



NOTICE

DISCLOSURES REQUIRED UNDER ASSEMBLY BILL 745

TO: Applicants and Interested Parties

DATE: February 27, 2008

Effective January 1, 2008, Assembly Bill 745 (Silva) requires the disclosure of contributions and expenditures for “political purposes” related to proposals for changes of organization or reorganization, as well as contributions and expenditures in connection with a conducting authority proceeding. (Assem. Bill No. 745 (2007-2008 Reg. Sess.); Gov. Code §§ 56100.1, 56700.1, 57009.) These contributions and expenditures must be reported to LAFCo to the same extent, and subject to the same requirements, as local initiative measures under the Political Reform Act (Title 9 (commencing with Section 81000)). The required disclosures must be filed with LAFCo’s Executive Director.

The disclosure requirements of AB 745 are summarized below, but LAFCo does not yet have disclosure forms or instructions. It is up to the city, property owners, and other interested parties to comply with the statute and the requirements under the Political Reform Act. Please contact LAFCo’s Executive Officer or Legal Counsel with any questions. The Fair Political Practices Commission is also available to answer questions.

Required Disclosures:

1. An individual or committee must begin filing disclosure reports with LAFCo’s Executive Officer within 10 calendar days of receiving contributions or making expenditures of \$1,000 or more for political purposes related to a LAFCo proceeding.
2. An individual or committee should file a disclosure with the LAFCo’s Executive Officer at least 10 calendar days prior to any hearing on a change of organization or reorganization, or a conducting authority proceeding. Sacramento LAFCo does not have a form for this filing. Individuals or committees should provide a letter identifying the full name and address of each contributor, the date each contribution was received, a description of any goods or services received, and the cumulative amount received from each contributor to date. Contributions received less than 10 days before the hearing or proceeding must be reported within twenty-four hours of receipt.
3. Under the statute, disclosures must include contributions and expenditures made for a “political purpose” as defined in the Political Reform Act. This includes contributions and expenditures totaling \$1,000 or more:
 - (a) For the purpose of influencing or attempting to influence the action of the Commissioners or voters;



- (b) For the purpose of influencing public opinion concerning proposals for changes of organization or reorganization or conducting authority proceedings; or
4. The disclosure and reporting requirements must be the same as the requirements provided for local initiative measures under the Political Reform Act. Such disclosures include, but are not limited to:
- (a) All expenditures, monetary contributions, and loans received; and
 - (b) Non-monetary contributions. “Non-monetary contribution” includes, but is not limited to, goods or services received at no charge or at a discount from the fair market value, mass mailings sent at the behest of an individual or committee, or 500 or more similar automated calls made at the behest of an individual or committee.

Please contact LAFCo’s Executive Officer, Peter Brundage, or Legal Counsel, Nancy Miller, should you have any questions.

