

New Campaign and Lobbying Disclosure Rules Effective January 1, 2011

Legislation, Assembly Bill 1181 (Huber) (Chapter 18, 2010 Statute), makes changes to the Political Reform Act's online disclosure rules for state committees. A summary is provided below:

- **E-Filing at \$25,000:** Beginning January 1, 2011 the threshold for which a state committee must E-file statements to the Secretary of State is lowered from \$50,000 to **\$25,000**. To determine the \$25,000 threshold count payments beginning January 1, 2000.
- **New E-Filers:** Superior Court Judges and elected members of the State Teachers' Retirement Board who raise or spend a cumulative minimum of \$25,000 starting from January 1, 2000 are now included in the list of potential E-filers.
- **File Late Reports Online:** California law requires candidate, ballot measure and political party committees to file late reports within 24 hours if the committee makes or receives contributions or makes independent expenditures of \$1,000 or more 16 days before an election. General purpose committees, including major donors and independent expenditure committees, must file late reports for expenditures made 16 days before an election.

Committees required to file these late reports with the Secretary of State must now file online, no paper copies are required. This is true even if the committee has not met the \$25,000 threshold that requires regular campaign disclosure reports to be filed online.

- **Fewer Copies of Statements:** All state committees will no longer file paper copies of statements at the offices of San Francisco Registrar of Voters and Los Angeles County Registrar-Recorder. This is true whether the committee is a paper or E-filer.
- **County of Domicile:** State candidate committees that E-file with the Secretary of State will no longer file a copy with the candidate's county of domicile unless the state candidate has a local committee. State candidate committees that do not E-file continue to file paper copies at SOS and with the local filing officer.
- **Lobbyists E-file at \$2,500/qtr:** The threshold for filing electronic statements required by lobbyists, lobbying firms and lobbyist employers is lowered from \$5,000 to **\$2,500 per quarter**. Lobbying registration statements must continue to be filed on paper as well as online.

FAQs

1. After July 1, 2010, a state major donor made \$40,000 in contributions. The semi-annual statement for this committee is due January 31, 2011. Must the committee file its report both in paper and online?

No, although the report is due after the effective date of AB 1181, the activity reported covers expenditures made in 2010. An E-filed report will be required on January 31, 2011, only if the major donor made expenditures of \$50,000 or more in calendar year 2010.

2. Must a state committee filing the semi-annual report covering the period through December 31, 2010 file a copy of the report with the elections offices in San Francisco and Los Angeles?

Yes, the activity reported covers 2010 activity and must be filed with all locations that required by law prior to January 1, 2011.

3. In 2011 I will have a city election committee, legal defense committee and a statewide office committee. I am an E-filer. Who receives my semi-annual statements due July 31, 2011?

Both the Secretary of State and the city clerk must receive all statements because you are seeking election in different jurisdictions. This is pursuant to FPPC regulation 18405.

4. In 2011, a candidate will seek a legislative office in a special election. If a major donor committee makes a \$3,000 contribution to the state candidate in the 16 day period before the election, must it file a Form 497 online?

Yes, the Form 497 must be filed online even if the major donor has not made -- in aggregate during the calendar year -- contributions of \$25,000 or more. No paper copy is required.

5. In the last six months of 2011, a state committee, active in a local election, qualifies as a city committee. What locations does the committee file its year-end semi-annual report?

A state committee that later qualifies as a local committee must continue to file with the state through the end of the year. Thus, the year-end semi-annual report would be filed with both the Secretary of State and the local jurisdiction.