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

May 31, 2012

Mr. George Smyrnos
George Smyrnos for Superior Court Judge
REDACTED

Re: Advisory Letter
FPPC No. 12/229: George Smyrnos; George Smyrnos for Superior Court Judge

Dear Mr. Smyrnos:

As you may know, the Enforcement Division of the Fair Political Practices Commission (the "FPPC") has received a sworn complaint against you. After review of the complaint, the Enforcement Division has decided to close its file on this matter without initiating an enforcement action. The basis for this decision follows.

The FPPC enforces the provisions of the Political Reform Act (the "Act"),[1] found in Government Code section 81000, et seq. The Act prohibits a candidate or committee from sending a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing. (Section 84305.) Furthermore, any identification requirements under section 84305 must be preceded by the words "Paid for by." (Regulation 18435(d).)

By failing to have the required "Paid for by" language preceding your committee's name in the mass mailing that is the subject of this complaint, you have violated section 84305 of the Act. However, we have determined that further enforcement action for your violation is not warranted because it was clear this was a mailing from your committee regarding your campaign for superior court judge and regulation 18435 was recently amended to include the "Paid for by" language.

[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 18109 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.

Nevertheless, although we have decided not to pursue an enforcement action in this matter, you are advised that your failure to comply with the provisions of the Act in the future could result in an enforcement action. In addition, the information in this case will be retained and may be used against you should an enforcement action become necessary based on future conduct and/or newly discovered information.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Your cooperation in ensuring that the requirements of the Act are consistently satisfied is greatly appreciated. If you have any questions regarding this matter, please feel free to contact Teri Rindahl at 916.327.2018.

Sincerely,

REDACTED

Gary S. Winuk
Chief, Enforcement Division

GSW/tr