



# California Fair Political Practices Commission

June 26, 1986

Rich Milner  
Office of Assemblyman Mike Roos  
State Capitol  
Sacramento, CA 95814

Re: FPPC No. A-86-203

Dear Mr. Milner:

This is in reply to your memorandum dated June 17, 1986, to Jay Greenwood concerning the application of the mass mailing prohibition contained in Gov. Code Section 89001.

## QUESTION

You have asked for clarification, on behalf of the Assembly Rules Committee, of how to handle mass mailings to individuals specifically signed up to be periodically informed on specific legislative issues.

## ANSWER

Gov. Code Section 89001 prohibits mass mailings sent at public expense by or on behalf of an elected state officer after the elected state officer has filed a declaration of candidacy for any office.

FPPC Regulation 2 Cal. Adm. Code Section 18901 interprets the terms used in Gov. Code Section 89001. With regard to your question concerning communications to "individuals specifically signed up to be periodically informed on specific legislative issues," Section 18901(b) provides:

A mailing is a mass mailing if 200 or more identical or nearly identical pieces of mail are sent in a calendar month, provided, however, that mass mailings do not include mailings which contain only information or material sent in response to specific requests contained in written correspondence, petitions, oral inquiries or coupons.

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Based on this provision, mailings sent to individuals who request information on specific legislative issues are not prohibited under Gov. Code Section 89001. As we discussed earlier, it is not necessary to retain the written document requesting the information. However, we suggest that a record of some sort, such as an indication on the mailing list, be maintained to indicate that a person has requested information, with a notation as to the specific subject matter. With regard to what constitutes a "specific request" for information, the request must indicate that the person is requesting information on a specific topic or subject matter. Therefore, a request for "all legislative information," for example, would not fit within the exception provided in Section 18901(b).

I hope this provides adequate guidance to the Rules Committee with regard to mailings to persons who have requested information.

Please call me if you have any additional questions.

Sincerely,



Jeanne Pritchard  
Division Chief, Technical  
Assistance & Analysis Division

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MIKE ROOS  
MAJORITY FLOOR LEADER  
ASSEMBLYMAN, FORTY-SIXTH DISTRICT

June 17, 1986

MEMORANDUM

TO: JAY  
FROM: RICH  
RE: ADVISORY COMMITTEES

Rules Committee would like to get something in writing to advise them on how to handle mass mailings for advisory committees -- individuals specifically signed up to be periodically informed on specific legislative issues.

As you will recall, we discussed this in May. At your convenience, I would appreciate some informal, but in-writing guidance to them.

Thanks.