



Rules for Non-candidate-controlled Committees: Know Your Responsibilities under Both State and Local Rules

This advisory is to remind committees that are **not candidate-controlled** (such as general purpose and primarily formed candidate committees) that they are subject to additional legal obligations including requirements to disclose their top contributors of \$5,000 or more, principal officers and sponsors.

Advertisement Disclaimers, Top Contributors of \$5,000 or More

Advertisements must include a disclaimer identifying the committee paying for the ad. Any committee making independent expenditures supporting or opposing a candidate or ballot measure must disclose the names of persons from whom the committee received its two highest cumulative contributions of \$5,000 or more on all mass mailings and television advertisements in the same manner as required by [California Government Code section 84506](#).

Disclosure of Principal Officers

All committees that are not controlled by a candidate **must** disclose the full name, street address, and telephone number of their principal officer(s) on their [Form 410](#). A “principal officer” is any individual who is primarily responsible for approving the political activity of the committee, including, but not limited to, the following activities:

- (1) Authorizing the content of committee communications;
- (2) Authorizing expenditures, including contributions made to other committees;
- (3) Determining strategy.

If more than one individual shares in the primary responsibilities listed above, each of those individuals is a principal officer. A committee with more than three principal officers must disclose no fewer than three principal officers on its Form 410. In the event of a change in the principal officer(s) identified on your Form 410, you must file an amendment to the form within 10 days of the change. ([California Code of Regulations section 18402.1](#))

Committee Sponsors

All committees that are not controlled by a candidate **must** disclose their sponsors in their committee name, on their campaign literature, and on their Form 410. A “sponsor” is any entity (including an individual, business, organization, or group of persons acting in concert) to whom **any** of the following applies:

- (1) Your committee receives 80 percent or more of its contributions either from the entity or from the entity's members, officers, employees or shareholders;
- (2) The entity collects contributions for your committee by use of payroll deductions or dues from its members, officers or employees;
- (3) The entity provides, alone or in combination with other organizations, all or nearly all of the administrative services for your committee; or
- (4) The entity sets, alone or in combination with other organizations, the policies for soliciting contributions or making expenditures of your committee funds.

Your Form 410 must indicate the industry group or affiliation of your sponsor(s). If your committee has more than one sponsor and the sponsors are members of an industry or other identifiable group, the name of your committee must include a term identifying that industry or group. For example, if your committee were sponsored by several lumber mills, your committee should be called something like “Oakland Lumber Mills Political Action Committee” or “Lumber Industry of Oakland Political Action Committee.” ([California Code of Regulations section 18419](#))

Understand Oakland Contribution Limits

The most a candidate may accept from any individual, business entity, committee or other organization or group of persons acting in concert is:

	Candidate accepted spending ceiling	Candidate did not accept spending ceiling
Individuals	\$900	\$200
Businesses and other organizations		
Most committees		
Broad-based political committees	\$1,700	\$400

Does your committee qualify as a broad-based political committee?

Many political action committees do not qualify as broad-based committees. To qualify as a broad-based political committee the committee must meet **ALL** the following conditions:

- (1) Has been in existence for more than six months,
- (2) Receives contributions from 100 or more persons, and
- (3) Made contributions to five or more candidates.

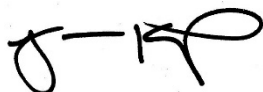
If you believe your committee made an over-the-limit contribution in error, contact us so that corrective steps may be taken.

Understand Your responsibilities under Both State and Local Rules

OCRA amendments passed in November 2016 increased penalties for violations and enhanced disclosure for independent expenditure political advertisements, among many other changes. Use this [link](#) to see the full text of the amendments. The PEC will investigate potential violations of these rules and notify the FPPC of any suspected violations of state laws and regulations.

If you have any questions, please do not hesitate to contact advice staff by phone or email at the address listed above.

Sincerely,



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