FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
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August 12, 2010

Mr. Hans J. Wong
Political Action Committee of California
Acupuncturist Association
REDACTED

Warning Letter Re: FPPC No. 10/196; Political Action Committee of California Acupuncturist Association; Hans J. Wong, Treasurer; Respondent(s)

Dear Mr. Wong:

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 referral from the Office of the Secretary of State, that alleged you and your committee failed to file a pre-election campaign statement in electronic format.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that on October 23, 2008, your committee filed its semi-annual campaign statement for the period July 1, 2008 through October 18, 2008 in paper format with the Office of the Secretary of State. You did not, however, file a version of that statement in electronic format.

The Act provides that any candidate or committee filing campaign statements in connection with a state elective office to file its campaign statements in both paper format and electronically with the Office of the Secretary of State. (Section 84605(a).) Once a person or entity is required to file electronically, that person or entity is required to file all subsequent campaign statements electronically. (Section 84605(g).)

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[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 18109 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.

Your actions violated the Act because you failed to file your pre-election campaign statement, in electronic format, by the October 23, 2008 deadline. However, since you did file that statement in paper 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