



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
428 J Street • Suite 620 • Sacramento, CA 95814-2329  
(916) 322-5660 • Fax (916) 322-0886

August 31, 2015

Doug Karpa  
Legal Program Director  
Turtle Island Restoration Network  
P O Box 370  
Forest Knolls, CA 94933

Re: Your Request for Advice  
**Our File No. A-15-161**

Dear Mr. Karpa:

This letter responds to your request for advice regarding your obligations under the conflict of interest provisions of the Political Reform Act (the “Act”).<sup>1</sup>

Please note that the Act requires the Commission to provide written advice to any person whose duties under the Act are in question or to that person’s authorized representative. (Section 83114(b); Regulation 18329(b)(1).) However, the Commission does not provide advice to a third party about a public official’s duties under the Act. (Section 83114; regulation 18329.) Thus, we cannot respond to your specific questions about members of the Marin County Board of Supervisors and do not expressly discuss them herein.

However, we can respond to your questions about your liability under Section 83116.5. Section 83116.5 provides:

“Any person who violates any provision of this title, who purposely or negligently causes any other person to violate any provision of this title, or who aids and abets any other person in the violation of any provision of this title, shall be liable under the provisions of this chapter. However, this section shall apply only to persons who have filing or reporting obligations under this title, or who are compensated for services involving the planning, organizing, or directing any activity regulated or required by this title, and a violation of this section shall not constitute an additional violation under Chapter 11 (commencing with Section 91000).”

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<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

This section is only applicable to persons with filing duties under the Act. Since you do not have filing responsibilities under the Act, and based on your description of your conduct, you would not be subject to Section 83116.5.

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

Sincerely,

Hyla P. Wagner  
General Counsel

/s/

By: John W. Wallace  
Assistant General Counsel  
Legal Division

JWW:jgl