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

August 8, 2013

David L. Gould
California Association of Bilingual Educators PAC
ID # 960015

REDACTED

Warning Letter Re: FPPC No. 13/621; California Association of Bilingual Interpreters PAC; David Gould, Treasurer

Dear Mr. Gould:

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 non-filer enforcement referral that alleged you failed to file your campaign statements online or electronically with the California Secretary of State (the "SOS").

The FPPC has completed its investigation of the facts in this case and found that you failed to file your semi-annual campaign statement (Form 460) electronically for the July 1, 2012 through December 31, 2012 period due on January 31, 2013.

Under Section 84605, specific persons/entities are required to file electronic statements with the SOS; this includes any general purpose committee that, since January 1, 2000, has cumulatively received contributions or made expenditures totaling twenty-five thousand dollars ($25,000) or more to support or oppose candidates for any elective state office or state measure. (§ 84605(a)(2).)

Your actions violated the Act because you failed to electronically file the aforementioned campaign statement by the specified deadline. However, since your committee has timely filed a paper copy of the statement in qusetion, and does not have an enforcement history, we are closing your case with this warning letter. 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.

[1] The Political Reform Act is contained in Government Code Sections 81000 through 92014. 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.

Although the FPPC is not seeking a penalty in the current matter, you are still required to immediately file all outstanding statements with the SOS. Please note: once a person or entity is required to file online or electronically, the person or entity shall be required to file all subsequent disclosure statements and reports online or electronically in addition to in paper format. (§ 84605 (d), (f).) You may be responsible for any late filing fees assessed by your filing officer. (§ 91013.)

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 FPPC. 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.

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 (866) 275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Tracey Frazier at (916) 327-2019 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk
Chief, Enforcement Division

cc: Chris Reynolds, Chief
Political Reform Division
Secretary of State

GSW:tf:am