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

September 17, 2009

John Chaffetz

REDACTED

Warning Letter Re: FPPC No. 07/519, John Chaffetz, Chaffetz '06

Dear Mr. Chaffetz:

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 complaint filed against you that alleged you were receiving cash campaign contributions of $100 or more. The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you did, in fact, receive cash campaign contributions of $100 or more.
The Act provides that receipt of cash contributions of $100 or more is prohibited. Specifically the Act under Section 84300, subdivision (a), a contribution of $100 or more is prohibited if it is made or received in cash.

Your actions violated the Act because the section further provides that the cash contribution is deemed "received" unless it is not negotiated or deposited, and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported. Thus, the entire contribution must be returned to the contributor in order for it not to be deemed "received," not just $1.

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

[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.

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

Ty D. Moore
Commission Counsel
Enforcement Division