



California Fair Political Practices Commission

May 20, 1992

Ms. Jo Seibert
City Clerk
600 Eucalyptus Avenue
Vista, CA 92085

RE: Your Request for Informal Assistance
Our File No. I-92-258

Dear Ms. Seibert:

This is in response to your letter requesting advice concerning the campaign provisions of the Political Reform Act (the "Act").^{1/} Because you have not indicated that you are authorized to seek advice on behalf of the ballot measure committee, we can only provide the following informal response to your question pursuant to Regulation 18329(c)(4).^{2/}

FACTS

Efforts to obtain signatures on a petition to recall an incumbent city official ceased. The committee which was formed to support the recall had an ending cash on hand balance from the recall effort. Subsequently, the committee amended its Statement of Organization (Form 410) indicating the committee is currently formed as a general purpose recipient committee.

QUESTION

May an existing primarily formed committee with remaining funds, originally established for a recall effort, amend its Statement of Organization designating the committee as a general purpose recipient committee?

1/ Government Code Section 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).)

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CONCLUSION

There is nothing in the Act that prohibits a local recall committee from changing its principal activity and using its existing cash on hand to make expenditures to or on behalf of candidates and issues when such expenditures are reasonably related to a political, legislative or governmental purpose. (Section 89512.) Because the principal activity of the committee changed, the committee was required to file an amended Statement of Organization. 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.

If you have any questions regarding this letter, please contact me at 916/322-5662.

Sincerely,

Scott Hallabrin
Acting General Counsel


By: Mary Ann Kvasager
Political Reform Consultant