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

February 10, 2014

The Honorable Richard Pan
Member of the Assembly

REDACTED

Warning Letter: Case No. 14/086; Dr. Richard Pan for Assembly 2012; Richard Pan; Respondents

Dear Assemblyman Pan:

The Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (Act)[1]. The FPPC has determined that your campaign committee, Dr. Richard Pan for Assembly 2012, received non-monetary campaign contributions from Kevin Sloat, a registered lobbyist with the lobbying firm Sloat Higgins Jensen & Associates.

Mr. Sloat regularly hosted political fundraisers at his house. At these fundraisers, Mr. Sloat provided beverages such as wine, beer, soft drinks, water, etc. to guests. In some instances, he also provided cigars and floral arrangements for the fundraiser events. On April 24, 2012, Mr. Sloat hosted a fundraiser at his house for the benefit of your campaign. At that fundraiser, he provided beverages to guests and may have provided floral arrangements and/or cigars for the event. Because the total cost of the event exceeded $500, the beverages, and any other items purchased for the event by Mr. Sloat, constituted non-monetary contributions to your campaign under the Act. (Section 82015, Regulation 18215.)

State elected officers and candidates for state elected office are prohibited from receiving any campaign contributions from lobbyists registered to lobby the governmental agency for which the candidate is seeking election or the government agency of the elected state officer. (Section 85702.) However, Mr. Sloat did not inform you that he was providing this non-monetary contribution and, therefore, it appears that you were unaware that he provided it. Additionally, it appears your campaign committee properly disclosed all other known contributions and expenditures associated with the event, and the amount of Mr. Sloat's contribution was relatively small. As a result, we are closing your case with this warning letter. This information will be retained and may be considered should a future enforcement action become necessary.

[1] The Act is contained in Government Code sections 81000 through 91014. The regulations of the FPPC are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations.

A warning letter is an FPPC case resolution without administrative prosecution; however, this resolution does not provide you with the opportunity for a probable cause or administrative hearing. 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 days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of your case. If we do not receive such notification, this warning letter will be posted on the FPPC's website.

Should you have any questions regarding this letter, contact me at (916) 322-5660.

Sincerely,

REDACTED

Gary S. Winuk
Chief, Enforcement Division