



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

August 27, 2013

Bernard Broughton
Local 250-A Transport Workers Union Special Fund

REDACTED

Warning Letter Re: FPPC No. 13/0531; Bernard Broughton

Dear Mr. Broughton:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a referral from the Secretary of State that alleged you failed to file your committee's semiannual campaign disclosure statements.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file semiannual campaign statements in an electronic format for the following period(s):

– January 1, 2012 through June 30, 2012 (due July 31, 2012)

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 file the aforementioned campaign statement(s) by the specified deadlines. However, since your committee does not have an enforcement history and has been terminated, 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 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.

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.

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

Should you have any questions regarding this letter, contact Tracey Frazier at (916) 327-2019.

Sincerely,

REDACTED

Gary S. Winuk
Chief, Enforcement Division

cc: Secretary of State, Political Reform Division