

CAMPAIGN DISCLOSURE INFORMATION

The Political Reform Act of 1974 requires all candidates for state and local elective office, all state and local elected officeholders, proponents of state ballot measures who control a ballot measure committee, and committees supporting or opposing state and local candidates, all measures, and petition circulation drives to file campaign disclosure statements disclosing contributions received and expenditures made.

It is the responsibility of candidates and/or committees to be aware of and to file the required campaign disclosure statements in a correct and timely manner. All candidates will sign an “FPPC Information Acknowledgment” form. The Elections Office may send reminders, but not receiving a reminder cannot be used as the reason for late or non-filing. The law provides for a \$10 per day late filing penalty for a statement filed after the prescribed deadline. The method of delivery (mail, in person, fax) that is acceptable varies between deadlines. Any person who violates any provision of the Political Reform Act may be liable in an administrative proceeding for an amount up to \$5,000 per violation (GC 83116c).

All disclosure statements are a matter of public record. They may be inspected at the Elections Office by anyone, and copies can be purchased at ten cents (\$.10) per page.

The Elections Division has some Fair Political Practices Commission (FPPC) manuals and addenda for review. Candidates and/or treasurers should request their copies directly from the FPPC. It is strongly recommended that each candidate, treasurer and committee – especially those who file Form 410 – thoroughly review FPPC documents. If you have a question that is not answered by the documents, contact the FPPC toll-free at 1-866-275-3772, or on line at www.fppc.ca.gov. Also, many FPPC forms are now available on their website in interactive format. You can complete the forms on your computer first, and then print them for signature.

A candidate who will not receive contributions from others and whose only expenditures will be from personal funds for the filing fee and/or statement of qualifications in the Sample Ballot Booklet does not need to file Form 501 nor 410. If the candidate has not already filed an annual Form 470, the candidate is encouraged to file a Form 470 at the time of filing nomination papers, and must do so no later than the first pre-election filing.

Candidates and officeholders who make campaign-related expenditures from personal funds (other than filing fees and/or statement of qualifications) not to exceed \$1,000 must file Form 501. Candidates who plan to use personal funds exceeding \$1,000 to pay campaign-related expenses, other than filing fees and/or statement of qualifications in the Sample Ballot Booklet, deposit those funds into an appropriate campaign bank account prior to making the expenditure and file Forms 501 and 410.

Before a candidate may solicit or receive any contributions from others, a Candidate Intention, Form 501, must be filed. If the Candidate files a Form 470 and receives contributions, a bank account must be opened. If the Candidate files a Statement of Organization Form 410, the bank account information is provided on the Form 410. Contributions of \$100 or more may not be received in cash, but must be on a written instrument that shows both the recipient's and contributor's names.

Before a candidate may make any campaign expenditures, other than using personal funds for the 1) filing fee, 2) Candidate Statement of Qualifications, and/or 3) up to \$1,000 for campaign expenditures, a bank account must be opened.

A Form 470 may be filed annually, when submitting a Declaration of Candidacy, or no later than the deadline for the first pre-election campaign statement if the officeholder or candidate does not have an active controlled committee and will not receive \$1,000 in contributions during the year.

If an officeholder or candidate files a Form 470 in connection with an election, and subsequently receives more than \$1,000 in contributions, a Form 470 Supplement must be filed with the Secretary of State, the local filing officer, and with each opposing candidate within 48 hours. Regular mail may not be used.

If an officeholder or candidate receives \$1,000 in contributions, including personal funds used for campaign-related expenses, a Statement of Organization, Form 410, must be filed. See the FPPC manual for deadlines.

Once a Form 410 has been filed, the officeholder or candidate must file an Officeholder/Candidate/Controlled Committee Campaign Statement, California Long Form 460 for all pre-election and semi-annual filings, whether or not it is an election year. The controlled committee is considered active until the Form 410 Termination has been filed. Whenever there is a change in any of the information contained in a Statement of Organization Form 410, an Amendment to Campaign Disclosure Statement, Form 405, shall be filed with the Secretary of State and a copy filed with the local elections officer within 10 days to reflect the change.

CAMPAIGN DISCLOSURE FORMS

Depending on the form, the forms listed below or copies of the originals must be filed with the Elections Office, the Secretary of State, and/or the Fair Political Practices Commission. Each form specifies where it must be filed and/or the filing location is described in the FPPC Manual. Amendments to forms must be filed in the same place(s) as the original form.

Form 410 – Statement of Organization

Form 425 – Semi-Annual Statement of No Activity for Non-Controlled Recipient Committees

Form 450 – Recipient Committee Campaign Statement – Short form

Form 460 – Consolidated Campaign Disclosure Form
Form 465 – Supplemental Independent Expenditure Report
Form 470 – Officeholder/Candidate Campaign Statement – Short Form
Form 470 – Supplement
Form 495 – Supplemental Pre-Election Campaign Statement
Form 496 – Late Independent Expenditure Report
Form 497 – Late Contribution Report
Form 501 – Candidate Intention Statement
Form 700 – Statement of Economic Interests

All above forms are available in an interactive format (you can fill them out on your computer prior to printing them) on the Fair Political Practices Campaign website, located at www.fppc.ca.gov.

The Elections Office will accept, at all times prior to the election, all completed forms which are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election. (EC Sec. 20442) Every code subscribed to by a candidate for public office pursuant to Chapter 6 of Division 20 of the Elections Code is a public record open for public inspection. (EC Sec. 20443) In no event shall a candidate for public office be required to subscribe to or endorse the Code. (EC Sec. 20444)

CODE OF FAIR CAMPAIGN PRACTICES

At the time an individual files his/her Declaration of Candidacy, Nomination Paper/Petition, or any other paper evidencing an intention to be a candidate for public office, the Elections Office will give the individual a blank form of the Code of Fair Campaign Practices. The Elections Office will inform each candidate for public office that subscription to the Code is voluntary. (EC Sec. 20440)

The Legislature hereby declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters. (EC Sec. 20400)

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and encourage candidates to discuss issues instead of untruths and distortions. (EC Sec. 20400)

POLITICAL SIGNS

A political sign is any type of posted advertisement used to promote or defeat a candidate and/or measure for an election. Any type of advertising viewed by the public can fall under political sign regulations.

STATE: The State Department of Transportation is prepared to answer questions about state regulations of campaign signs. For information, call (916) 654-4790. The Tuolumne County Elections Office provides a Cal Trans information sheet prepared for candidates.

PACIFIC GAS & ELECTRIC COMPANY: PG&E has adopted a firm policy of not permitting the attachment of candidate/campaign materials to PG&E poles or other facilities. The U.S. Supreme Court has made it clear that third parties have no right to use utility property to communicate messages to the public [Pacific Gas and Electric Company v. Public Utilities Commission, 475 U.S. 1 (1986)]. Also, the placement of signs, pictures, or other forms of advertising on private property without the owners' permission is restricted under California Law (Penal Code §556.1 and 593).

NOTE: THE PLUMAS COUNTY CLERK'S OFFICE, LOCATED AT 520 MAIN STREET ROOM 102 IN QUINCY, SERVES AS POLLING PLACE FROM 29 DAYS BEFORE AN ELECTION THROUGH ELECTION DAY. NO POLITICAL SIGNS MAY BE POSTED IN BUILDING WINDOWS, ON VEHICLES OR ANY OTHER VENUE WITHIN 100 FEET OF THESE OFFICES. (EC Sec. 18370)