



FAIR POLITICAL PRACTICES COMMISSION

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

FAIR POLITICAL PRACTICES COMMISSION ENFORCEMENT DIVISION

MEMORANDUM

**TO: ANN RAVEL, FPPC CHAIR
FPPC COMMISSIONERS GARRETT, ESKOVITZ, ROTUNDA AND
MONTGOMERY**

FROM: GARY WINUK, ENFORCEMENT DIVISION CHIEF

SUBJECT: LOBBYING ENTITY NON-FILER STREAMLINED PROGRAM

Lobbying Entity Non-filer Streamlined Program

The Act requires lobbyists, lobbying firms and lobbyist employers to file lobbying reports on a quarterly basis disclosing such things as legislative bills being lobbied, names of clients, payments made or received, activity expenses, and contributions made to state elected officers (Sections 86113, 86114 and 86116 et seq.) Quarterly lobbying reports inform the public of who is spending money to influence legislative or state action and making gifts and/or contributions to state and legislative officials. The Enforcement Division recognized the need to obtain prompt compliance and to deter non-filing while minimizing the impact on Enforcement resources and created the lobbying entity streamlined program. Lobbying entities are provided with an opportunity to stipulate to a lower penalty without the need for an enforcement action through the streamlined settlement procedure where their penalty is much lower than what it potentially could be if they did not participate in the program. Factors to determine if a lobbying entity is eligible for the program include: the number of missed quarterly statements, the amount received and/or spent by the entity, if they have prior violations of the Act, any aggravating or mitigating factors and whether the violation was intentional, negligent, or inadvertent.

Notification to respondents

With respect to the filing of quarterly lobbying reports, the Secretary of State promptly notifies all lobbying entities that they have failed to file a lobbying report by the specified deadline. The notification generally consists of two or more notification letters. If a lobbying entity fails to comply, the non-filer is referred to the Enforcement Division. (Section 81010.) The lobbying entity is then contacted by the Enforcement Division. In some cases, two or more letters are sent and often numerous telephone calls and emails are made to the entity by the Enforcement Division before compliance has been met.