



## Reporting Behested Payments

Elected officials often take action to assist in raising donations for charitable or government organizations. When elected officials successfully solicit donations for charitable or government-related purposes, it is essential to ensure transparency in the process, providing the public with information about the sources of these funds. Elected officials engaged in such appeals should be aware they may be required to file a **Behested Payment Report (Form 803)**.

### What is a “Behested Payment?”

A donation is “made at the behest” of an elected official if it is made under the control or at the direction of, in cooperation, consultation, coordination, or concert with, at the request or suggestion of, or with the express prior consent of an elected official. (Government Code § 82004.5 (defining behested payment); § 82041.3 (defining made at the behest of).) Most commonly, this takes the form of an elected official soliciting a company to make a charitable donation to a nonprofit.

### When do I need to report it?

Elected officials only need to file the Form 803 if they have successfully solicited \$5,000 or more in the aggregate from a single source/donor in a calendar year. The Form needs to be filed within 30 days of the date on which the payment meets or exceeds \$5,000 from a single source. The Form 803 serves to ensure that these transactions are properly disclosed to the public. (Government Code § 84224.)

For example, if an elected official approaches a local corporation and asks them to donate \$10,000 to a community development charity, and the corporation agrees, this would be considered a behested payment. If the total donation from that corporation exceeds \$5,000 in a calendar year, the elected official must file a Form 803 within 30 days of the donation being made.

### Where do I file the report?

Elected officials file the Form 803 with their agency and a copy with the PEC electronically [here](#). Rather than fill out the form twice, you can use the PEC’s online filing system and print a copy of the completed form for your agency’s records.

### Is there a limit on how much can be donated?

No, there is no limit on the amount of charitable donations that can be made at the behest of an elected official. However, if the aggregate donations from a single source exceed \$5,000 in a calendar year, they must be reported.

### Additional Information

To learn more about behested payments, visit the [Fair Political Practices Commission \(FPPC\)](#) website. Elected officials with questions regarding behested payment reporting should email the FPPC at [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov).

For assistance using the PEC’s online filing system, contact Alex Van Buskirk at [AVanBuskirk@oaklandca.gov](mailto:AVanBuskirk@oaklandca.gov).