



TOP 10 RULES FOR COMMITTEES MAKING INDEPENDENT EXPENDITURES

Committees that make independent expenditures to support or oppose City candidates and ballot measures must comply with applicable state and local campaign laws, and are encouraged to review the Ethics Commission Committee Manual and the Commission's campaign-related fact sheets, which are available at www.sandiego.gov/ethics, as well as the FPPC Disclosure Manuals, which are available at www.fppc.ca.gov. Some of the most important rules for committees to remember are as follows:

1. When filing a Statement of Organization (Form 410), committees must identify as "principal officers" the individuals who are responsible for approving expenditures or the content of communications, or who are otherwise responsible for the committee's campaign strategy.
2. Committees must also identify their "sponsors" on the Form 410 and in their committee names. A sponsor is an entity that does any of the following: (a) provides 80% or more of the committee's funding; (b) collects contributions for the committee by use of payroll deductions or dues; (c) sets the committee's policies for soliciting contributions or making expenditures; or (d) provides administrative services to the committee.
3. Primarily formed recipient committees must notify the Ethics Commission by email each time one of their donors reaches the \$10,000 threshold for campaign contributions.
4. Primarily formed recipient committees with one or more \$10,000 donors must include a "Funding details" disclosure on their campaign ads.
5. Campaign literature, signs, Internet ads, television ads, and radio ads must contain a legible "paid for by" disclosure that includes the committee's full name (including any sponsors), amongst other formatting requirements. Website advertisements must contain a legible "Who funded this ad?" disclosure.
6. Committees that make live or recorded telephone calls advocating for or against a candidate or ballot measure must include an audible "paid for by" disclosure unless the caller is a volunteer, in which case the caller may instead make an "on behalf of" disclosure.
7. Committees must electronically file Forms 496 within 24 hours of making independent expenditures that total \$1,000 or more within the 90-day period preceding an election.
8. Committees formed to support or oppose City candidates or ballot measures must file Forms 460 in accordance with the City Clerk's pre-election filing schedule, and must also file Forms 497 to disclose contributions of \$1,000 or more received during the 90-day period preceding an election.
9. Committees making independent expenditures are generally precluded from duplicating materials created, developed, or obtained by a candidate (including materials posted on the Internet).
10. Committees formed to support or oppose City candidates or ballot measures may not purchase campaign ads on credit if doing so would conceal the identity of their sponsors or major donors.

Contact the Ethics Commission at (619) 533-3476 or ethicscommission@sandiego.gov if you have any questions. Do not wait to seek assistance until after you've made a mistake.