

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • Executive/Legal • • Enforcement • • Statements of Economic Interest
(916) 322-5662 322-5660 322-5901 322-6441 322-6444

December 24, 1980

William A. O'Malley
District Attorney
P.O. Box 670
Martinez, CA 94553

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A-80-061

Dear Mr. O'Malley:

This is in response to your inquiry about the reporting of gifts under Chapter 7 of the Political Reform Act. The following advice is provided pursuant to Government Code Section 83114(b). The facts as I understand them from your letter are as follows.

You are the District Attorney of Contra Costa County. Your son works for World Airways and you are consequently able to obtain standby airline tickets at no cost. During the year, you have traveled to London, England and to Boston using such tickets obtained for you by your son. You have asked whether you must report these tickets on your Statement of Economic Interests.

As District Attorney you are required to file a Statement each year disclosing all investments, interests in real property and income, including gifts of \$25 or more in value. See Government Code Sections 87200, et seq. However, the tickets you used to fly to Boston and London were obtained by your son for you, and were made available to him as a benefit of his employment. Consequently, to the extent that the tickets are gifts to you, they can be seen as gifts which were made by your son, and the Political Reform Act provides that the term "gift" does not include gifts from an individual's child. Government Code Section 82028(b)(3). If in the future the tickets become available to you directly, i.e., without the necessity of your son obtaining them for you, you should contact us again. Under such altered circumstances the tickets may become reportable gifts from World Airways.

Sincerely,

Sarah Cameron
Sarah Cameron
Deputy Chief for
Conflict of Interest
Legal Division

STC:kp

Office of District Attorney

Court House, Fourth Floor
P.O. Box 670
Martinez, California 94553
(415) 372-4500

Contra
Costa
County



800061
William A. O'Malley
District Attorney
Gary E. Strankman
Chief Assistant

November 14, 1980

Fair Political Practices Commission
P. O. Box 807
Sacramento, California 95804

Attention: Sarah Cameron, Division Chief
Conflict of Interest

Dear Miss Cameron:

My son is employed by World Airways. Parents of employees of World may obtain standby airline tickets on World planes at no cost.

My son obtained a ticket for me which I used to go to London and back. He also obtained another ticket which I used to travel to Boston and back.

Is it necessary to claim the value of these tickets on my disclosure statement?

Thank you for your assistance.

Very truly yours,


WILLIAM A. O'MALLEY
District Attorney

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