



California Fair Political Practices Commission

March 19, 1991

W. Andrew Hartzell
Deputy County Counsel
San Bernardino County
County Government Center
385 North Arrowhead Avenue
San Bernardino, CA 92415-0140

Re: Your Request for Informal Assistance
Our File No. I-91-149

Dear Mr. Hartzell:

You have requested confirmation of telephone advice provided to you concerning the new provisions of the Political Reform Act (the "Act")^{1/} limiting gifts and honoraria.

This letter confirms that your letter dated March 4, 1991, accurately summarizes the telephone advice I provided to you on March 1, 1991. As we discussed in our telephone conversation, the Act now provides gift and honoraria limits with respect to local elected officers. Section 89501 provides:

No local elected officeholder shall accept any honoraria for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering, or any gifts, from any single source, which is in excess of one thousand dollars (\$1,000), in any calendar year, except reimbursement for actual travel expenses and reasonable subsistence in connection therewith.

As we discussed in our telephone conversation of March 1, 1991, local elected officers are subject to a \$1,000 aggregate limit for gifts and honoraria from any single source. Moreover,

^{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.

the statute specifically excludes from the limits reimbursement for actual travel expenses and reasonable subsistence in connection with a speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering.

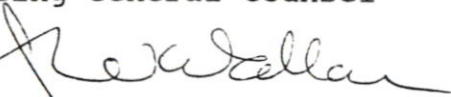
Thus, we are advising that the other new provisions of the Act providing exceptions from the gift and honoraria limits for travel provided to state officials are not applicable to local elected officers, since the exceptions are necessarily included within the broader exception in Section 89501.

Please be aware, however, that the issues raised in this letter present significant policy questions. We anticipate that in the near future the Commission will be considering issues of the type raised by your letter in the course of adopting regulations interpreting the new statutes. As a result of this process, our advice on this subject may change.

I trust this letter has addressed your concerns. Should you have any further questions regarding this matter, please feel free to contact me at (916) 322-5901.

Sincerely,

Scott Hallabrin
Acting General Counsel



By: John W. Wallace
Counsel, Legal Division

SH:JWW:plh