



# California Fair Political Practices Commission

May 4, 1989

David L. Gould  
609 South Grand Avenue, Suite 500  
Los Angeles, CA 90017

Re: Your Request for Advice  
Our File No. A-89-202

Dear Mr. Gould:

This letter confirms the telephone advice I provided to you on April 7, 1989, concerning the transfer of Assemblywoman Roybal Allard's "restricted funds" from her new campaign bank account for future candidacy to her original campaign account for moneys collected prior to January 1, 1989. This letter also confirms that I advised you that the Assemblywoman must create a new committee for the funds received after January 1, 1989. (Regulation 18521, copy enclosed.)

In our telephone conversation, I cautioned that "restricted funds" cannot be used to support or oppose a candidacy for elective office. (Section 85306.) Moreover, in the event that Regulations 18536(b)(2) and 18536.1 are upheld by an appellate court in the future, the campaign funds that Assemblywoman Roybal-Allard has transferred to the original campaign bank account cannot be used to support or oppose a candidacy for elective office.

If you have any questions about this letter, please contact me at (916) 322-5901.

Sincerely,

*Kathryn E. Donovan*  
Kathryn E. Donovan  
General Counsel

**DAVID L. GOULD**

609 SOUTH GRAND AVENUE, SUITE 500  
LOS ANGELES, CALIFORNIA 90017  
(213) 489-4792

April 7, 1989

Ms. Kathryn Donovan  
Acting General Counsel  
Fair Political Practices Commission  
428 J Street, Suite 800  
Sacramento, CA 95814

Dear Ms. Donovan:

This letter is to request written confirmation of telephone advice provided to me by you regarding the campaign provisions of the Political Reform Act as they relate to the campaign committees of Assemblywoman Lucille Roybal-Allard.

The campaign funds of the Assemblywoman were separated according to the regulations in effect at the end of 1988. The "good" or unrestricted funds were put into a new bank account under a new account name. Though a 501 and 502 were filed no new committee was formed and a 410 was not filed. The Assemblywoman would now like to transfer the monies that were separated back to the original restricted account to be used for officeholder expenses. She will also file a 410 for a new committee and will raise money for that committee.

The advice you gave me was that it would be permissible to transfer the funds that were separated back to the original "restricted" account and that we would need to file a 410 as to the new committee.

Please send a confirmation letter to me at the address listed above. If you have any questions about this letter, please call me at (213) 489-4792.

Sincerely,



David L. Gould



DAVID I. GOULD

David L. Gould



# California Fair Political Practices Commission

April 12, 1989

David L. Gould  
609 South Grand Avenue, Suite 500  
Los Angeles, CA 90017

Re: Letter No. 89-202

Dear Mr. Gould:

Your letter requesting advice under the Political Reform Act was received on April 7, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Kathryn Donovan an attorney in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

*Diane M. Griffiths by jek*  
Diane M. Griffiths  
General Counsel

DMG:plh