

POLITICAL PARTY COMMITTEES

Political party committees (including county central committees) are subject to certain additional and different rules than other general purpose committees. This chapter reviews those rules as they relate to each of the previous chapters.

Chapter 1. What is a General Purpose Committee?

A political party committee is considered a state general purpose committee under the Political Reform Act (“Act”) (Government Code Section 82027.5). A “political party committee” is defined as the state central committee or the county central committee of an organization that meets the requirements as a political party pursuant to Elections Code Section 5100. (Government Code Section 85205.) The Act does not govern the structure or internal bylaws of central committees.

A local party club is not considered a political party, but will often qualify as a general purpose committee. A local party club will qualify as a committee under the Act if it receives \$2,000 or more in a calendar year to be used for political purposes, such as making contributions to candidates or ballot measure committees, making independent expenditures to support or oppose candidates or ballot measures, or doing partisan voter registration or “get out the vote” drives.

Chapter 2. Statement of Organization (Form 410).

Where to File: All committees file the Form 410 with the Secretary of State.

Sponsored Committees: A political party committee may not qualify as a sponsored committee.

Treasurer and Principal Officer(s): A political party committee, like any other general purpose committee, must list the committee treasurer and principal officer(s) on the Form 410 and must ensure that the information is current.

Filing Jurisdiction: A political party committee is not required, like other general purpose committees, to review its expenditures on a quarterly basis to determine if the committee should be filing its campaign statements with a local filing officer. Because a political party committee is considered to be a state general purpose committee, it will always file its campaign statements with the Secretary of State.

Chapter 3. Finance Rules.

A political party committee is subject to the same recordkeeping and finance rules as other general purpose committees.

Chapter 4. Contributions.

In general, a political party committee is subject to the same rules for reporting contributions and valuing nonmonetary contributions as other general purpose committees.

Member Communications Exception: Although a member communication does not result in a contribution or independent expenditure for the affected candidate or measure, a political party committee must report payments for member communications in the same manner as if a contribution or independent expenditure was made. For example, a political party committee that sends a postcard to its members, which expressly advocates support of a candidate and is sent the week before the election, must report the payment for the member communication within 24 hours on either the Form 496 (independent expenditure) or Form 497 (contribution).

Chapter 5. State Contribution Limits.

Receiving Contributions

A political party committee is subject to contribution limits for contributions deposited into an account that is used to make contributions to state candidates. State political parties and county central committees are subject to the \$38,800 per contributor limit, while local clubs are subject to the \$7,800 per contributor limit (2019-2020 limit). See the contribution limit charts in Chapter 5.

A political party committee that receives contributions in excess of the contribution limits must establish an “all purpose” account and a “restricted use” account. Contributions that exceed the contribution limit may not be deposited into the “all purpose” account. A political party may establish separate committees or have one committee with separate bank accounts. Chapter 5 includes a chart describing the expenditures that must be made from the “all purpose” account.

Making Contributions

State Candidate Election Committees: A political party committee may make unlimited contributions to the “election committee” designated for a state candidate. The party must make the contributions from the committee or account that is subject to the contribution limit as described above. A political party committee may not make a contribution to an election committee after the election unless the committee has net debt.

State Officeholder Committees: A political party committee may not make a contribution that exceeds the limit imposed on a state officeholder committee.

Local Committees: A political party committee may make a contribution to a local committee. Check the local ordinance, if any, for contribution restrictions.

Chapter 6. Contribution Restrictions.

A political party committee is subject to the restrictions outlined in Chapter 6. Although a political party committee is not limited in the amount of contributions it may make on behalf of a state candidate, persons are prohibited from making a contribution to the party committee on the condition or with the agreement that it will be contributed to any particular candidate, unless the contributor is disclosed as the true source of the contribution and the party is disclosed as an intermediary. Treasurers should establish clear accounting methods and internal guidelines to ensure proper reporting of all payments.

Chapter 7. Use of Campaign Funds.

A political party committee may use campaign funds for a political, legislative or governmental purpose, as outlined in Chapter 7. A common question is whether a political party committee may provide office space to candidates, which is permissible. The service is a nonmonetary contribution that must be reported by both the party committee and the candidate.

Chapter 8. Communications.

A political party committee is subject to the same rules regarding communications as other general purpose committees, with the exception of member communications. The member communications reporting requirements for a political party are discussed in detail in Chapter 8.

Chapter 9. Advertisement Disclosures.

A political party committee is subject to different advertisement disclosure requirements than other general purpose committees. Disclosure charts for political party committees are located in chapter 9.

Chapter 10. 24-Hour/10-Day Contribution Reports (Form 497).

At certain times, the Act requires a political party committee to file 24-hour reports disclosing money received and spent in elections. The report, Form 497, is filed electronically with the Secretary of State. No paper copies of this report are required and no copies are required to be filed with other filing officers.

Each political party committee should have a copy of the filing schedules created specifically for political party committees. A political party committee may trigger reports in connection with any state election, including a state special election. A political party committee must file a Form 497 **within 24 hours** of the following payments:

- Contributions that total in the aggregate \$1,000 or more **received** within 90 days before any state election, or on the date of the election.
- Contributions that total in the aggregate \$1,000 or more **made** to a candidate, officeholder, or ballot measure committee within 90 days before the candidate's or measure's election, or on the date of the election.
- Contributions that total in the aggregate \$1,000 or more **made** to a candidate in a CalPERS or CalSTRS election within 90 days before the election, or on the date of the election.

A political party committee that is required to file electronically with the Secretary of State must file a Form 497 **within 10 business days** of the following payments:

- Contributions that total \$5,000 or more **made** to support or oppose a single state ballot measure. This report must also disclose donors who have not previously been reported on a campaign statement.

A political party committee must complete the Form 497 as provided in Chapter 10 and the form instructions.

Chapter 11. Independent Expenditure Reporting.

A political party committee that makes independent expenditures of \$1,000 or more must file the reports described in Chapter 11.

A political party committee must also file the reports for member communications.

Chapter 12. Committee Reports (Form 460).

A political party committee must have a treasurer or assistant treasurer review and sign the Form 460. A political party committee is subject to the same reporting rules as other general purpose committees, as well as the additional rules described below.

Member Communications: Report payments for member communications on Schedule E or F, as appropriate. The payments are not reported on Schedule D. A member communication may be paid for from either the all purpose account or the restricted use account. (See Chapter 5.)

A political party committee is subject to specific reporting requirements when federal funds are used to make contributions or expenditures to support or oppose candidates or ballot measures in California. The rules are summarized below, but political party committees should also review FPPC Regulation 18530.3.

Federal Levin Funds. A political party committee must report Levin Funds that are used for the purpose of supporting or defeating any state or local candidate or ballot measure.

Federal Committees. A political party committee must report expenditures made from a federal committee for the purpose of supporting or defeating any state or local candidate or ballot measure. The Form 460 must also include a description of the account(s) from which the expenditures were made. The report is not required to itemize donations that were made to the Federal committee.

Chapter 13. When and Where to File the Form 460.

All political party committees are state general purpose recipient committees and file the Form 460 with the Secretary of State.

A political party committee must file a preelection statement in connection with any state election, including a state special election, if the committee receives contributions of \$1,000 or more or makes contributions or independent expenditures of \$500 or more to a state or county general purpose committee, or to support or oppose a candidate or measure on the ballot at the next state election during the period covered by the preelection statement. This includes state elections held in both even and odd-numbered years.

Quick Tip

Political party committee treasurers should sign up for the FPPC “Filing Schedule” mailing list so they are notified when the filing schedules are updated on the FPPC website.

Authority

The following Government Code sections and Title 2 Regulations provide authority for the preceding information in this chapter:

Government Code Sections

- 82027.5 General Purpose Committee.
- 85205 Political Party Committee.
- 85301 Limits on Contributions from Persons.
- 85303 Limits on Contributions to Committees and Political Parties.
- 85312 Communications to Members of an Organization.
- 85704 Prohibition on Earmarking.

Title 2 Regulation

- 18530.3 Reporting of Specified Contributions and Expenditures by Political Party Committees.