

# STATEMENT OF ORGANIZATION (FORM 410)

Before money is raised or spent in connection with an election, committee treasurers should become familiar with the various campaign disclosure forms required for the type of campaign or committee involved.

As explained in Chapter 1, a group or entity qualifies as a recipient committee when contributions of \$2,000 or more are received. A recipient committee is required to file a Statement of Organization (Form 410), which provides the public with information about the purpose of the committee and identifies the committee's treasurer and principal officer(s). The Form 410 is also required to be filed in order to terminate the committee. This chapter describes how to complete and file the Form 410.

## A. Annual Committee Fees

All committees that file a Form 410 must pay a \$50 fee to the Secretary of State no later than 15 days after the Form 410 is filed. Committees must also pay the fee annually by January 15 until the committee terminates. A committee that fails to timely pay the fee is subject to a penalty of \$150 (in addition to the \$50 fee). A committee that does not pay the fee and the penalty will be referred to the FPPC's Enforcement Division.

**Exception:** A committee that is created and pays the initial \$50 fee in the last three months of a calendar year is not subject to the annual fee in the subsequent year.

### Quick Tip

The committee ID number is generally assigned within 7 – 10 days after the Secretary of State's office receives the Form 410.

### Quick Tip

If a person or group qualifies as a committee within the 90 days before an election, or on the date of the election and the committee makes contributions of \$1,000 or more to a candidate or ballot measure committee, the Form 497 (24-Hour/10-Day Contribution Report) must be filed. The Form 497 may be required before the committee ID number is assigned. See Chapter 10 for more information about the Form 497.

## B. Committee ID Number

Upon receipt of the Form 410, the Secretary of State's office will assign the committee an identification number. This number is used on all campaign forms. After filing the Form 410, the committee ID number may be obtained from the Cal-Access section of the Secretary of State's website. Contact the Secretary of State's office at (916) 653-6224 with any other questions about committee identification numbers.

Statement of Organization Recipient Committee				Date Stamp	CALIFORNIA FORM <b>410</b> <small>For Official Use Only</small>
<b>A</b> Statement Type <input checked="" type="checkbox"/> Initial <input type="checkbox"/> Not yet qualified or <input type="checkbox"/> Date qualification threshold met 03 / 12 / 20XX	<input type="checkbox"/> Amendment Date qualification threshold met ____ / ____ / ____	<input type="checkbox"/> Termination – See Part 5 Date of termination ____ / ____ / ____			
<b>1</b> <b>1. Committee Information</b> <span style="float: right;"><b>I.D. Number</b> <i>(if applicable)</i></span> NAME OF COMMITTEE CA Technology PAC, Sponsored by Technology Association STREET ADDRESS (NO P.O. BOX) 1810 21st Street CITY STATE ZIP CODE AREA CODE/PHONE Sacramento CA 95814 (916) 555-1640 FULL MAILING ADDRESS (IF DIFFERENT) P.O. Box 558490, Sacramento, CA 95899 E-MAIL ADDRESS (REQUIRED) / FAX (OPTIONAL) (916) 555-1641 / lcooper@cclaw.com COUNTY OF DOMICILE JURISDICTION WHERE COMMITTEE IS ACTIVE Sacramento State		<b>2</b> <b>2. Treasurer and Other Principal Officers</b> NAME OF TREASURER Leslie Cooper STREET ADDRESS (NO P.O. BOX) 1810 21st Street CITY STATE ZIP CODE AREA CODE/PHONE Sacramento CA 95814 (916) 555-1640 NAME OF ASSISTANT TREASURER, IF ANY Tracy Chu STREET ADDRESS (NO P.O. BOX) 1810 21st Street CITY STATE ZIP CODE AREA CODE/PHONE Sacramento CA 95814 (916) 555-1640 NAME OF PRINCIPAL OFFICER(S) Corey Silva STREET ADDRESS (NO P.O. BOX) 515 Hanson Way CITY STATE ZIP CODE AREA CODE/PHONE Palo Alto CA 94303 (650) 555-4288			
Attach additional information on appropriately labeled continuation sheets.					
<b>3</b> <b>3. Verification</b> I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.					
Executed on 3/17/20XX		By [Signature Required]			
DATE		SIGNATURE OF TREASURER OR ASSISTANT TREASURER			
Executed on _____		By _____			
DATE		SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT			
Executed on _____		By _____			
DATE		SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT			
Executed on _____		By _____			
DATE		SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT			

## C. Completing the Statement of Organization (Form 410)

### **A** Statement Type

Check the “Initial” box if this is the first Form 410 filed and indicate the date on which the committee met the \$2,000 committee qualification threshold or check the “Not Yet Qualified” box. If the “Not Yet Qualified” box is checked, an amended Form 410 must be filed within 10 days of reaching the \$2,000 threshold to provide the date the committee qualified.

### **1** Committee Name

Provide the full name of the committee. A committee may use only one name.

**Sponsored Committees:** If the committee is sponsored, the full name of its sponsor must be included in the name of the committee. (See Chapter 1 for the definition of a sponsored committee.) If the committee has more than one sponsor and the sponsors are members of an industry or some other identifiable group, the committee’s name must include a term that identifies that industry or group (e.g., milk producers or police officers).

### Committee Address

Provide the committee’s street address and mailing address, if different. A post office box may be used as a mailing address. The committee may have more than one mailing address.

### County of Domicile and Jurisdiction Where Committee is Active

Indicate the county in which the committee is located and the jurisdiction where the committee is active and must file its campaign statements (i.e., State, County of Sacramento, City of San Diego).

## 2 Treasurer, Assistant Treasurer, and Other Principal Officers

The committee must have a treasurer and may have an assistant treasurer. Report the names of the treasurer and assistant treasurer along with their street addresses and phone numbers.

List the name of the principal officer(s) and his or her street address. If no individual other than the treasurer is a principal officer, the treasurer must be identified as both the treasurer and the principal officer. A principal officer is an individual that is responsible for the following type of activities:

- Authorizing the content of committee communications
- Authorizing expenditures
- Determining the committee's campaign strategy

If the committee has more than three principal officers, only three must be identified on the Form 410.

## 3 Verification

The treasurer or assistant treasurer must complete the verification. The Form 410 is not considered filed if it is not signed. The principal officer is not required to sign the Form 410.

### Bank Account

On page 2 of the Form 410, enter the name and address of the financial institution where the committee's campaign bank is located, as well as the bank account number. If the committee has more than one bank account, only one account must be listed. If a bank account has not yet been opened at the time of filing an "Initial" Form 410, an amended Form 410 must be filed within ten days of opening the bank account to provide this information.

#### Quick Tip!

It is the treasurer's responsibility to ensure that the committee is filing its reports in the appropriate jurisdiction.

## 4 Type of Committee/Level of Activity

On page 3 of the Form 410, a general purpose committee must indicate the level of government at which the committee participates. A committee is classified as either a city, county, or state committee. If a committee does not qualify as a city or county committee, it is considered a state committee.

A **city general purpose committee** makes more than 70 percent of its contributions or expenditures to support or oppose candidates or measures voted on in only one city, or in one consolidated city and county, including contributions to city general purpose committees in the same city or the same consolidated city and county.

A **county general purpose committee** makes more than 70 percent of its contributions or expenditures to support or oppose candidates or measures voted on in only one county, or in more than one jurisdiction within one county, including contributions to county general purpose committees in the same county.

A **state general purpose committee** makes contributions or expenditures to support or oppose candidates or measures voted on in state elections, including making contributions to other state general purpose committees, or in more than one county, and does not meet the definition of city or county general purpose committee. A political party committee is also a state general purpose committee.

A general purpose committee is required to verify its filing jurisdiction at specified times. Chapter 1 includes a discussion about reviewing the committee's filing jurisdiction status, as well as examples of when a committee would be required to change its filing jurisdiction status.

### Description of Activity

Provide a brief description of the committee's political activities such as whether it supports candidates or measures that share a common political affiliation.

## Sponsored Committee

If the committee is sponsored, list the names and addresses of all sponsors and their industry group or affiliation. (See Chapter 1 for additional information about sponsored committees).

## Small Contributor Committee

If the committee is a small contributor committee, check the box and enter the date the committee qualified as a small contributor committee. (See Chapter 1 for additional information about small contributor committees.)

### Statement of Organization Recipient Committee

INSTRUCTIONS ON REVERSE

**CALIFORNIA  
FORM 410**

Page 3

I.D. NUMBER

COMMITTEE NAME

CA Technology PAC, Sponsored by CA Technology Association

#### 4 Type of Committee (Continued)

##### General Purpose Committee

Not formed to support or oppose specific candidates or measures in a single election. Check only one box:

CITY Committee  COUNTY Committee  STATE Committee

PROVIDE BRIEF DESCRIPTION OF ACTIVITY

Support candidates and ballot measures favorable to technological advances

##### Sponsored Committee

List additional sponsors on an attachment.

NAME OF SPONSOR

CA Technology Association

INDUSTRY GROUP OR AFFILIATION OF SPONSOR

Technological businesses

STREET ADDRESS

NO. AND STREET

CITY

STATE

ZIP CODE

450 Mill Valley Way

Cupertino

CA

95015

##### Small Contributor Committee

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date qualified

#### 5. Termination Requirements

By signing the verification, the treasurer, assistant treasurer and/or candidate, officeholder, or proponent certify that all of the following conditions have been met:

- This committee has ceased to receive contributions and make expenditures;
- This committee does not anticipate receiving contributions or making expenditures in the future;
- This committee has eliminated or has no intention or ability to discharge all debts, loans received, and other obligations;
- This committee has no surplus funds; and
- This committee has filed all campaign statements required by the Political Reform Act disclosing all reportable transactions.
  - There are restrictions on the disposition of surplus campaign funds held by elected officers who are leaving office and by defeated candidates. Refer to Government Code Section 89519.
  - Leftover funds of ballot measure committees may be used for political, legislative or governmental purposes under Government Code Sections 89511 - 89518, and are subject to Elections Code Section 18680 and FPPC Regulation 18521.5.

## D. When and Where to File the Form 410

Generally, the original Form 410 must be filed with the Secretary of State **within 10 days** of receiving contributions of \$2,000 or more.

Send the Form 410 to:

Secretary of State  
Political Reform Division  
1500 11th Street, Room 495  
Sacramento, CA 95814

In addition, if the committee is a county or city committee, a copy of the Form 410 must be filed with the county elections office or city clerk, respectively, within the same time frame. The Form 410 may be filed prior to raising \$2,000, but then must be amended within 10 days to disclose the date the committee qualified.

### 24-Hour Deadline for the Form 410

In the following situations, the Form 410 must be filed **within 24 hours**:

- **90 days before an election.** If a committee qualifies in the 90 days prior to an election, or on the date of the election, in which the committee makes independent expenditures of \$1,000 or more to support or oppose a candidate(s) in that election, the Form 410 must be filed **within 24 hours** of qualifying.
  - **Where to File:** With the filing officer who will receive the committee's original campaign statements and with the filing officer(s) for the candidate(s) supported or opposed by the independent expenditure(s).
  - **Method of Delivery:** By fax, guaranteed overnight delivery, personal delivery, or online (if online filing is available).

- **16 days before an election.** If a committee qualifies in the 16 days prior to an election in which it must file preelection statements, the Form 410 must be filed **within 24 hours** of qualifying.
  - **Where to File:** With the filing officer who will receive the committee's original campaign statements.
  - **Method of Delivery:** By fax, guaranteed overnight delivery, personal delivery, or online (if online filing is available).

Note: If the 24-hour Form 410 is not required to be filed with the Secretary of State in the two situations above, an original Form 410 must be filed with the Secretary of State within 10 days (regular mail may be used).

## E. Amendments to Form 410

Generally, if any information on the Form 410 changes, the committee must file an amendment **within 10 days** of the change. The amendment must be filed with the Secretary of State and a copy with the local filing officer, if applicable.

### 24-Hour Deadline for Amendments to the Form 410

If any of the following changes occur during the last 16 days before the election, the committee must file the amended information **within 24 hours** with the filing officer with whom the committee files its original campaign statements:

- The name of the committee
- The treasurer or other principal officer(s)
- Any candidate or state ballot measure proponent who controls the committee
- Any committee with which the committee acts jointly

#### Quick Tip

It is especially important to file an amendment as soon as possible if the committee has a new treasurer or principal officer(s) since the individuals listed on the most recently filed Form 410 are liable for the committee's activity.



The amendment provided to the filing officer with whom the committee files its original campaign statements must be delivered by personal delivery, guaranteed overnight delivery, fax, or online transmission (if online filing is available). The amendment must also be filed with the Secretary of State within 10 days (regular mail may be used) if the Secretary of State is not the filing officer with whom the committee files its original campaign statements.

## F. Most Common Campaign Reports

The FPPC's website contains filing schedules for state and local elections that outline all campaign reports that may be required by a general purpose committee, as well as the deadlines for filing the reports. The most common campaign reports include:

- **90-Day Election Reports.** During the 90 days prior to an election, or on the date of the election, a general purpose committee is required to report certain contributions and independent expenditures made within 24 hours.
  - **Form 496 (24-Hour/10-Day Independent Expenditure Report).** Filed if an independent expenditure of \$1,000 or more is made to support or oppose a candidate or ballot measure. (See Chapter 11 for additional information.)
  - **Form 497 (24-Hour/10-Day Contribution Report).** Filed if a contribution of \$1,000 or more is made to a candidate, officeholder, or ballot measure committee during the 90 days before or on the date of the election, or to a political party committee during the 90 days before *any* state election, or on the date of the election. (See Chapter 10 for additional information.)
- **Form 460 (Recipient Committee Campaign Statement).** The Form 460 is the campaign disclosure report that provides the public with an overview of the committee's activity, including money coming in and money going out. The Form 460 is generally filed as a semi-annual statement and a preelection statement. See Chapter 12 for additional information about when the Form 460 must be filed.

**Ex 2.1** – In January, a group of citizens filed a Form 410 prior to qualifying as a county general purpose committee. On February 10, they received a number of contributions totaling more than \$2,000. By February 20, they must file an amended Form 410 with the Secretary of State (and a copy with the county elections office) showing the date the committee qualified.

### Quick Tip

A group that qualifies as a committee in these situations may be a primarily formed committee, not a general purpose committee. See Chapter 1 for a discussion on committee types.

## G. Terminating the Committee

There is no deadline by which a general purpose committee must terminate; however, the committee must continue to file reports until it terminates. There are specific requirements that must be met in order for a committee to terminate.

### **A committee may terminate only if it:**

- Has ceased receiving contributions or making expenditures;
- Has no remaining funds;
- Has filed all required campaign statements disclosing all reportable transactions, including the disposition of leftover funds; and
- Has eliminated all debts and loans or has no intention or ability to discharge debts and loans.

A committee must file a Form 410 termination statement and a final Form 460 (Recipient Committee Campaign Statement) or Form 450 (Recipient Committee Campaign Statement - Short Form). On the Form 410, the “Termination” box must be checked. List the committee’s identification number and the date of termination (the date of termination is generally the date all funds have been spent). Complete Section 1 and the treasurer or assistant treasurer must sign the verification.

Form 460 or Form 450 also must be filed showing that all funds have been expended and the committee has no cash on hand. Check the “Termination” box on the cover page.

File the original and a copy of the Form 410 with the Secretary of State. County and city committees must also file a copy with the local filing officer who receives the committee’s original campaign statements. File Form 450 or Form 460 in the committee’s regular filing locations.

## Answering Your Questions

### **A. Must we wait until \$2,000 is received to file a Form 410?**

No. You may file a Form 410 prior to committee qualification. Check the “Not Yet Qualified” box and file an amendment to report the date the committee qualifies once the \$2,000 threshold has been reached.

### **B. May our committee use a mail receiving and forwarding service as the committee’s street address on the Form 410?**

No. Either the committee’s street address or the treasurer’s street address (home or business) must be provided. However, a post office box may be used as a mailing address.

### **C. The Association of Heating and Air Conditioning Manufacturers pays the administrative expenses for our committee and we receive some of our contributions from payroll deductions from the Heating and Air Conditioning Engineers, Local #233. May two organizations sponsor a committee? If so, must the names of both sponsors be in the name of the committee?**

Yes. More than one organization may sponsor a committee. Since the sponsors are members of one industry or other identifiable group, a term identifying that industry or group may be used. In this case, an appropriate name for the committee could be “Heating and Air Conditioning Industry Political Action Committee.”

**D. During the calendar year, our committee changed status from a state committee to a city committee. Which filing officers receive the Form 410 amendment?**

File the original Form 410 and a copy with the Secretary of State. File a copy with the city clerk's office.

**E. During the calendar year, our committee changed status from a city committee to a state committee. Which filing officers receive the Form 410 amendment?**

File the original Form 410 and a copy with the Secretary of State. Although not required, it is recommended that a copy is filed with the city's clerk's office so the city will not expect to receive future campaign statements.

**F. Our political action committee has been registered for several years as a general purpose committee and has supported and opposed candidates and ballot measures in various elections. This year, the committee plans to raise and spend the majority of its funds to support a county ballot measure. Must we amend our registration to become a primarily formed ballot measure committee?**

Possibly. An existing committee that has reason to know it may qualify as a primarily formed committee must review its status on a quarterly basis to determine whether it is primarily formed. If, upon review, the committee determines that it has made more than 70 percent of its total contributions and expenditures to support the county ballot measure, it will be required to change its status from general purpose to primarily formed. (See Regulation 18247.5.)

**Quick Tip**

Some multipurpose organizations that qualify as recipient committees may automatically terminate at the end of the calendar year. See Chapter 15.

## Authority

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

### Government Code Sections

- 81004 Reports and Statements; Perjury; Verification.
- 81004.5 Reports and Statements; Amendments.
- 81007 Mailing of Report or Statement.
- 82013 Committee.
- 82015 Contribution.
- 82027.5 General Purpose Committee.
- 82047.6 Principal Officer.
- 82048.7 Sponsored Committee.
- 84100 Treasurer.
- 84101 Statement of Organization; Filing.
- 84101.5 Annual Fees.
- 84102 Statement of Organization; Contents.
- 84103 Statement of Organization; Amendment.
- 84106 Sponsored Committee; Identification.
- 84214 Termination.
- 84215 Campaign Reports and Statements; Where to File.
- 85203 Small Contributor Committee.

### Title 2 Regulations

- 18215 Contribution.
- 18227.5 General Purpose Committees: State, County or City.
- 18247.5 Primarily Formed Committees.
- 18402 Committee Name.
- 18402.1 Principal Officers.
- 18404 Termination of Candidate's and Committees' Filing Requirements.
- 18410 Statement of Organization.
- 18419 Sponsored Committees.
- 18421.2 Street Address.
- 18426.1 Assistant Treasurer.
- 18427 Duties of Treasurers and Candidates with Respect to Campaign Statements.
- 18503 Small Contributor Committees.