

RAVI MEHTA  
CHAIRMAN



## FAIR POLITICAL PRACTICES COMMISSION

April 29, 1997

Fred Huebscher  
924 16<sup>th</sup> Street  
Hermosa Beach, California 90254

**Re: Your Request for Advice  
Our File No. A-97-182**

Dear Mr. Huebscher:

This letter is a response to your request for advice regarding the campaign reform provisions of the Political Reform Act (the "Act").<sup>1</sup> You are considering running in the June 1998 election for the Democratic County Central Committee.

### QUESTION

Do the contribution limitation provisions of Proposition 208 apply to candidates running for the Democratic County Central Committee?

### CONCLUSION

Proposition 208 went into effect on January 1, 1997. Among other things, Proposition 208 imposes contribution limits on candidates running for statewide and local elective offices. Specifically, section 85301 provides that no person may make to any candidate for local office in districts with fewer than 100,000 residents, and no such candidate may accept from any person, contributions totaling more than \$100 for each election. In districts of 100,000 residents or more, the contribution limit is \$250 per person per election.

The initiative also places restrictions on when such candidates may solicit or accept contributions. Section 85305 provides that no candidate for local office in districts with fewer than 1,000,000 residents shall accept "contributions more than six months before any primary or special primary election, in the event there is no primary or special primary election, any regular election or special election in which the candidate is attempting to be on the ballot or is a write-in candidate." In districts of 1,000,000 residents or more, the off-year ban on contributions ends 12 months before the election.

---

<sup>1</sup> Government Code sections 81000 - 91014. Commission regulations appear at title 2, sections 18109 - 18995, of the California Code of Regulations.

You would like to know whether sections 85301 and 85305 apply to candidates running for the Democratic County Central Committee. Section 82007 defines "candidate," in part, as follows:

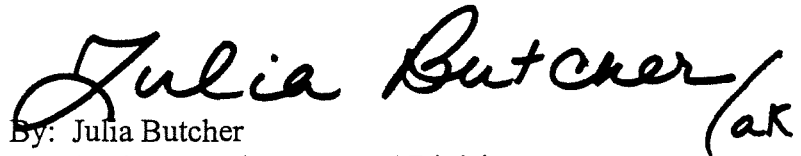
"[A]n individual who is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials, for nomination for or election to any *elective office*.  
(Emphasis added.)

Section 82023 defines "elective office" to include "membership on a county central committee of a qualified political party." Accordingly, the contribution limitation provisions within Proposition 208 apply to candidates running for the Democratic County Central Committee.

If you have any other questions regarding this matter, please contact me at (916) 322-5660.

Sincerely,

Steven G. Churchwell  
General Counsel

A handwritten signature in cursive script that reads "Julia Butcher" followed by a slanted line and the initials "ak".

By: Julia Butcher  
Graduate Assistant, Legal Division

SGC:JB:ak