

RAVI MEHTA
CHAIRMAN



FAIR POLITICAL PRACTICES COMMISSION

April 4, 1996

Sue Lasher
Treasurer,
Santa Clarans For Political
Integrity and Ethics
P.O. Box 483
Santa Clara, CA 95052

Re: Your Request for Informal
Assistance
Our File No I-96-105

Dear Ms. Lasher:

This is in response to your letter requesting advice regarding the campaign provisions of the Political Reform Act (the "Act").^{1/} Because your inquiry is general in nature, we will treat your letter as a request for informal assistance pursuant to Regulation 18329(c).^{2/}

QUESTION

May your committee use the \$804.33 remaining in its bank account after the conclusion of a recall effort to pursue activities as a general purpose recipient committee?

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. (Government Code Section 83114; 2 Cal. Code of Regs. Sections 18329(c) (3).)

CONCLUSION

Yes. Nothing in the Act prevents you from using funds remaining after ending your recall efforts to finance activities as a general purpose committee.

FACTS

You are the treasurer of Santa Clarans For Political Integrity and Ethics ("SCPIE"). SCPIE filed a Statement of Organization (Form 410) as a city general purpose recipient committee on May 23, 1995. The Form 410 indicated that SCPIE was formed to promote ethical behavior by candidates and promoters of ballot measures in the City of Santa Clara.

On July 6, 1995, SCPIE filed an amended Form 410 to add the words "Recall of James F. Arno" to the committee name. Subsequent to the failure of the recall effort the committee filed another amended Form 410 on January 4, 1996, changing the committee name back to the original name.

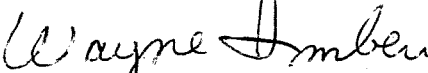
ANALYSIS

There is nothing in the Act which prevents a committee that raised money as a primarily formed recall committee from using those funds as a general purpose committee once it amends its Statement of Organization to reflect that change.^{3/} Expenditures made by committees must be, at a minimum, reasonably related to a political, legislative, or governmental purpose. (Sections 89511 and 89512.5.) Contributions or expenditures to support or oppose state or local candidates or issues would certainly be related to a political purpose.

If you have additional questions, please contact me at (916) 322-5660.

Sincerely,

Steven G. Churchwell
General Counsel


By: Wayne P. Imberi
Political Reform Consultant

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An organization which receives \$1,000 or more from its members for the purpose of making contributions or expenditures to support a variety of state and/or local candidates or issues is defined in the Act as a "general purpose committee." (Sections 82013 and 82027.5.)