



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

January 11, 2022

Bains for YCUSD Board 2020
Divinder Bains, Candidate & Treasurer
[REDACTED]

Warning Letter Re: FPPC Case No. 2022-00026; Bains for YCUSD Board 2020

Dear Ms. Bains & Bains for YCUSD Board 2020,

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral from the Sutter County Clerk that alleged you failed to file a semi-annual campaign statement for the candidate controlled committee: Bains for YCUSD Board 2020 (the “Committee”).

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you and the Committee failed to timely file a semi-annual campaign statement for the reporting period of October 18, 2020 through December 31, 2020, by the February 1, 2021 deadline.

The Act requires committees to file semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.² The obligation to file semi-annual campaign statements continues until the committee terminates.

Your actions violated the Act because you and the Committee failed to timely file the semi-annual campaign statement for the last reporting period of 2020 by the required due date. However, mitigating evidence exists such that the Enforcement Division has elected to close this case with this warning letter rather than issuing a fine: the Committee had no activity disclosed on the late statement, the Committee’s delinquent statement was actually a termination statement, the Committee has since properly terminated with both Sutter County and the Secretary of State, the Committee filed its statement quickly after being contacted by the Enforcement Division, and neither you nor the Committee have a prior history of violating the Act.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84200

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 Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. 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 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 Enforcement Division 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 Commission's website ten (10) days from the date of this letter.

If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact Ginny Lambing at glambing@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

AJB/gal

cc: Sutter County Clerk