

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
(916) 322-5662 322-5660 322-5901 322-6441

May 13, 1985

Honorable Leon Panetta
Member of Congress
380 Alvarado Street
Monterey, CA 93940

Attention: Mary Becker

Re: Your Request for Advice on
Behalf of Joe Tanzi
Our No. A-85-107

Dear Congressman Panetta:

You have asked on behalf of your constituent, Mr. Joe Tanzi, whether it is legal for an elected official such as a city mayor in California to transfer campaign funds to another candidate.

To our knowledge, there is currently no ban on the transfer of contributions from one candidate to another, unless a local contribution limitation ordinance is in effect in the jurisdiction which might put a limit on such an activity. The Political Reform Act, which this agency administers merely requires that any such transfers be reported by the maker and by the recipient (if \$100 or more). (However, see proposal in SB 118, enclosed.)

Outside the Political Reform Act, there are provisions in the Elections Code (Sections 12400, et seq., copies enclosed) which place certain restrictions on the "personal use" of campaign funds. We are unable to advise you with respect to these provisions as they are not contained in our Act. You may wish to consult with the Office of the Attorney General if you have questions regarding the Elections Code provisions.

If you have any questions regarding this letter, I may be reached at (916) 322-5901.

Sincerely,

A handwritten signature in cursive script that reads "Robert E. Leidigh".

Robert E. Leidigh
Counsel
Legal Division

REL:plh
Enclosures

LEON E. PANETTA
15TH DISTRICT, CALIFORNIA

WASHINGTON OFFICE:
339 CANNON HOUSE OFFICE BLDG. 2D
WASHINGTON, D.C. 20515
(202) 225-2881

Congress of the United States
House of Representatives
Washington, D.C. 20515

DISTRICT OFFICES:
360 ALVARADO STREET
MONTEREY, CALIFORNIA 93940
(408) 649-3555
HOLLISTER, CALIFORNIA
(408) 637-0600
MORRO BAY, CALIFORNIA
(805) 772-2035
SALINAS, CALIFORNIA
(408) 424-2228
SANTA CRUZ, CALIFORNIA
(408) 428-1876

May 6, 1985

COMMITTEES:
BUDGET
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HOUSE ADMINISTRATION
(ON LEAVE)

MAJORITY REGIONAL WHIP

TO: Chairman
Fair Political Practices Commission
1100 K Street
P. O. Box 807
Sacramento, CA. 95804

MAY 9 1985

ENCLOSURES FROM:
Joe Tanzi

RE:

Please review the enclosed. The constituent asks if it is legal for an elected officials such as a city mayor, in the State of California, to donate his/her campaign funds to a candidate running for city council of the same or of a different city. I thank you for your assistance in this matter.

I would appreciate your attention to the attached correspondence. Please direct your reply to the address below.

Thank you very much for your attention to this matter.

Sincerely,



LEON E. PANETTA
Member of Congress

Please respond to:
380 Alvarado Street
Monterey, California 93940
(408) 649-3555

Attention: Mary Becker

B: GENERAL INFORMATION REQUEST

b

DATE: 4 /18/85

STAFF MEMBER MLB PHONE X VISIT LETTER

CONSTITUENT'S NAME Mr. Joe Tanzi

ADDRESS: 24 Wyndemere

Monterey, CA 93940

PHONE: / 624-8039
area code

INFORMATION REQUESTED: (be specific)

Mr. Tanzi would like to know the legality of campaign funds on the local level. He would like to know if the Mayor can give campaign funds to Council Members.