



California Fair Political Practices Commission

April 29, 1986

Mary Erbez
Assistant City Manager/City Clerk
City of Pittsburg
P.O. Box 1518
Pittsburg, CA 94565

Re: Your Request for Advice
Our File No. I-86-133

Dear Ms. Erbez:

This is in response to your April 21, 1986 letter requesting clarification on valuing and reporting gift tickets on statements of economic interests. In that letter you presented two examples and asked how each would be reported.

The first is a gift ticket to a political fundraiser from an individual to a city, county or state official valued at more than \$100. The second example is a gift ticket to a charitable organization's function from any individual to a city councilmember, again valued at more than \$100.

Currently tickets to political fundraisers are not reportable as gifts or other type of income. See Opinion Requested by Kenneth Cory, 1 FPPC Opinions 137 (No. 75-094-C, October 1, 1975, copy enclosed.)

Tickets to charitable fundraising events which are provided to an official by the sponsor of the event are also not reportable gifts. However, tickets to fundraisers purchased by someone other than the sponsor and then given to the official may be reportable as gifts by the official. The reportable value of such tickets is only the value of the event itself (the meal, entertainment, etc.); the portion of the ticket price that represents a charitable contribution is not included in calculating the value of the gift. Thus, if the actual value of the event is \$50 or more, the ticket to the official should be reported. Tickets which are provided to the spouse of an official are not gifts to the official himself and are not reportable, provided that they were, in fact, given to the spouse. See 2 Cal. Adm. Code Section 18726.2 (copy enclosed).

Mary Erbez
April 29, 1986
Page 2

In September, the Commission noticed a proposed regulation which addresses valuation and return of gift tickets to charitable or political fundraisers. (2 Cal. Adm. Code Section 18726.9, draft enclosed.) The proposed regulation provides that the value of gift tickets to charitable events is the face value of the ticket reduced by the value of the donation and further provides two alternatives for valuing tickets to political fundraisers. At a future meeting, the Commission will consider these suggested alternatives and possibly others. Again, this is a proposed regulation and is not yet in effect. It is not known at this time when the regulation will be presented to the Commission. You may wish to review the regulation and are welcome to present your comments on the contents of the regulation.

I hope this answers your questions on the manner to value and report gift tickets. If I can be of further assistance, please feel free to call me at (916) 322-5901.

Sincerely,



Jeanette E. Turvill
Legal Assistant
Legal Division

JET:plh
Enclosures



**CITY OF
PITTSBURG
CA.**

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April 21, 1986

Fair Political Practices Commission
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Sacramento, Ca. 95804

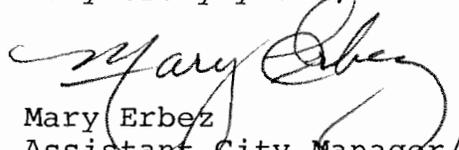
Would you please clarify the proper reporting procedures under the following examples:

A) If an individual gave a city council member a free ticket to a political dinner, for campaign funds for a city/county/state official, and the ticket, would normally sell for over \$100, should that be reported by the council member?

B) If an individual gave a city council member a free ticket to a charitable organization's function with that ticket normally selling for more than \$100, is that reportable by the council member?

If the answer to the first question is not the same as of the second, could you tell me what the the difference is between a function to raise money for a politician as opposed to a function to raise money for a charitable organization.

Very truly yours,


Mary Erbez
Assistant City Manager/
City Clerk