



## FAIR POLITICAL PRACTICES COMMISSION

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

August 14, 2013

Mr. Charles H. Bell, Jr.  
o/b/o California Republican Party

# REDACTED

### Warning Letter RE: FPPC No. 11/1024; California Republican Party

Dear Mr. Bell:

The Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act (the "Act").<sup>1</sup> This letter is in response to a sworn complaint filed by Phillip Ung of California Common Cause on October 26, 2011. His complaint alleged that your client, the California Republican Party ("Respondent"), violated the Act by failing to report the sources of funds contributed to the state ballot measure committee Fairness & Accountability in Redistricting ("FAIR").

After conducting an investigation into the matter, we found that your client failed to timely file ballot measure contribution reports in connection with five contributions to FAIR. As a designated electronic filer under Section 84605, your client is required to file a ballot measure contribution report within ten days of the receipt of any contribution in excess of \$5000 to support or oppose the qualification or passage of a single state ballot measure.

In addition, your client failed to properly itemize contributions on ballot measure contribution reports. According to Section 84204.5, subdivision (a), ballot measure contribution reports must disclose all contributions of \$100 or more received from the closing date of the last campaign report to the date of the contribution. (Section 84204.5, subd. (a)).

By failing to both timely file required ballot measure contribution reports and properly itemize contributions on those contribution reports, your client has violated the Act. However, the reports were eventually filed and the contributions were properly disclosed to

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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.

the public over a year before the election in which the measure appeared on the ballot. Therefore, we have decided to close this case with a warning letter.

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 Executive Fellow Adam Silver at (916) 322-5772 with any questions you may have regarding this letter.

Sincerely,

**REDACTED**

Gary S. Winuk

Chief, Enforcement Division