



## FAIR POLITICAL PRACTICES COMMISSION

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January 19, 2010

Mr. Christopher Giza  
Commissioner  
California State Athletic Commission

REDACTED

**Re: Warning Letter  
FPPC Case No. 09/693; Christopher Giza**

Dear Mr. Giza:

The Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act (the “Act”)<sup>1</sup>. As you may be aware, the Commission initiated a complaint against you alleging violations of the gift limitation provisions of the Act. Specifically, you received a gift in excess of the gift limits imposed by the Act in Section 89503 while serving on the California State Athletic Commission. The Commission has decided to close this case with this warning letter.

I have completed my investigation of the facts in this case. Specifically, I have found that you accepted a gift of a ticket from Golden Boy Promotions to attend a boxing match held on May 3, 2008. The value of this ticket was \$400, which exceeded the applicable gift limit of \$390 for calendar year 2008.

Your acceptance of a gift over the applicable limit is a violation of the Act. (Section 89503, subdivision (c).) Although you had a non-delegable duty to understand and abide by the provisions of the Act, we are not moving forward with this matter based on the specific facts of this case. These include the fact that you contacted the Technical Assistance Division, made a good faith effort to determine the value of the gift, and paid down the amount over the limit before being contacted by the Enforcement Division.

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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.

Under the Act, “no elected state officer, elected officer of a local government agency, or other individual specified in §87200 shall accept gifts from any single source in any calendar year with a total value of more than two hundred fifty dollars.” (Section 89503). The \$250 gift limit amount is adjusted biennially to reflect changes in the Consumer Price Index pursuant to Section 89503, subdivision (f). For calendar year 2008, the applicable gift limit was \$390 from a single source in a calendar year. The gift amount limit for 2009 is \$420 from a single source in a calendar year.

A new version of Regulation 18944.1, which addresses passes or tickets given to agency officials by a source other than an official’s agency, became operative on February 2, 2009. Under the current version of this regulation, only the ticket or pass provided to the official, to a function where the official performs a ceremonial role or function on behalf of the agency, would not be considered a gift to the official. While the prior version stated that tickets for a spouse or immediate family member were not gifts, the current version makes no such exemption.

Even though many of the promoters may have provided “credentials” to events, regulation 18946(d)(2) specifically provides that “ticket” or “pass” “means *anything* that provides an admission privilege to an event or function and for which similar tickets or passes are offered for sale to the public.” (Italics added.)

Pursuant to Regulation 18943(a)(4), you may pay the gift down within 30 days of receipt or acceptance by reimbursing the donor. In such event the value of the gift is reduced by the amount of the reimbursement, and the amount of the gift which must be disclosed is reduced by the amount of the reimbursement.

Your actions violated the Act because you accepted a gift with a value in excess of the applicable gift limitation, and failed to pay down the gift within 30 days of receipt.

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

Zachary W. Norton  
Commission Counsel  
Enforcement Division