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

August 17, 2011

Ms. Shelly Yarbrough
yarbrough4statesenate2010
REDACTED

Advisory Letter Re: FPPC No. 11/674; yarbrough4statesenate2010; Shelly Yarbrough, Respondent(s)

Dear Ms. Yarbrough:

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 have failed to file campaign statements.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that your committee has failed to file semi-annual campaign statements for the period July 1, 2010 through December 31, 2010 and January 1, 2011 through June 30, 2011.

The Act requires that candidates and committees file campaign statements at periodic intervals. Specifically, the Act provides that with regard to semi-annual statements, committees shall file on July 31 and January 31 of each year reporting activity for the prior six-month period. (Gov. Code § 84200.)

Additionally, the Act requires that state candidates who withdraw from their election terminate their campaign committee no later than nine months after they withdraw. (Gov. Code § 84214; Regulation 18404.1(b)(1).)

[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 semiannual campaign statements for the period July 1, 2010 through December 31, 2010 by the January 31, 2011 deadline and January 1, 2011 through June 30, 2011 by the January 31, 2011 deadline, and you failed to terminate your committee within nine months of withdrawing from the 37th Senate District race. Since it does not appear that you were on the ballot and since it does not appear that your committee had significant activity in 2010, we are closing our file on this matter.

However, you must immediately file your delinquent campaign statements with the Office of the Secretary of State and with your local filing officer and you must terminate your committee.

The Commission publishes forms and manuals to facilitate compliance with the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (916) 322-5660, Monday through Thursday, between 9:00 a.m. and 4:00 p.m. Please also visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact me at (916) 322-8194.

Sincerely,

REDACTED

Jeanette E. Turvill
Political Reform Consultant
Enforcement Division

JT/jt
cc: Mr. Chris Reynolds, Chief
Political Reform Division
Secretary of State