



California Fair Political Practices Commission

December 19, 1991

Ms. Teresa Beck
Counsel, Judiciary Committee
Mississippi House of Representatives
P.O. Box 1018
Jackson, Mississippi 39215-1018

Re: Your Request for Assistance
Our File No. G-91-520

Dear Ms. Beck:

Your letter of November 1, 1991 requests information as to California law regarding the employment by governmental entities of legislators who are attorneys.

The Political Reform Act, the body of law administered by the Fair Political Practices Commission, does not address the issue of the permissibility of such employment. The question would be considered a matter covered by the law pertaining to "incompatible activities," and would be under the jurisdiction of the Office of the Attorney General.

For your convenience and information, we are enclosing a copy of a publication entitled "Conflicts of Interests," which is produced and distributed by the Attorney General's Office. Chapter VI deals with the "Legislative Code of Ethics" found in the California Government Code, Section 8920 et seq. We refer you specifically to Government Code Section 8920(b), discussed on pages 39 and 40 of the enclosed booklet for the information you are seeking.

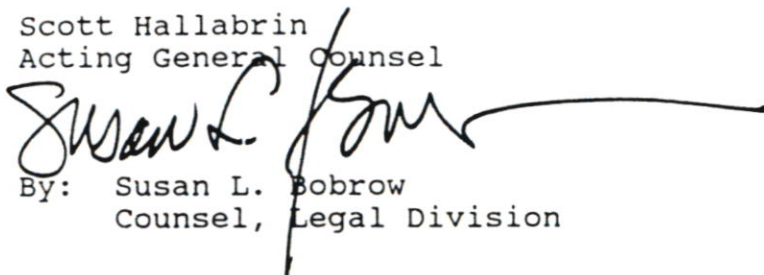
With regard to the Political Reform Act, legislators are subject to conflicts of interest as delineated in Government Code Sections 87102.5-87102.6, but the thrust of those statutes is to prohibit participation by a legislator in particular kinds of governmental decisions in which the legislator knows or has reason to know that he or she has a financial interest. Subsequent to leaving office, a legislator would be subject to the "revolving

door" provision, found in Government Code Section 87406(b), which would restrict the former legislator's employment. In the event that the Political Reform Act provisions could be useful to you, we are also enclosing a copy of the current Act.

I hope that the enclosed publications will assist you in your research. If you have further questions regarding incompatible activities, please contact the Office of the California Attorney General, 1515 K Street, Suite 600, P.O. Box 944255, Sacramento, California 94244-2550. If you have questions regarding the Political Reform Act, please do not hesitate to contact me at (916) 322-5901.

Sincerely,

Scott Hallabrin
Acting General Counsel

A handwritten signature in black ink, appearing to read "Susan L. Bobrow", with a long horizontal flourish extending to the right.

By: Susan L. Bobrow
Counsel, Legal Division

SH:SLB:ken