



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

May 11, 2022

Support Mountain Schools – Yes on N 2020

Rachelle Lopp, Treasurer

Via email: [REDACTED]

Warning Letter Re: FPPC No. 2022-00232; Support Mountain Schools – Yes on N 2020

Dear Support Mountain Schools – Yes on N 2020 and Ms. Lopp,

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 Santa Clara County Registrar of Voters alleging that you violated the campaign disclosure provisions of the Act by failing to include all required information on the year end campaign statement for the calendar year 2020.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that Support Mountain Schools – Yes on N 2020 (the “Committee”) filed a semi-annual campaign statement covering the period October 18, 2020 through December 31, 2020. However the beginning cash balance on this campaign statement did not match the ending cash balance for the prior campaign statement, which covered the period September 20, 2020 through October 17, 2020.

The Act requires general purpose and primarily formed committees to disclose detailed information on their campaign statements. Specifically, the Act requires that committees disclose the cumulative amount of expenditures made during the period to persons who have received \$100 or more and provide detailed information regarding those expenditures². The committee must also disclose the cumulative amount of expenditures made to persons who have received \$100 or less³. The Act’s definition of expenditure also includes accrued expenses (i.e. unpaid bills), and any accrued expense which remains outstanding shall be reported on each campaign statement until extinguished⁴.

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 84211(i) and (k)

³ Section 84211(i)

⁴ Regulation 18421.6

Your actions violated the Act because you failed to report a payment of an accrued expense in the amount of \$323.45 on the campaign statement covering the period October 18, 2020 through December 31, 2020. However the Enforcement Division has decided to close this case with a warning letter rather than a fine because the amount paid was minimal, you filed an amendment to the campaign statement immediately after you were contacted by the Enforcement Division, and you have no prior history of violating this section of the Act.

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. 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.

Please feel free to contact Ginny Laming at glaming@fppc.ca.gov or 916-322-8064 with any questions you may have regarding this letter.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

AJB:gal