-mail 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 \$1,000 Threshold Was Met

Provide the date contributions totaling \$1,000 or more were received or the date expenditures of \$1,000 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 \$1,000 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 and one copy of the Form 410 with the Secretary of State within 10 days of raising or spending \$1,000 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 \$1,500. 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 \$1,000, but then must be amended within 10 days of reaching the \$1,000 threshold to disclose the date the committee qualified.

24-Hour 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 \$100 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 \$900, bringing the cumulative contributions received to date to \$1,250. Because the candidate has now exceeded the \$1,000 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 above.

24-Hour 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 **A**

Initial **Amendment** **Termination – See Part 5**
 Not yet qualified or List I.D. number: List I.D. number:
 # _____ # _____
 09 / 04 / 20XX _____ _____
 Date qualified as committee Date qualified as committee Date of Termination
 (If applicable)

Date Stamp

CALIFORNIA FORM 410
For Official Use Only

1 Committee Information

NAME OF COMMITTEE
Manuel Alvarez for Mayor 20XX

STREET ADDRESS (NO P.O. BOX)
225 Presley Street

CITY STATE ZIP CODE AREA CODE/PHONE
Oakmont CA 95443 (707)555-6868

MAILING ADDRESS (IF DIFFERENT)
P.O. Box 1744, Oakmont, CA 95434

FAX / E-MAIL ADDRESS
707-555-6869/ mrichards@oakmontmail.com

COUNTY OF DOMICILE JURISDICTION WHERE COMMITTEE IS ACTIVE
San Marino San Marino

Attach additional information on appropriately labeled continuation sheets.

2 Treasurer and Other Principal Officers

NAME OF TREASURER
Madeline Richards

STREET ADDRESS (NO P.O. BOX)
225 Presley Street

CITY STATE ZIP CODE AREA CODE/PHONE
Oakmont CA 95443 (707)555-6868

NAME OF ASSISTANT TREASURER, IF ANY
Manuel Alvarez

STREET ADDRESS (NO P.O. BOX)
225 Presley Street

CITY STATE ZIP CODE AREA CODE/PHONE
Oakmont CA 95443 (707)555-6868

NAME OF PRINCIPAL OFFICER(S)
N/A

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 [Date Required] By [Signature Required]
DATE SIGNATURE OF TREASURER OR ASSISTANT TREASURER

Executed on [Date Required] By [Signature Required]
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

FPPC Form 410 (Dec/2012)
 FPPC Advice: advice@fppc.ca.gov (866/275-3772)
 www.fppc.ca.gov

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 \$1,000 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 \$1,000 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/E-mail Address

Provide the committee’s fax number and e-mail address.

County of Domicile and Jurisdiction Where Committee is Active

Indicate the county in which the committee is located and the county 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 may reject the filing of a Form 410 if the committee’s e-mail 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.”
- 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 (INCLUDE DISTRICT NUMBER IF APPLICABLE)	YEAR OF ELECTION	PARTY
Manuel Alvarez	Oakmont City Council, District 1	20XX	<input checked="" type="checkbox"/> Nonpartisan
			<input type="checkbox"/> Nonpartisan

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 \$1,000 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 \$1,000 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 FPPC 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 may be reported on Schedule C as nonmonetary contributions (itemize purchases 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, 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 Statements of Organization; Contents.
- 84103 Statement of Organization; Amendments.
- 84106 Sponsored Committee; Identification.
- 84206 Candidates Who Receive or Spend Less than \$1,000.
- 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

- 18402 Committee Name.
- 18406 Short Form for Candidates or Officeholders Who Receive and Spend Less than \$1,000 in a Calendar Year.
- 18419 Sponsored Committees.
- 18430 Committee 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.