



FAIR POLITICAL PRACTICES COMMISSION

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October 31, 2002

Alister McAlister
13055 Orange Road
Wilton, CA 95603-9664

Re: Your Request for Advice
Our File No. A-02-273

Dear Mr. McAlister:

This letter is in response to your request for advice regarding the provisions of the Political Reform Act (the "Act").¹

QUESTION

How may you use surplus funds contained in your old committee, which were raised when you served in the Assembly from 1971-1986?

CONCLUSION

The use of surplus campaign funds is governed by Elections Code section 20300. You should direct further inquiry to the Office of the Attorney General with respect to that code section.

FACTS

You served in the California State Assembly from 1971-1986. The balance in your campaign committee account is approximately \$6,039.25, all received prior to your departure from the Legislature.

ANALYSIS

In 1999, in connection with amendments to the Act by Proposition 208, we advised you regarding the use of surplus campaign funds pursuant to then-regulation

¹ Government Code sections 81000 – 91014. Commission regulations appear at Title 2, sections 18109-18997, of the California Code of Regulations.

18519.4. (*McAlister* Advice Letter, A-99-293.) That regulation set forth certain rules regarding use of funds that were raised prior to January 1, 1989.

Regulation 18519.4 has since been repealed by the Commission. As we have advised in the past, section 20300 of the Elections Code governs the use of funds raised prior to January 1, 1989 (*Fletcher* Advice Letter, No. A-97-019; *Biggs* Advice Letter, No. 92-445). A copy of Elections Code section 20300 is enclosed. Because section 20300 of the Elections Code is not part of the Act, we refer you to the Office of the Attorney General for advice regarding compliance with that code section.

We also wish to make you aware of Commission regulation 18404.1. That regulation requires any candidate controlled committee organized for elective state office for an election held prior to January 1, 2001, to be terminated no later than December 31 of this year. A copy of that regulation and regulation 18404 (filing of committee terminations) is also enclosed for your use.

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

Sincerely,

Luisa Menchaca
General Counsel

By: C. Scott Tocher,
Counsel, Legal Division

Enclosures

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