

# Memorandum

To : Government Code Section 86202

Date : Dec. 20, 1978

*M-78-302*

From : FAIR POLITICAL PRACTICES COMMISSION  
Barbara Campbell *BC*

Subject: Advice concerning Congressman-Elect Fazio

Lance Olson called yesterday to ask about the following situation:

Vic Fazio, after being elected to Congress on November 7, 1978, resigned his Assembly office. After Fazio had resigned his Assembly office, he received a \$1,000 contribution from a lobbyist. Fazio wants to use the \$1,000 to retire his 1978 General Election debts.

Lance asked if Fazio could accept the \$1,000 contribution from a lobbyist without violating Government Code Section 86202.

When Fazio resigned his office as an Assemblyman, he was no longer an elected state officer within the meaning of Government Code Section 86200. Therefore the lobbyist was not making a contribution to a state candidate or an elected state officer.

After discussing the matter with other staff members, I called Lance back to tell him Fazio could accept the \$1,000 contribution.

BC:plh