Proposal to Review Regulations Pertaining to Enforcement Proceedings

Staff of the Fair Political Practices Commission (“Commission”) will be holding an interested persons’ meeting on July 6, 2011 at 10:00 a.m. to solicit general public comment and suggestions on revising FPPC regulations, including but not limited to Regulations 18360 – 18361.10. Particular emphasis will be on suggestions which would address concerns related to the enforcement process and due process issues, which would better enable the public to comply with the Political Reform Act (“Act”) and the Commission to administer and enforce the Act. Any new suggestions related to enforcement will also be accepted.

Changes which may be proposed to clarify the Enforcement process of the Commission include, but are not limited to:

- The current complaint notification process (Regulation 18360);
- The current role of the Executive Director in procedures for initiating complaints and decisions to begin probable cause proceedings. (Regulation 18361.4);
- Procedures for matters involving multiple respondents seeking different avenues for case resolution.
- Procedures to allow discovery for respondents prior to a probable cause hearing.
- The addition of default and reconsideration regulations.
- Principal Officer liability.
- Major Donor Committee treasurer liability.
- Clarifying treasurer liability vs. candidate liability and possibly allowing treasurers to accept full liability for committee violations.

The Chair and Commission staff seek public input on these issues and related matters. You may participate in this interested persons’ meeting in person or by teleconference by calling (888) 751-0624; access code 723284. For questions about participating by phone, you may contact Virginia Latteri-Lopez at (916) 322-5660. The Commission also invites written comments addressing these topics. Written comments should be addressed to Sukhi K. Brar, Commission Counsel, or Gary S. Winuk, Chief, Enforcement Division, at the address set forth above. For general questions about the topics, contact Sukhi Brar, Luisa Menchaca or Galena West also at (916) 322-5660.