

California's Seller Assisted Marketing Plan Act
California Civil Code Section 1812.200 et seq.

We are providing information to assist you with registering a Seller Assisted Marketing Plan, California Civil Code section 1812.200 et seq. Because of the very diverse operations of Seller Assisted Marketing Plans (SAMPs), it is almost impossible to set forth forms which are applicable to all companies. For your convenience, click [HERE](#) for a sample of the documents which a SAMP providing a service might file with the Office of the Attorney General to comply with the SAMP Act. The particular language in the sample may not be suitable for your business, and you are responsible for reading the entire statute and determining which provisions of the law apply to your particular business. This is especially important because there is certain information which does not have to be included in the public disclosure document, but which must be submitted to the Attorney General's Office. For example, section 1812.203(a) requires that you provide the Attorney General with the names and resident addresses of those who sell for you and section 1812.214(a) requires that you file with the Attorney General an irrevocable consent appointing the Secretary of State as your attorney to receive service of process in a non-criminal case.

Additionally, the sample disclosure does not make any of the disclosures relating to a bond or trust account which the law requires in certain situations. If either is required because of the way you conduct business, you must modify your disclosure to comply with the law. Also, the sample contract does not make necessary disclosures regarding escrow accounts for deposits taken in excess of 20% of the initial purchase price. If you take a down payment of more than 20% prior to delivery, you must establish an escrow account and make certain additional disclosures in your contract.

Some paragraphs may not apply at all to your business. For example, some Seller Assisted Marketing Plans involve no training and little if any assistance. Some involve sale of merchandise only; some service only; some training only; some combine these categories. You need only use the paragraphs in the sample which apply to your business; you may have to add more information if such information is applicable to your business.

You may also be required to file a Consent to Service of Process appointing the California Secretary of State as attorney to receive service in non-criminal suits as explained in California Civil Code section 1812.214(a). A sample form can be found by clicking [HERE](#).

There are other provisions of the Act which also may apply to your particular business. To help you decide exactly what information you must disclose, a copy of the SAMP law, which appears in the California Civil Code at sections 1812.200 to 1812.221, can be found by clicking [HERE](#). We strongly encourage you to read the statute in its entirety so that you have a good understanding of the requirements and prohibitions. You may want to review your filing with an attorney before you submit it to this office.

You must send your disclosure document, contract, financial statement, consent to service, and list of salespersons and their residential addresses, along with your filing fee of \$100, to the Attorney General's office at least 30 days before you start advertising or selling.

By Mail

Department of Justice - Attorney General's Office
Attn: Consumer Law Section
P.O. Box 85266
San Diego, CA 92186-5266

By Courier

Department of Justice - Attorney General's Office
Attn: Consumer Law Section
600 W. Broadway, Suite 1800
San Diego, CA 92101

We hope this information has been helpful. If you have any questions, please email them to SAMP.Registration@doj.ca.gov. Thank you for your interest in registering your Seller Assisted Marketing Plan.