



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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(916) 322-5660 • Fax (916) 322-0886

July 9, 2024

Elaine Tran, CMC
City Clerk, City of Millbrae

Re: Your Request for Advice
Our File No. A-24-082

Dear Ms. Tran:

This letter responds to your request for advice on behalf of the City of Millbrae regarding the campaign provisions of the Political Reform Act (the “Act”).¹

QUESTION

May the committees involved in the City’s recall election on July 23, 2024, combine the semi-annual statement with the second pre-election statement due on July 11, 2024?

CONCLUSION

In connection with the July 23, 2024 recall election, committees may use a filing schedule that combines the semi-annual campaign statement with the second pre-election statement. The combined statement will be due on July 11, 2024, covering the period June 9, 2024, through July 6, 2024.

ANALYSIS

During an election, candidates and committees involved in the election are required to file two pre-election campaign statements disclosing contributions received and expenditures made in connection with that election. These pre-election campaign statements are generally filed 40 days before the election and again 12 days before the election. (Section 84200.8.) Semi-annual statements are filed January 31 and July 31, respectively. (Section 84200.)

The City of Millbrae is holding a special recall election on July 23, 2024. The first pre-election statement is due on June 13, 2024, and covers the reporting period of January 1 through June 8. The first semi-annual statement for 2024, covering the period June 9 through June 30, is due on July 31, 2024. The second pre-election statement filed in connection with this election

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

would then cover the period of July 1 through July 6, and would be due on July 11, 2024, before the deadline for the semi-annual statement.

There is a mechanism in the Act that permits combining statements when an overlapping reporting period occurs, or the filing of the semi-annual statement would be an additional, unnecessary filing to the two pre-election statements. (Section 84205.) It appears that combining the second pre-election statement with the semi-annual statement would be appropriate for the City's July 23, 2024, election.

Accordingly, committees involved in the July 23, 2024 recall election may combine the semi-annual statement with the second pre-election statement. The due date for filing this combined statement is July 11, 2024, the date on which the second pre-election statement is due.

If you have other questions on this matter, please contact me at (916) 322-5660.

Sincerely,

Dave Bainbridge
General Counsel

Sukhi K. Brar

By: Sukhi K. Brar
Assistant General Counsel, Legal
Division

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