



**SUPERSEDED BY 1998
AMENDMENTS TO
REGULATION 18530**

FAIR POLITICAL PRACTICES COMMISSION

December 1, 1997

Emma Solden
City Clerk, City of Santa Cruz
809 Center Street, Room 9
Santa Cruz, California 95060

**Re: Your Request for Advice
Our File No. A-97-426a**

Dear Ms. Solden:

This letter is in response to your request for advice regarding the provisions of the Political Reform Act (the "Act").¹ You are the city clerk for the City of Santa Cruz and you are requesting advice on behalf of the Santa Cruz City Council.

On August 7, 1997, you requested an advice letter from the Commission regarding the use of public funds for a candidate brochure. (*Solden* Advice Letter, No. A-97-426.) Presently, you are requesting the Commission to render another advice letter on the same issue after we review additional material. You have enclosed two letters from your city attorney that set forth his opinion regarding the use of public funds for a candidate brochure.

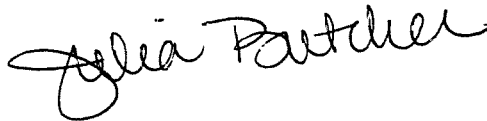
Upon reviewing the additional material, we affirm our advice provided in our previous letter to you as it pertains to the Political Reform Act. In that letter, we advised the City of Santa Cruz that it could prepare and distribute a candidate brochure that follows the guidelines of Election Code section 13307 without violating sections 85300 and 89001. In addition, we advised the city that it could not place restrictions on a candidate's inclusion in the brochure that would have the effect of favoring incumbents, such as requiring a candidate to raise a specific dollar amount and/or requiring a candidate to collect a specific number of qualified signatures before including the candidate in the brochure. Finally, we advised the city that it could require candidates to accept voluntary spending limits before including them in the brochure as long as the brochure explicitly stated that only those candidates who accepted the voluntary spending limit were included in the brochure.

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

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". The signature is written in black ink and is positioned above the typed name of the signatory.

By: Julia Butcher
Graduate Legal Assistant, Legal Division

SGC:JB:jlw