



FAIR POLITICAL PRACTICES COMMISSION

128 I Street • Suite 620 • Sacramento, CA 95814-2329
916-322-3600 • Fax: (916) 322-0886

August 28, 2012

✓
Mr. Benjamin Reyes
Rob Bonta for City Council 2010

REDACTED

Mr. Rob Bonta

REDACTED

Ms. Amber Maltbie
Rob Bonta for State Assembly 2012

REDACTED

Warning Letter Re: FPPC No. 12/495; Rob Bonta for City Council 2010; Benjamin Reyes, Treasurer; Rob Bonta for State Assembly 2012; Amber Maltbie, Treasurer; and Rob Bonta, Respondents

Dear Messrs. Reyes and Bonta and Ms. Maltbie:

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 sworn complaint that alleged the respective committees of Rob Bonta, Rob Bonta for City Council 2010 and Rob Bonta for State Assembly 2012, failed to cross-file their campaign statements with each other's respective filing officer.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that the Rob Bonta for City Council 2010 committee failed to file its statements in electronic format with the Office of the Secretary of State as required by Section 84215 and Regulation 18405(b).

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.

The Act requires that candidates and their committees file campaign statements at periodic intervals. Additionally, the Act requires that when an individual is a candidate for elective state office and a candidate for elective office in a local government agency, the campaign statements for all committees he or she controls must be filed with both jurisdictions on the dates the candidate is required to file semiannual statements and at the time the candidate is required to file preelection statements. (Section 84215; Regulation 18405(b).)

Section 84605(h) however does not require a candidate to a local elective office who is also a candidate for elective state office to file a copy of any report filed online with the Secretary of State to be filed with the local filing officer. Your actions violated the Act because the Rob Bonta for City Council 2010 committee failed to file its campaign statements with the Secretary of State. However, since those statements have now been filed and the statements filed locally were readily available in electronic format, we are closing our file on this matter.

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 me with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/jt

cc: Ms. Winnie Anderson