

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18215.1. Contributions; When Aggregated.

(a) Definitions. For purposes of determining when contributions are aggregated under the provisions of this title:

(1) "Entity" means any person, other than an individual;

(2) "Majority owned" means an ownership of more than fifty percent.

(b) The contributions of an entity whose contributions are directed and controlled by any individual shall be aggregated with contributions made by that individual and any other entity whose contributions are directed and controlled by the same individual;

(c) If two or more entities make contributions that are directed and controlled by a majority of the same persons, the contributions of those entities shall be aggregated;

(d) Contributions made by entities that are majority owned by any person shall be aggregated with the contributions of the majority owner and all other entities majority owned by that person, unless those entities act independently in their decision to make contributions.

Comment: See section 18428 regarding aggregation of contributions under Chapter 4 and Chapter 5 of this title. Also see *In re Lumsdon* (1976) 2 FPPC Ops. 140 and *In re Kahn* (1976) 2 FPPC Ops. 151.

Note: Authority cited: Section 83112, Government Code. Reference: Section 82015, Government Code.

HISTORY

1. New section filed 4-4-2006; operative 5-4-2006 (Register 2006, No. 14). For prior history, see Register 97, No. 46.

SANTA CLARA CITY CODE

Chapter 2.130
POLITICAL CAMPAIGN FINANCE REFORM ACT

Article III. Contribution Limits

2.130.080 Aggregation of payments.

For purposes of the contributions limits in this article, the following shall apply:

(a) All payments made by a person¹, as broadly defined in the Political Reform Act, whose contributions or expenditure activity is financed, maintained or controlled by any corporation, labor organization, association, political party or any other person or committee, including any parent, subsidiary, branch, division, department or local unit of the corporation, labor organization, association, political party or any other person, or by any group of such persons shall be considered to be made by a single person, committee or small contributor political action committee.

(b) Two or more entities shall be treated as one person when any of the following circumstances apply:

- (1) The entities share the majority of members of their boards of directors.
- (2) The entities share two or more officers.
- (3) The entities are owned or controlled by the same majority shareholder or shareholders.
- (4) The entities are in a parent-subsidary relationship.

(c) An individual and any general partnership in which the individual is a partner, or an individual and any corporation in which the individual owns a controlling interest, shall be treated as one person.

(d) No committee which supports or opposes a candidate for office shall have as officers individuals who serve as officers on any other committee which supports or opposes the same candidate. No such committee shall act in concert with, or solicit or make contributions on behalf of any other committee. This subsection shall not apply to treasurers of committees if these treasurers do not participate in or control in any way a decision on whether the candidate or candidates receive contributions. (Ord. 1745 § 2, 1-11-00).