



California Fair Political Practices Commission

August 8, 1988

John Mahan
1212 Los Padres Blvd.
Santa Clara, CA 95050

RE: Your Request for Advice
Our File No. A-88-303

Dear Mr. Mahan:

You have requested advice concerning the campaign disclosure provisions of the Political Reform Act of 1974 (the "Act").^{1/}

QUESTIONS

1. May an existing controlled committee, originally established for a mayoral campaign, be used for the controlling candidate's campaign for school board?
2. Must the name of the treasurer be identified at this time?
3. Are there any restrictions concerning who is chosen as treasurer?

CONCLUSIONS

1. The existing committee may be used for the proposed school board race, as long as the statement of organization (Form 410) is amended to indicate the new purpose of the committee. The committee would retain its I.D. number.
2. The name of the committee's treasurer must be on file with the Secretary of State's office. If there is a vacancy in the treasurer's office, the committee may not accept contributions, nor make expenditures until the position is filled.
3. There are no restrictions in the Act concerning who may be a treasurer of a committee. However, the treasurer has specified duties under the Act, must sign all reporting statements and verify that information contained in the statements is true and complete. A candidate may be his or her own treasurer.

^{1/}Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

FACTS

You currently have a controlled committee which you used for your run for mayor. You are now a candidate for the Santa Clara school board. You intend to change the name of your committee from "Mahan for Mayor Committee" to "Friends of John Mahan."

ANALYSIS

Section 84103 requires that an amendment be filed to the statement of organization whenever there is a change in any of the information contained in a statement of organization. This amendment must be filed within 10 days after the change occurs.

Section 84100 states that:

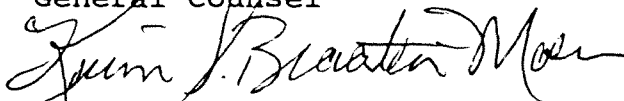
Every committee shall have a treasurer. No expenditure shall be made by or on behalf of a committee without the authorization of the treasurer or that of his or her designated agents. No contributions or expenditure shall be accepted or made by or on behalf of a committee at a time when there is a vacancy in the office of treasurer.

Enclosed, please find Commission regulation 18427, which sets out the duties of candidates and treasurers with respect to campaign statements.

If you have any further questions, please contact me at (916) 322-5662.

Sincerely,

Diane M. Griffiths
General Counsel



By: Kevin S. Braaten-Moen
Political Reform Consultant

5/17/88

Dear Sir.

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I at the present time hold I.D. # 830574
"MAHAN for Mayor Committee"

I am now a candidate for the
Santa Clara School Board my new
committee will be Friends of John Mahan.

Do I need a new I.D. number
or do you change the name on the
present one?

Do you need the name of a Treasurer
at this time?

Is there any restrictions who I
select?

Sincerely

John Mahan