



California Fair Political Practices Commission

September 26, 1989

Ms. Ellen Fletcher
777-108 San Antonio Road
Palo Alto, CA 94303

RE: Your Request for Informal
Assistance
Our File No. I-89-231

Dear Ms. Fletcher:

You have requested advice concerning the campaign disclosure provisions of the Political Reform Act (the "Act").^{1/} Because you have not asked a specific question of interpretation under the Act, we treat your letter as a request for informal assistance pursuant to Regulation 18239(c).^{2/}

You have asked what your options are for the use of surplus campaign funds remaining in your campaign account. You do not intend to seek re-election.

The Political Reform Act, as amended by Proposition 73, states that campaign funds shall be deemed to be held in trust for expenses associated with the election of the candidate to a specific office or expenses associated with holding that office. (Section 85202.) In addition, Section 85304 prohibits a candidate for elective office from transferring funds to another candidate.

California Elections Code Section 12400 et seq. prohibits the personal use of campaign funds and sets out the permissible use of surplus campaign funds. You may want to contact Ted Prim with

^{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.

^{2/} Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Section 83114; Regulation 18329(c)(3).)

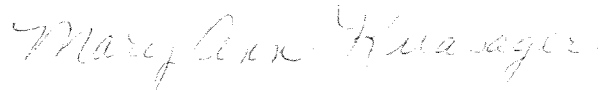
Ellen Fletcher
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the State Attorney General's office at 916/324-5481 for an interpretation of the Elections Code Section 12400.

If you have specific questions that are not addressed in this letter, please write to me.

Sincerely,

Kathryn E. Donovan
General Counsel

A handwritten signature in cursive script that reads "Mary Ann Kvasager".

By: Mary Ann Kvasager
Political Reform Consultant

F P P C

APR 14 1 54 PM '89

April 12, 1989

Fair Political Practices Commission
428 J Street, #800
Sacramento, CA 94814

Subject: Use of campaign funds

Dear FPPC:

I am a City Councilmember. My term expires at the end of 1989 and I still have a campaign fund in an interest-bearing account. I do not intend to run for re-election in the coming election.

What are my options for use of the money in the campaign fund?

Sincerely,



Ellen Fletcher

777-108 San Antonio Road
Palo Alto, CA 94303
415/494-8943

FPPC

APR 14 1 54 PM '89

April 12, 1989

Fair Political Practices Commission
428 J Street, #800
Sacramento, CA 94814

Subject: Use of campaign funds

Dear FPPC:

I am a City Councilmember. My term expires at the end of 1989 and I still have a campaign fund in an interest-bearing account. I do not intend to run for re-election in the coming election.

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Sincerely,



Ellen Fletcher

777-108 San Antonio Road
Palo Alto, CA 94303
415/494-8943



California Fair Political Practices Commission

April 19, 1989

Ellen Fletcher
777-108 San Antonio Road
Palo Alto, CA 94303

Re: Letter No. 89-231

Dear Ms. Fletcher:

Your letter requesting advice under the Political Reform Act was received on April 17, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

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 the 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,

Jeanne Pritchard
Jeanne Pritchard
Chief Technical Assistance
and Analysis Division

JP:plh