# Workshop for Candidates and Treasurers

# Hosted by the County of Santa Cruz

This workshop is designed for **local candidates** who plan to raise or spend \$2,000 or more on their election.

Presented by John Kim + Glen Bailey External Affairs and Education Fair Political Practices Commission www.fppc.ca.gov 1-866-275-3772 (Ask FPPC)

# What We'll Cover Today

- Getting Started
- Recordkeeping
- Campaign Forms
- Filing Deadlines
- Reporting Contributions

- Notifications
- Advertisement Disclaimers
- After the Election
- Online Resources

The visual aids used in FPPC workshops are guides and contain only highlights of selected provisions of the law; they do not carry the weight of the law.

# **Getting Started**

- Form 700 Statement of Economic Interests
  - File with your local elections office
- Form 501 Candidate Intention Statement
  - File with your local elections office
- Form 410 Statement of Organization
  - File original with the Secretary of State (SOS) and a copy with your local elections office
  - Registers your committee and assigns a committee ID#
  - Include \$50 committee fee
- Open Bank Account
- Obtain your Filing Schedule
- Educational Resources
  - Campaign Disclosure Manual 2 for Local Candidates
  - Candidate Toolkit
  - Basic Rules for Treasurers

# Recordkeeping

- Keep copies of all receipts, campaign forms, and supporting documentation for at least four years.
- Get the names and addresses of contributors of \$25 or more and the occupation/employer
  of individuals who contribute \$100 or more.
- Review Campaign Manual 2 Chapter 2 for detailed recordkeeping requirements.
- Both Candidate and Treasurer are equally liable in audits or Enforcement cases for nondisclosure on campaign reports or lack of records.

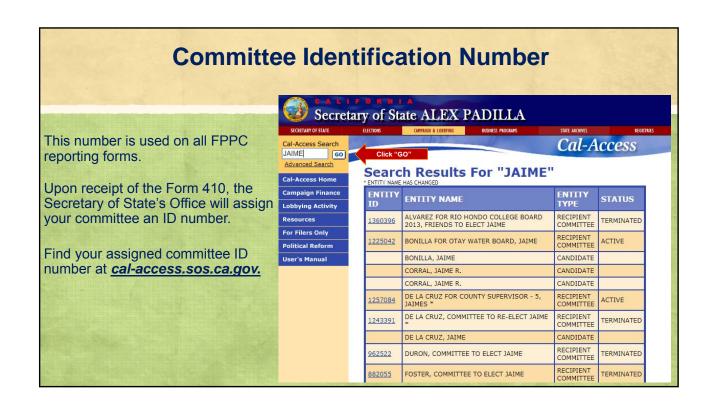
Candidate Intention Statement Form 501	Candidate Intention Statement  Check One: ⊠Initial ☐ Amendment (Explain)
WHEN: File before spending or receiving money, including personal funds WHERE:	1. Candidate information:  NAME OF CANDIDATE (JAM, Fig. Mode Initial)  DAYTIME TELEPHONE NUMBER  (831) 555-5211 () GUARD@GMAIL.COM  STRET ADRIBES  CITY STATE ZIP CODE  S21 STREET  APTOS  CA 95001  OFFICE 300HT (POSTROT TRUE)  BOARD OF SUPERVISORS  SANTA CRUZ COUNTY  OFFICE JUNISDICTION    SANTA CRUZ COUNTY    Name of Multi-County. Institutions)
File with your local filing officer (City Clerk or Registrar of Voters)  Also:  Must file a new 501 if running for reelection	2. State Candidate Expenditure Limit Statement:  (CAMPERS and CASTERS candidate, judges, judical candidate, accessibles for localidadeocontopropleta/Part2)  (Check or below)    I accept the voluntary expenditure ceiling for the election stated above.    I do not accept the voluntary expenditure ceiling for the election stated above.  Amendment:    O I do not accept the voluntary expenditure ceiling for the election stated above.  Amendment:   O I do not accept the voluntary expenditure ceiling for the election stated above.
	Continue of application:   On/, I contributed personal funds in excess of the expenditure ceiling for the election stated above.    3. Verification:   Certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.   Executed on

Statement of Organization	on	
WHEN: File within 10 days of raising or spending \$2,000 including	Not yet qualified or O Date muslified as committee	CALIFORNIA 410 FORM For Official Use Civity  Intermination
personal funds.	1. Committee Information I.D. Number (if applicable) PENDING	2. Treasurer and Other Principal Officers
WHERE: Original with Secretary of State, copy to your filing officer.	LANISTER FOR SUPERVISOR 2018  STREET AGORDEN TO THE SOUND STATE AGORDEN TO THE STREET  OTT SIMIE DO TO CODE AMAG CODE/FROME  APTOS CA 95001 (831) 555-1234  MAGING ADDRESS OF DIFFERENT)	PETER BAELISH  STHET ADDRESS FOR O'R DEGI  10 PARKWAY PLAZA  CITY SIMIE DP CODE AMEA CODE/PRIONE  SANTA CRUZ CA 95060 831-555-2345  NAME OF ASSESSANT PRACEIORS, # NAY  TYWIN LANISTER  STHET ADDRESS FOR O'R DEGI
Also: Can be filed before reaching the \$2,000 threshold if you want a Committee ID number.	SOS will reject if e-mail is not provided  COUNTRY OF DOMEST  SANTA CRUZ  SANTA CRUZ  SANTA CRUZ COUNTY   Attach additional information on appropriately labeled continuation sheets.	100 SANDY STREET
Important: Complete required fields on the Form 410 or it will be rejected and the assignment of Committee ID number will be delayed!	3. Verification  I have used all reasonable diligence in preparing this statement and to the best of my penalty of perjury under the laws of the State of California that the foregoing is true  Executed on 11/1/17  Executed on 11/2/17  Execu	

Second page	Statement of Organization Recipient Committee INSTRUCTIONS ON REVERSE					CALIFORNI FORM	<sup>A</sup> 410
	COMMITTEE NAME  LANISTER FOR SUPERVISOR 2018					PENDING	
Committee ID / Bank Account: The Secretary of State will reject a form	All committees must list the financial institution where the campaign	bank account is located.					
410 if there is no information in the Financial Institution section.	NAME OF FINANCIAL INSTITUTION  IRON BANK	831-797-7979					
	26 MAIN STREET	APTOS	CA		5001		
If you need a Committee ID for a bank to open your account, SoS will accept your form and assign an ID number if you note the financial institution information is:	district number, if any, and the year of the election.						
Pending	<ul> <li>List the political party with which each officeholder or candidate</li> <li>If this committee acts jointly with another controlled committee</li> </ul>					ole.	
	NAME OF CANDIDATE/OFFICEHOLDER/STATE MEASURE PROPONENT		CE SOUGHT OR HELD NUMBER IF APPLICABLE)	YEAR OF ELECTION	ceto	PARTY	
<b>NOTE</b> : Pending is only acceptable if you are filing an <i>Initial</i> : Not yet qualified Form	JAIME LANISTER	BOARD OF SUPERVISORS 2018 ✓		Nonpartisan ✓	Partisan (list politic		
410.					Nonpartisan	Partisan (list politic	al party below)
Include the financial information when you file the Form 410 that includes the date	Primarily Formed Committee  Primarily formed to supporter of CANDIDATES) NAME OR MEASURES FULL TITLE (INCLUDE AND FIRST NAME OR SECULLY IN FRONT OF THE OFFICE HOLD FIRST NAME OF THE OFFI	4000	or measures in a single ele ANDIDATE(S) OFFICE SOUGHT OR HE (INCLUDE DISTRICT NO., CITY O	LD OR MEASI	IRE(S) JURISDICTIO	N	OHES ONE
me the remarkable means and date						SUP	PORT OPPOSE
your committee qualified.	The state of the s	NAME AND ADDRESS OF					

# **Bank Account Rules**

- One bank account per election
- No commingling of funds (with personal or other committee funds)
- Candidate must make all campaign expenditures from campaign account
  - **Exceptions:** Filing and ballot statement fees may be paid using personal funds.
- May be opened as a personal account (if bank requires tax ID# use the IRS website or call 877-829-5500)



# **Campaign Statement-Form 460**

#### <u>Purpose</u>

 Provides the public transparency on campaign activities by requiring the disclosure of contributions received (money & assets in) and expenditures made (money & assets out).

#### When to File

Filing Schedule Deadlines (available on the FPPC website)

#### Where to File

- Local committees either at:
  - City Clerk
  - Registrar of Voters
- Multiple committees send the original to the regular filing officer and a copy to the other filing officer.

# June 5th 2018 Election Filing Schedule

#### Fair Political Practices Commission Filing Schedule for Candidates and Controlled Committees for Local Office Being Voted on June 5, 2018

Deadline	Period	Form	Notes
Jan 31, 2018 Semi-Annual	* - 12/31/17	460 or 470	<ul> <li>460: All committees must file Form 460.</li> <li>470: If a candidate raised or spent less than \$2,000 during 2017, file Form 470 (see below).</li> </ul>
Within 24 Hours Contribution Reports	3/7/18 - 6/5/18	497	<ul> <li>File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1,000 or more in the aggregate is made to another candidate or measure being voted upon June 5, 2018.</li> <li>The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 within 48 hours from the time the contribution is received.</li> <li>File by personal delivery, e-mail, guaranteed overnight service, fax or online, if available.</li> </ul>
Apr 26, 2018 1 <sup>st</sup> Pre-Election	1/1/18 - 4/21/18	460 or 470	<ul> <li>Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
May 24, 2018 2 <sup>nd</sup> Pre-Election	4/22/18 - 5/19/18	<u>460</u>	<ul> <li>All committees must file Form 460.</li> <li>File by personal delivery, guaranteed overnight service or online, if available.</li> </ul>
Jul 31, 2018 Semi-Annual	5/20/18 - 6/30/18	<u>460</u>	<ul> <li>All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before June 30, 2018.</li> </ul>

After the election, most candidates file Form 460 semi-annually until the committee is closed.

#### **Campaign Statement** Form 460 Cover Page Deadline: Check filing schedule! Check filing COVER PAGE Recipient Committee Campaign Statement Cover Page schedule for dates CALIFORNIA 460 FORM Page 1 of 16 Statement covers period Date of election if applicable: (Month, Day, Year) For Official Use Only 1/1/2018 Check filing schedule for type of 4/21/2018 6/5/2018 SEE INSTRUCTIONS ON REVERSE statement 2. Type of Statement: 1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4. ☑ Officeholder, Candidate Controlled Committee ○ State Candidate Election Committee ○ Recall (Also Compilete Part 5) ✓ Preelection Statement ☐ Primarily Formed Ballot Measure Quarterly Statement Semi-annual Statement Termination Statement (Also file a Form 410 Termination) Committee Controlled Sponsored (Also Complete Part 6) ☐ Special Odd-Year Report Amendment (Explain below) ☐ General Purpose Committee Primarily Formed Candidate/ Officeholder Committee (Also Complete Part 7) Sponsored Small Contributor Committee Political Party/Central Committee 4. Verification I have used all reasonable diligence in preparing and reviewing this statement and to the hest of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing the and correct. Peter Baelish The candidate and 1/25/2018 treasurer must both sign

# Form 460 Snapshot of Schedules

#### Money In

- Schedule A:
  - Monetary Contributions
- Schedule B:
  - Loans Received
- Schedule C:
  - Non-Monetary Contributions
- Schedule I:
  - Miscellaneous Increases to Cash

#### **Money Out**

- Schedule B:
  - Loan Repayments
- Schedule E:
  - Expenditures
- Schedule F:
  - Accrued Expenses

Note: Schedules D, G, and H (all money out) are not commonly used by local candidates and will not be discussed at this workshop. For more information on these schedules, please see Manual 2 or contact FPPC.

## What is a Contribution?

- Money (cash, check, credit card...)
- Nonmonetary items (donated goods/services)
- Payments made by a third party coordinated with the committee/candidate
- Loans
- Enforceable promises
- Note: Everything listed above that is provided by the candidate or their family is a contribution to the committee that must be disclosed.

**Contribution Limits May Apply!** 

# **Receiving Electronic Contributions**

Contributions may be received by credit card, wire transfer, debit account transaction, text message, or similar electronic payment options (including contributions received via the internet or telephone).

**Note:** Fees associated with this type of fundraising or deducted by the vendor before the contributions are sent to the committee are reported as expenditures. **The fees are not deducted from the amount of each contribution reported**.

# **Receiving \$5,000 or More From a Contributor?**

You *must* send the contributor a notice that they may need to file as a major donor.

A sample notice is provided in Candidate's Manual 2

The donor may need to file:

- Form 461 Major Donor Statement
- Form 497 24-Hour Contribution Report

Major Donor committees use Campaign Disclosure Manual 5

# **Contribution Restrictions**

- No anonymous contributions of \$100 or more may be received.
- No contributions of \$100 or more made by money order or cashier's check may be received.
- Never accept \$100 or more in cash.
- Local ordinances determine if there is a contribution limit. Check with your filing officer.
- Cannot accept contributions from a foreign government or foreign principal
  - Permanent Residents (Green Card) may contribute.

# **Exceptions to Contributions**

## These are not reportable:

- Volunteer personal services.
- Certain communications from an organization to its members.
- Home/office fundraiser.
- Uncompensated internet activity.

## **Home and Office Events**

If the **total** cost of the event is \$500 or less, the occupant/host has not made a contribution.



Food, beverages, and other items donated by someone other than the occupant count toward the \$500 threshold and are reportable as non-monetary contributions. If the total cost of ALL items is greater than \$500, the entire event is reportable.

# **Monetary Contributions**

**Reporting Monetary Contributions** 

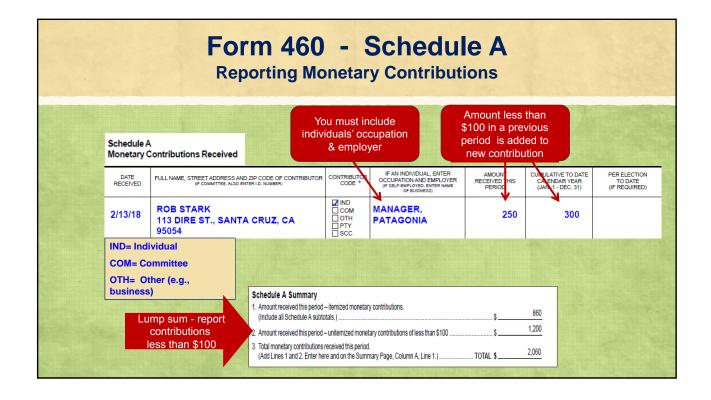
## Date received (whichever is earlier):

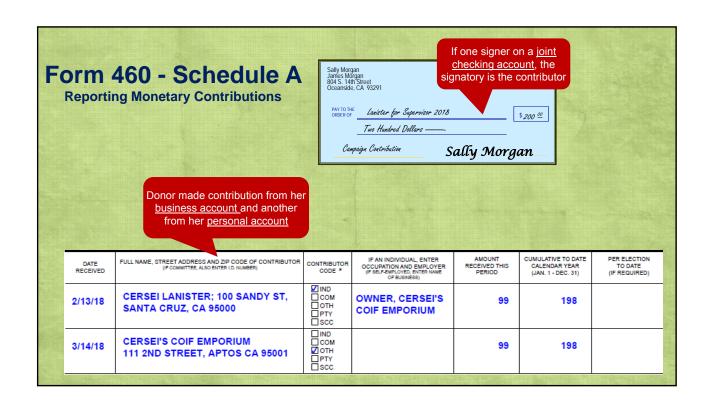
- Possession of check (not date deposited) or,
- Possession of payment information for credit cards, or
- When a contract vendor or collecting agent receive either of the above.

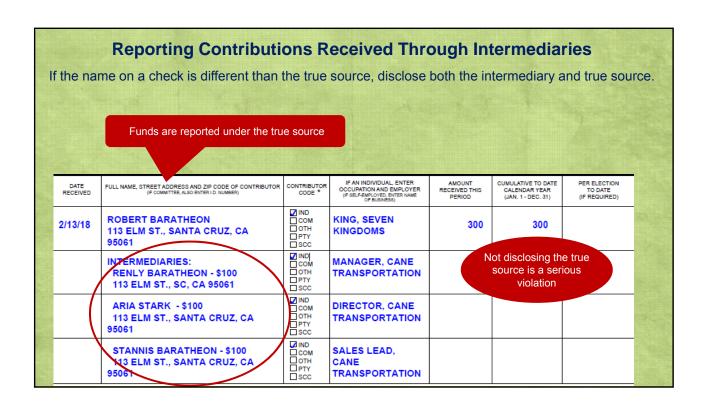
## Contribution Disclosure (\$100 threshold):

 Provide the name and address, and if an individual, also report the occupation and employer.

#### **Donor Information** (contributors of \$100 or more) **Complete Incomplete** Retired Manager Contributions of Consultant, A Better \$100 or more must Next Door Neighbor **Business Agency** be returned within Friend Self-Employed, No 60 days if ABBA (no Separate Business Name individual's name. acronyms) Homemaker street address. Student Business Person occupation, and Private Investor: stocks & Entrepreneur employer are not bonds obtained. Investor Lawyer, Ortiz & Smith



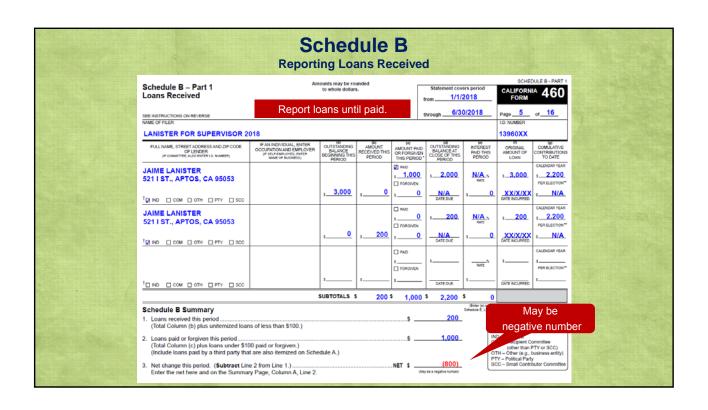




## Schedule B

#### **Reporting Loans Received**

- Multiple loans made by the same person are reported as a separate loan.
- Candidate's personal funds may be reported as a loan.
- Report bank that makes a loan even if personal assets secure loan.



# Schedule C

**Reporting Non-Monetary Contributions** 

#### Examples:

- food/beverages
- rental space
- polls
- discounts

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER LD. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	DESCRIPTION OF GOODS OR SERVICES	AMOUNT/ FAIR MARKET VALUE	CUMULATIVE TO DATE CALENDAR YEAR (JAN 1 - DEC 31)	PER ELECTION TO DATE (IF REQUIRED)
3/13/18	SEASIDE SHIPS 421 16TH STREET SANTA CRUZ, CA 95001	□IND □COM □OTH □PTY □SCC		KAYAK	1,280	1,280	
3/11/18	BLACKSMITH PAC 1090 OAK DRIVE SANTA CRUZ, CA 95001	□IND □COM □OTH □PTY □SCC	ID# 941233	POSTAGE	340	340	

# **Non-Monetary Contributions (In Kind Contributions)**

- Report donated items at fair market value using Schedule C.
- Fair Market Value: The amount it would cost any member of the public to purchase the item, not necessarily the amount the donor paid.
- Must provide a description of the good or service received.
- Monetary and non-monetary contributions from the same source aggregate in the cumulative to date reporting section.

## Form 460 - Schedule E

**Reporting Campaign Expenditures** 

#### All expenditures must have a:

- Political, legislative, or governmental purpose
- You may establish a petty cash fund (\$100 or less)
- No cash expenditure of \$100 or more.

#### Credit card can be used:

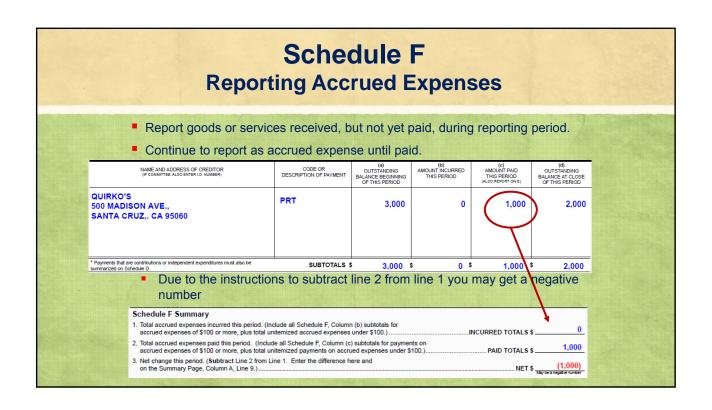
- Must be zeroed out first.
- Can only be used for campaign purposes, until campaign expenses are fully paid off.

Note: A spouse or domestic partner of an elected officer or a candidate <u>may not</u> receive compensation from campaign funds for services rendered, including fundraising services for the candidate's campaign.

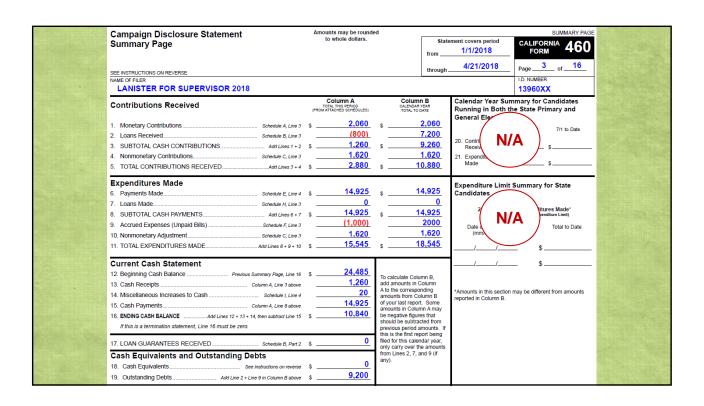
Campaign funds may not be used for personal purposes!

#### Schedule E **Reporting Payments Made** An expenditure of \$100 or more for a gift, Date, number of attendees, whether meal, or travel must include certain details. candidate &/or any individual with authority to make expenditures attended, and purpose NAME AND ADDRESS OF PAYEE DESCRIPTION OF PAYMENT AMOUNT PAID CODE OR JACKIE'S KITCHEN 3/11/XX STRATEGY LUNCH (CANDIDATE, 120 42 MARINER WAY, SANTA CRUZ, CA 95001 TREASURER, AND 2 OTHERS PRESENT) JAIME LANISTER FIL 1,000 521 I ST., APTOS CA 95060 Reimburse candidate for filing fee COUNTY BANK 1,500 2900 MEADS WAY., SANTA CRUZ, CA 95001 SUBVENDOR: PHONE BANKS-R-US \$1,000 PHO 250 TREE WAY, SANTA CRUZ, CA 95001 **Credit Card Payment**

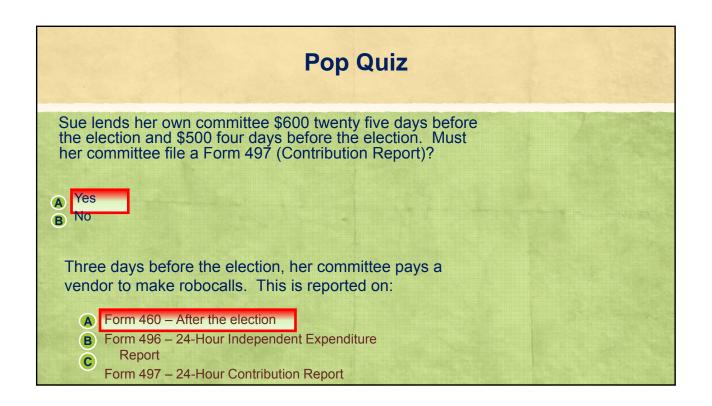
# 



# Schedule I Miscellaneous Increases to Cash Examples Interest Refunds Vendor Filing Fee Sale of donated items (up to fair market value)



	File	e if you red	ceive \$1,000	or more	from a s	- Form 497 single source 90 days before	
497 Contribu	tion Report		Amounts may	be rounded to w	hole dollars.		
NAME OF FILER			Date of This Filing04/12/2018    Report No 3    Amendment to Report No (explain below)   No. of Pages 1		CALIFORNIA FORM FOR Official Use Only		
DATE RECEIVED				TOR	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYE (IF SELF-EMPLOYED, ENTER NAME OF BUSINE	
04/12/2018 FRANCES BURNEY 1444 RIVERSIDE DRIVE SANTA CRUZ CA 95060				IND     COM     OTH     PTY     SCC	OWNER, BURNEY PUBLISHING COMPANY	\$1,500  Check if Loan  Provide interest rate	
	May t		personal de ax, e-mail or			d overnight mail, e.	



# **Campaign Contributions and Disqualification**

If the candidate is an official who holds an **appointed position** and receives contributions for an elective office, he/she may be subject to the provisions of GC 84308, which prohibits officials from soliciting or accepting contributions of \$250 or more from an entity doing business before the official's agency.

#### Who is Covered Under GC 84308?

- Planning Commissioners
- Local Agency Formation Commission members (LAFCO)
- Transportation Authority members
- Air Quality Management District members
- Waste Management Authority members
- California Coastal Commissioners

Additional information about GC 84308 can be found on the FPPC website

# **Political Advertisement Disclaimers**

Go to:

**FPPC Home Page >** 

Learn >

Campaign Rules >

Campaign Advertising



#### **Political Advertising Disclaimers**

1. Communications by Candidate Committees for their own Election

The disclaimer must include, unless otherwise noted: "Paid for by committee name Examples: "Paid for by Jones for Assembly 20XX" "Paid for by Friends of Smith for Mayor 20XX"

Communication	Manner of Display			
All mass mailings - more than 200 sent within a calendar month (including emails)	Candidate's committee name/address (on file with Form 410) on outside of mailing (if no Form 410 on file, use candidate name/address)			
	<ul> <li>Only committee name (no address) required on emails</li> </ul>			
	<ul> <li>"Paid for by" must be in the same color and font as the committee name/address and immediately in front of or above the name/address</li> </ul>			
	If sent by more than one candidate/committee:     Also on at least one insert in the mailing			
	<ul> <li>No less than 6-point type/contrasting print color</li> </ul>			
	<ul> <li>Return envelopes (if included in solicitation) – committee's name, address and ID number are recommended but not required</li> </ul>			
Telephone calls advocating candidate's own election	Any time during the message			
(500 or more) - made by:  • Vendors ("robo" calls) or	<ul> <li>Must identify the candidate that paid for the call or an organization authorizing the call that files campaign reports</li> </ul>			
Vendors ("robo" calls) or      Paid individuals other than the candidate, campaign manager or volunteers	<ul> <li>Must state that the call is "paid for by" or "authorized by" the identified candidate or organization</li> </ul>			
	<ul> <li>Examples: This call was paid for by Senator Jones;</li> <li>This call was authorized by (name of committee)</li> </ul>			
	<ul> <li>No ID required on telephone calls personally dialed by candidate, campaign manager or volunteers</li> </ul>			

# **Identification on Mailings**

If:

More than 200 similar pieces are sent in a calendar month

Paid for by Lanister for Supervisor 2018
100 Sandburg Street
Santa Cruz, CA 91002

Jenny Smith
1034 Vista Avenue
Santa Cruz, CA 91002

#### Then:

"Paid for by" and committee name and address must be on the outside of the mailing in no less than 6-point type and in a contrasting color. The committee ID number is recommended, but not required.

# Mass Mailings Recordkeeping Requirement

Retain a copy of each mass mailing. In your records, keep note of:

- Date sent
- Method of postage
- Number of pieces

# After the Election Successful Candidates

- Must continue to file campaign reports and pay the \$50 annual fee until the committee terminates.
- May continue to receive contributions and use leftover funds for officeholder expenses.
- May use leftover funds for election to a future office if the funds are redesignated or transferred before they become surplus.
- Leftover funds become surplus 90 days after leaving office.

# After the Election Defeated Candidates

- Must continue to file campaign reports and pay the \$50 annual fee until you terminate the committee.
- May use leftover funds for election to a future office if the funds are redesignated or transferred before they become surplus.
- Funds become surplus 90 days after the end of the semiannual reporting period.
- The end of the semi-annual reporting period is June 30 for elections held in the first six months of the year and December 31 for elections held in the last six months.

# After the Election Using Leftover Funds for a Future Election

#### **Running for Same Office**

- File Form 501
- File amended Form 410

#### **Running for Different Office**

- File Form 501
- File new Form 410
- Open a new bank account
- Transfer funds to new bank account

Note: Remember this must be done before the funds become surplus.

# **After the Election**

**Leftover Assets** 

- Leftover assets may also become surplus.
- For personal use, you must purchase the item at fair market value.
- Proceeds from the sale of items are shown as miscellaneous increases to cash on Schedule I.

# After the Election Terminating Your Committee

The following criteria must be met:

- No remaining funds
- Not receiving or planning to receive contributions
- Not making or planning to make expenditures
- Termination Forms 410 and 460 must be filed

Note: There is no timeframe for terminating a local committee, but you must continue to file campaign reports and pay the \$50 annual fee until the committee terminates.



