



FAIR POLITICAL PRACTICES COMMISSION

128 I Street • Suite 600 • Sacramento, CA 95814-2329

916/322-5600 • Fax 916/322-0886

January 16, 2013

Mr. Michael Aldapa
Friends of Michael Aldapa
for Calif. State Assembly

REDACTED

Warning Letter Re: FPPC No. 12/432; Friends of Michael Aldapa for California State Assembly, Michael Aldapa, Respondent

Dear Mr. Aldapa:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a referral from the Los Angeles County Registrar-Recorder that alleged you have failed to file a campaign statement.

The FPPC has completed its investigation of the facts in this case. Specifically, we found that you failed to file a Form 470, Campaign Statement Short Form, as a pre-election statement, by the March 22, 2012 deadline with the Los Angeles County Registrar-Recorder.

The Act requires that all candidates being voted upon in the primary election must file their first campaign statement no later than March 22. (Sections 84200.5/84200.7.) Candidates who do not form a committee, and do not raise or spend \$1,000 or more in a calendar year, are permitted to file a campaign disclosure statement short form, a Form 470. (Section 84206; Regulation 18406.)

Your actions violated the Act because you failed to file a pre-election campaign statement by the March 22, 2012 deadline. Since it does not appear that you had significant

¹ 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.

activity during the period covered by your statement, and you were defeated in the election, we are closing our file on this matter.

You must immediately file your delinquent campaign statements with the Office of the Secretary of State and with the Los Angeles County Registrar-Recorder.

Please note that in anticipation of raising or spending \$1,000 or more, you filed a Statement of Organization (Form 410) with the Office of the Secretary of State. Effective January 1, 2013, the Office of the Secretary of State will impose a \$50 annual fee on every open campaign committee. The funds collected will support and maintain the electronic campaign filing program. However, committees that terminate by January 31, 2013 will not be required to pay that fee. (Section 84101.5(c)(3).) You may want to terminate your committee by filing a Statement of Organization (Form 410) as a termination statement with the Office of the Secretary of State, and a copy to Los Angeles County, by January 31, 2013.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/jt

cc: Los Angeles County Registrar-Recorder