



California Fair Political Practices Commission

May 13, 1994

Joe Pandit
6929 Azalea Drive
San Jose, CA 95120

Re: Your Request For Advice
Our File No. I-94-152

Dear Mr. Pandit:

You have requested advice regarding potential conflicts arising out of your intended candidacy for two elective offices. The Political Reform Act, Government Code Sections 81000-91015, does not address this issue. As we cannot advise you on matters outside of our jurisdiction, we are unable to answer the questions you have raised.

The Attorney General's Office has issued many opinions on the incompatibility of simultaneously held offices. In particular, we direct your attention to 65 Ops. Att'y. Gen. 606 (1982) which addresses the compatibility of the office of city councilmember and school trustee. California law may prohibit an individual from running for two incompatible offices simultaneously. See Keane v. Smith, 4 Cal. 3d 932, 942-43, 95 Cal. Rptr. 197 (1971). Both the opinions of the attorney general and the Keene opinion are available at your county law library.

Any further questions you may have on this particular matter are more properly addressed to either: the office of the attorney general; the office of the county counsel; the office of the city attorney; or the legal counsel for the college district for which you intend to run.

We regret that we are unable to answer your questions. In the future, should you have questions concerning your obligations and responsibilities under the Political Reform Act, this office remains available to assist you.

Sincerely,

Steven G. Churchwell
General Counsel

By *Daniel E. Muallem*
Daniel E. Muallem
Counsel, Legal Division /sk