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

June 6, 2013

Henrietta Carmen (Etta) Waterfield
Taxpayers for Etta Waterfield, Assembly 2010

REDACTED

Advisory Letter Re: FPPC No. 11/943; Taxpayers for Etta Waterfield; Henrietta Carmen (Etta) Waterfield

Dear Ms. Waterfield:

The Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (the Act) found in Government Code Section 81000, et seq. The FPPC received an audit report submitted by the Political Reform Audit Program of the Franchise Tax Board for yourself and the Taxpayers for Etta Waterfield, Assembly 2010 committee. The audit report states that the Jane Russell Trust was not disclosed as the lender for a $100,000 loan reported on the Semi-annual Statement filed for the period ending June 30, 2009, and was also not disclosed as the lender on a $5,000 Report filed on July 1, 2009. Instead, you were disclosed as the lender. A copy of the audit report is attached for your reference.

In response to the audit finding, you stated that the $100,000 from Ms. Russell was given to you and your husband, it was not earmarked for any purpose, and you and your husband had complete discretion over how to use the funds, whether it was for campaign or personal purposes.

The Act provides that no contribution shall be made, directly or indirectly, by any person in a name other than the name by which such person is identified for legal purposes. (Section 84301) In regards to the $100,000 you received from Ms. Russell on June 18, 2009 and loaned to your committee that same date, there is insufficient evidence available to determine whether the funds were given to you earmarked for campaign purposes. In addition, the committee has terminated without the loan being repaid and presumed forgiven. Based on the above information we are closing this matter with an advisory letter.

If, in the future you should run for office, and personally receive money for which you subsequently use for campaign purposes, it is recommended that you contact the Commission's

Technical Assistance Division to seek advice to ensure that the source of the money is properly reported.

The FPPC publishes forms and manuals to facilitate compliance with the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (916) 322-5660, Monday through Friday, between 9:00 a.m. and 4:00 p.m. Please also visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact us at (916) 322-5660.

Sincerely

REDACTED

Robert Perna
Program Specialist
Enforcement Division

Enclosure