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

July 16, 2009

Terry Ferenc
REDACTED

RE: **Warning Letter**
FPPC Case No. 09/511; Terry Ferenc

Dear Ms. Ferenc:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. The Act requires that committees file campaign statements at periodic intervals. This letter is to inform you that you failed to comply with the Act's campaign reporting requirements in 2006.

Section 82013, subdivision (c), defines one type of committee, commonly referred to as a major donor committee, as any person who makes contributions totaling $10,000. The Act requires that a major donor committee file a Campaign Disclosure Statement (Form 461) for each six month period that it made contributions. The campaign statement must be filed on January 31 and July 31 of each year. (Section 84200(a).)

The Act also requires that a committee file a Late Contribution Report (LCR), Form 497, disclosing any contributions of $1,000 or more made to support or oppose a candidate, ballot measure, or state political party, during the "late reporting period," the 16 days prior to the election in which the candidate or measure is on the ballot. The LCR must be filed by the committee within 24 hours of making the contribution and filed at every location that the committee is required to file its regular campaign statements. (Section 84203.)

On May 25, 2006, you sent a contribution to Brown for Attorney General in the amount of $11,200. That contribution was received by the Brown for Attorney General committee on May 30, 2006. Since that contribution was made during the "late reporting period," you were required to file an LCR within 24 hours of making the contribution. Additionally, your major donor campaign statement due July 31, 2006, was not filed until September 11, 2006, and on a subsequent amendment to that statement, you reported that you made the contribution to Brown for Attorney General committee on June 30, 2006. Your failure to accurately report the timing

of a contribution and your failure to file an LCR was a violation of the Act. To fulfill your LCR filing requirement, you must immediately file an LCR disclosing the making of a contribution on May 25, 2006 of $11,200 to Brown for Attorney General. The LCR must be filed with the Secretary of State, the Registrar-Recorder of Los Angeles County, and the Department of Elections of the City and County of San Francisco.

Although you violated the Act, we are closing this matter with a written warning to you. However, the information in this matter will be retained and may be considered should an enforcement action become necessary based on future conduct or newly discovered information.

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, you may call the Commission's Technical Assistance Division at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

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

Sincerely,

Gary S. Winuk
Chief, Enforcement Division

GSW:jt