

COMMITTEE TREASURERS

Every Recipient Committee Must Have a Treasurer

Under California's Political Reform Act, a person or organization that receives contributions totaling \$1,000 or more in a calendar year to support or oppose state or local candidates or ballot measures qualifies as a "recipient committee" and must have a treasurer. No contributions may be accepted and no expenditures may be made without a treasurer.

The treasurer is responsible for:

- Filing the committee's statement of organization (Form 410) and termination (Form 410) of the committee;
- Establishing and maintaining a record keeping system that ensures the committee complies with the Act's disclosure requirements;
- Verifying and signing the committee's campaign statements and filing them on time;
- Correcting inaccuracies or omissions that may occur.
- Anyone may act as a committee treasurer. A candidate may serve as his or her own committee treasurer. However, no individual should accept the position of committee treasurer as a mere figurehead.

If errors or omissions occur in a committee's record keeping and reporting, the treasurer will often be a named party in any resulting enforcement action and may be held personally liable.

- A committee may appoint one assistant treasurer on its statement of organization to act in place of the treasurer if he or she is unavailable.
- To adequately perform his or her duties, a committee treasurer must have a basic understanding of the law and the treasurer's responsibilities.

Treasurer's Responsibilities

- Registration
- A recipient committee must register under the Act of filing a statement of organization (Form 410) within 10 days of receiving contributions totaling \$1,000 in a calendar year. The committee treasurer must sign the form and see that it is filed on time.
- On the Form 410, the committee provides basic information about the committee (such as its name, address, and principal officers) and identifies the individual who will act as the committee's treasurer. If any of the information on the statement of organization changes, the treasurer must file an amendment within 10 days.
- If a committee qualifies during the 16 days before an election, or if certain information about the committee (e.g., the name of the committee, the committee treasurer) changes during that period, an amendment to the statement of organization must be filed within 24 hours.

Record keeping and Reporting

- A. The treasurer is responsible for the timely and accurate filing of campaign, disclosure reports with the appropriate state and/or local filing officers (county elections/city clerk). To accomplish this, the treasurer must see that complete and accurate records of receipts and expenditures are maintained from the very beginning of the committee's operations.
- B. The treasurer is required to maintain the records personally or monitor committee support staff or others that actually perform the record keeping duties. The treasurer must also prepare the

campaign statements personally or carefully review the campaign statements and records prepared by others. If required information is missing, it is the treasurer's responsibility to obtain it. The treasurer must also monitor compliance with the Act's restrictions on cash contributions, cash expenditures, and with federal and local campaign laws.

C. All reports and statements must be signed by the treasurer or assistance treasurer.

Candidate Controlled Committee

1) A candidate or officeholder who controls a committee must make sure the treasurer is adequately performing his or her required duties. If the candidate or officeholder knows or has reason to know the treasurer is not performing adequately, he or she must replace the treasurer or bring the treasurer's performance up to required standards. A controlling candidate or officeholder must sign the committee's campaign statements, verifying that the treasurer has used all reasonable diligence in preparing them.

For Detailed Record keeping and Reporting Requirements To assist treasurers, the following information is available from the FPPC:

The Political Reform Act, contained in the California Government Code, sections 81000-91014. Campaign disclosure is contained in Chapter 4, sections 84101-84309. Commission regulations are contained in Title 2, Division 6 of the California Code of Regulations. See:

- *Regulation 18401 (Required Record keeping)*
- *Regulation 18426.1 (Assistant Treasurer)*
- *Regulation 18427 (Duties of Candidates and Treasurers)*

FPPC Campaign Disclosure Information Manuals contain detailed disclosure and record keeping requirements as well as other important information.